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Washington, Wednesday, September 8, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter I—War Food Administration (Standards, Inspections, Marketing Practices)

PART 28—COTTON STANDARDS

STANDARDS FOR GRADES OF COTTONSEED SOLD OR OFFERED FOR SALE FOR CRUSHING PURPOSES WITHIN THE UNITED STATES

By virtue of the authority vested in the War Food Administrator, the following revision of standards for grades of cottonseed sold or offered for sale for crushing purposes in the United States (3 F.R. 1343; 4 F.R. 3337) is promulgated:

§ 28.401 *Determination of grade.* The grade of cottonseed shall be determined from the analysis of samples, and it shall be the result, stated in the nearest whole or half numbers, obtained by multiplying a quantity index by a quality index and dividing the result by 100. The quantity index and the quality index shall be determined as hereinafter provided.

(a) The basis grade of cottonseed shall be grade 100.

(b) High grades of cottonseed shall be those grades above 100.

(c) Low grades of cottonseed shall be those grades below 100.

§ 28.402 *Determination of quantity index.* The following formulae shall be used in determining the quantity index of cottonseed:

(a) For cottonseed that by analysis contain 17 percent or more of oil, the quantity index shall equal 4 times the percentage of oil, plus 6 times the percentage of ammonia, plus 5.

(b) For cottonseed that by analysis contain 16 percent or more but less than 17 percent of oil, the quantity index shall equal 5 times the percentage of oil, plus 6 times the percentage of ammonia, minus 12.

(c) For cottonseed that by analysis contain 15 percent or more but less than 16 percent of oil, the quantity index shall equal 5 times the percentage of oil, plus 6 times the percentage of ammonia, minus 13.

(d) For cottonseed that by analysis contain 14 percent or more but less than 15 percent of oil, the quantity index shall equal 5 times the percentage of oil, plus 6 times the percentage of ammonia, minus 14.

(e) For cottonseed that by analysis contain 13 percent or more but less than 14 percent of oil, the quantity index shall equal 5 times the percentage of oil, plus 6 times the percentage of ammonia, minus 15.

(f) For cottonseed that by analysis contain 12 percent or more but less than 13 percent of oil, the quantity index shall equal 5 times the percentage of oil, plus 6 times the percentage of ammonia, minus 16.

(g) For cottonseed that by analysis contain 11 percent or more but less than 12 percent of oil, the quantity index shall equal 5 times the percentage of oil, plus 6 times the percentage of ammonia, minus 17.

(h) For cottonseed that by analysis contain 10 percent or more but less than 11 percent of oil, the quantity index shall equal 5 times the percentage of oil, plus 6 times the percentage of ammonia, minus 18.

(i) For cottonseed that by analysis contain 9 percent or more but less than 10 percent of oil, the quantity index shall equal 5 times the percentage of oil, plus 6 times the percentage of ammonia, minus 19.

(j) For cottonseed that by analysis contain less than 9 percent of oil, the quantity index shall equal 5 times the percentage of oil, plus 6 times the percentage of ammonia, minus 20.

§ 28.403 *Determination of quality index.* The quality index of cottonseed shall be an index of purity and soundness, and shall be determined as follows:

(a) *Prime quality cottonseed.* Cottonseed that by analysis contain not more than 3 percent of foreign matter, not more than 12 percent of moisture, and not more than 1.8 percent of free fatty acids in the oil in the seed, shall be known as prime quality cottonseed and shall have a quality index of 100.

(b) *Superior quality cottonseed.* Cottonseed that have a quantity index of not less than 103 when calculated according to § 28.402, and that contain not

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Vesting orders:	
Altenbach, Emilie and Margot Buchmuller.....	12415
Bottenwieser, Paul.....	12416
Bruckner, Flora.....	12416
Cardamone, Frank.....	12416
Henkel, Maximilian.....	12417
Henry, Henrietta.....	12417
Jaeger, George.....	12418
Jung, Friedericke.....	12418
Kato, Y. I.....	12413
Kelm, Katherine.....	12414
Kiesewetter, Elsie M.....	12418
Lingen, Anna W.....	12419
Long, Mathilde Padtke.....	12419
Stingl, Marie.....	12413
Von Vietinghoff, L. Zuleikha.....	12415
FEDERAL COMMUNICATIONS COMMISSION:	
Hearings:	
Press Wireless, Inc.....	12412
Willoughby, Ohio.....	12412
FEDERAL POWER COMMISSION:	
Cabot Gas Corp. and Godfrey L. Cabot, Inc., hearing.....	12413
OFFICE OF DEFENSE TRANSPORTATION:	
Coordinated operations:	
Glendenning Motorways, Inc., and Raymond Bros. Motor Transportation, Inc.....	12419
Logue Truck Lines and Vincent Truck Lines.....	12420
OFFICE OF ECONOMIC WARFARE:	
Netherlands possessions, cancellation of certain general licenses.....	12379
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, exceptions, etc.:	
Albourn Motor-Freight Service.....	12407
Balley Lumber Co., et al.....	12421
Beech-Nut Packing Co.....	12403
Continental Foods, Inc.....	12407
Iver's A-1 Sales Co.....	12407
Norda Essential Oil and Chemical Co., Inc.....	12403
Vogt, F. G., and Sons, Inc.....	12407
Bags, secondhand (RMPR 55, Am. 1).....	12404
Brick, refractory stove lining (MPR 188, Am. 20).....	12406

(Continued on next page)



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CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION— Continued.	Page
Clay pigeons (Rev. SR, 1, Am. 28)	12406
Cottonseed oils, refined (MPR 53, Order 20)	12421
Lumber:	
Douglas fir, etc. (RMPR 26, Am. 3)	12406
Tidewater red cypress (MPR 412, Am. 1)	12406
Manganese ores (MPR 248, Am. 3)	12406
Meats, fats, fish and cheeses (RO 16, Am. 67)	12403
Packing expenses on sales to procurement agencies (Supp. Order 34)	12404
Petroleum and petroleum products (RPS 88, Am. 126)	12405
Prunes and raisins, dried (Gen. RO, Am. 37)	12403
Tomato juice, California canners (MPR 306, Order 4)	12420
Tomatoes in Pennsylvania (Rev. SR 14, Am. 23)	12406
RURAL ELECTRIFICATION ADMINISTRATION:	
Allocation of funds for loans (2 documents)	12410
SELECTIVE SERVICE SYSTEM:	
Forms made part of regulations, amendment	12378
TREASURY DEPARTMENT:	
Bonds and certificates, offering:	
$\frac{7}{8}$ percent, Series E-1944	12410
2 percent, 1951-53	12409
2½ percent, 1964-69	12408
WAGE AND HOUR DIVISION:	
Learner employment certificates, various industries (2 documents)	12411

CONTENTS—Continued

WAGE AND HOUR DIVISION—Con.	Page
Metal ore, coal, petroleum, and natural gas extraction industries, committee appointed	12410
WAR DEPARTMENT:	
Passengers in aircraft; authorization	12378
WAR FOOD ADMINISTRATION:	
Cane sugar, West Coast (Certificate A-2)	12422
Cottonseed, grades for crushing purposes; regulations revised	12377
Fish, imported salted, authority delegation	12422
WAR PRODUCTION BOARD:	
Chlorinated hydrocarbon refrigerants (M-28)	12394
Copper wire (CMP Reg. 9)	12399
Cotton duck (M-91)	12391
Dairy machinery and equipment (L-292)	12383
Electrodes, spot welding (L-318)	12394
Hand trucks and handling equipment (L-111)	12379
Industrial machinery (L-88)	12381
Machinery, food processing (L-292)	12383
Rubber, synthetic rubber, balata and products thereof (R-1, Am. 4) (2 documents)	12401, 12402, 12388
Silver (M-199)	12392
Suspension order; Specialty Manufacturing Co.	12399
Vises (L-216, Sch. VI)	12400
Watches, railroad standard (L-175)	12400

more than one-half of one percent of foreign matter, 9 percent but not more than 10 percent of moisture, and not more than one-half of one percent of free fatty acids in the oil in the seed, shall be known as superior quality cottonseed and shall have a quality index of 102.

(c) *Below prime quality cottonseed.* The quality index of cottonseed that, by analysis, contain foreign matter, moisture, and/or free fatty acids in the oil in the seed in excess of the percentages prescribed in § 28.403 (a) shall be found by reducing the quality index of prime quality cottonseed as follows:

(1) Five-tenths of a unit for each 0.1 percent of free fatty acids in the oil in the seed in excess of 1.8 percent.

(2) One unit for each one percent of foreign matter in excess of 3 percent.

(3) One unit for each one percent of moisture in excess of 12 percent.

(d) *Off quality cottonseed.* Cottonseed that have been treated by either mechanical or chemical process other than the usual cleaning, drying, and ginning (except such sterilization as may be required by the United States Department of Agriculture for quarantine purposes) or that are fermented or hot, or that upon analysis are found to contain 12 percent or more of free fatty acids in the oil, or more than 10 percent of foreign matter, or more than 18 percent of moisture, or more than 25 percent of moisture and foreign matter combined, shall be designated as Off Quality Cottonseed.

(e) *Below grade cottonseed.* Cottonseed the grade of which when calculated according to § 28.401 is below grade 25 shall be designated as "Below Grade Cottonseed." A grade shall not be indicated.

§ 28.404 *Sampling, analysis, and certification of samples and grades.* The drawing, preparation, and certification of samples of cottonseed and the analysis and certification of grades of cottonseed shall be performed in accordance with methods approved from time to time by the Director of the Food Distribution Administration.

(Pub. Law 129, 78th Cong.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done at Washington, D. C. this 6th day of September 1943.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 43-14615; Filed, September 6, 1943; 4:39 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter II—Aircraft

PART 21—USE OF ARMY AIRCRAFT

AUTHORIZED PASSENGERS

Section 21.3 (a) (1) (vii) is amended as follows:

§ 21.3 *Passengers in aircraft; authorization.* (a) Commanding officers of Army Air Forces stations or higher authority in the chain of command are authorized to permit personnel of the following categories to ride as passengers in Army aircraft under their control in the following circumstances:

(1) On flights which may extend beyond the local flying area. * * *

(vii) Any person, in case of an emergency involving catastrophe or possible loss of life, when other means of transportation is not available. (R.S. 161; 5 U.S.C. 22) [Par. 1a, AR 95-90, 24 July 1942 as amended by C 4, 25 August 1943]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-14616; Filed, September 7, 1943; 9:32 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment 171]

PART 605—GENERAL ADMINISTRATION

FORMS MADE PART OF REGULATIONS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C. App. and Sup. 301 et seq.); E.O. No. 8545, 5 F.R. 3779, E.O. 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, Selective Service Regulations, second edition, are hereby amended in the following respect:

1. Amend § 605.51 by making the present section paragraph (a) and adding paragraph (b) to read as follows:

§ 605.51 *Forms made part of regulations.* * * *

(b) The Director of Selective Service, as to such persons or agencies as he designates, may waive any requirement that any form shall be notarized or sworn to.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 7, 1943.

[F. R. Doc. 43-14619; Filed, September 7, 1943;
9:59 a. m.]

Chapter VIII—Office of Economic Warfare

Subchapter B—Export Control

[Amdt. 99]

PART 802—GENERAL LICENSES

CANCELLATION OF CERTAIN GENERAL LICENSES

Paragraph (a) of § 802.3 *General license country groups* is hereby amended by placing before the names of the countries Aruba, Bonaire, Curacao, Netherlands Guiana, Saba, St. Eustache, St. Martin (southern part), and Surinam listed therein the letter "a" wherever the names of such countries appear in this section.

This amendment shall become effective October 1, 1943.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 47, 8 F.R. 8529; E.O. 9361, 8 F.R. 9861 and Order 1, 8 F.R. 9938)

Dated: September 6, 1943.

C. VICTOR BARRY,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-14617; Filed, September 7, 1943;
9:28 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1209—HAND TRUCKS AND OTHER HANDLING EQUIPMENT

[General Limitation Order L-111, as Amended Sept. 6, 1943]

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

§ 1209.1 *General Limitation Order L-111—(a) Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation

or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person who fabricates or assembles hand trucks, platforms, pallets, portable (platform type) elevators, or racks.

(3) "Hand truck" means any truck, lift truck, lift jack, dolly, or trailer, not self-power propelled, with one or more free running wheels or casters, designed or used for transporting material of any kind; except a hospital cart designed for moving materials in parts of hospitals customarily used by patients, or a trailer for use on the highway or for use in earth moving, mining, logging, or petroleum development.

(4) "Dolly" means any low platform or structure mounted on wheels or casters (or one or more of each), and designed primarily for moving bulky loads on floors.

(5) [Revoked, September 6, 1943].

(6) "Lift truck" means a hand truck designed or used to lift and support a platform or pallet in moving. "Lift jack" means a hand truck designed or used to lift and support a part of a semi-live platform in moving.

(7) "Two wheel hand truck" means a hand truck in which the load is partly carried or balanced by a person, even though such hand truck may be equipped with more than two wheels or casters.

(8) "Platform truck" means a hand truck consisting of a platform on wheels or casters or both, not self-power propelled.

(9) "Trailer" means a platform type truck designed to be towed.

(10) "Platform" means any platform, deck or skid, with or without box top or enclosure, standing on legs or other supports, and used or designed primarily for use in conjunction with hand or power operated lift trucks, portable (platform type) elevators, or similar devices. "Semi-live platform" means a platform with one or more wheels, or casters, and one or more legs or similar supports.

(11) "Pallet" means a single or double faced support designed primarily for the same purposes as a platform.

(12) "Portable (platform type) elevator" means any elevating device, mounted on wheels or casters (or one or more of each), with either power or hand operated lift, used or designed primarily for elevating or lowering material, for purposes of tiering, stacking, or access to elevated places.

(13) "Rack" means any rack or other structure used or designed primarily for the storage of pallets or platforms, or storage or draining (or both) of barrels, drums, carboys, or similar containers.

(14) "Small hardware" means bolts, nuts, screws, rivets, nails, washers, and cotter pins.

(15) "Copper or copper base alloy" means unalloyed copper metal, or alloy metal containing 40% or more by weight of copper metal. It shall include unalloyed copper metal or alloy metal produced from scrap.

(16) "Steel" means any kind or type of steel except Bessemer steel or rerolled rail steel.

(b) *Restrictions on acceptance of orders for hand trucks, platforms, and*

portable (platform type) elevators, and parts therefor. (1) On and after April 13, 1943, no manufacturer, dealer or other person shall accept any order for any new hand truck, platform, or portable, (platform type) elevator, or any new parts for any such equipment, or deliver any such equipment or parts under any order tendered on or after that date, unless such order bears a preference rating of AA-5 or higher.

(2) The foregoing requirements shall not apply to any order for parts to be delivered to a manufacturer or dealer for resale for repair purposes, or to any other person for use in the repair of any such equipment already owned by such person, if the purchaser furnishes his supplier with a certification in substantially the following form, on the purchase order or in a separate document:

I hereby certify that the above (or attached) order is for parts to be used for repair purposes only, in compliance with paragraph (b) (2) of General Limitation Order L-111.

By _____ Company
(Authorized Official)

Such certification shall in every case be signed by the purchaser or an authorized official, either manually or as provided in Priorities Regulation No. 7. No person shall make delivery under any such order if he knows or has reason to believe that such certificate is false; and no person shall falsely furnish any such certification. Such certification shall constitute a representation to the War Production Board, as well as to the supplier, that the statements therein are true. Any supplier may rely upon the information therein, and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he knows or has reason to believe that such statements are inaccurate or untrue. Such certificate may be incorporated as a part of any certification furnished under paragraph (e) below.

(c) *Operation reports.* On or before the 15th day of May 1943, and the 15th day of each succeeding calendar month, each manufacturer shall file a report with the War Production Board on Form PD-845 showing his production capacity and such other information as may be required by said form.

NOTE: Paragraph (d) amended September 6, 1943.

(d) *Required specifications for hand trucks and other handling equipment.* No person shall manufacture or deliver any new hand trucks, platforms, pallets, racks, or portable (platform type) elevators, or deliver any new wheels, or other parts for use on any such new equipment or for replacement on any such used equipment, except in accordance with the specifications and restrictions set forth below, and no person shall deliver, or accept delivery of, any such equipment which he knows, or has reason to believe, was manufactured, or is being delivered, contrary to such specifications and restrictions:

(1) [Revoked September 6, 1943].

(2) *Restrictions on use of bearings.* No ball bearings or roller bearings shall

be used in the manufacture of two wheel hand trucks, platform trucks, dollies, or semi-live platforms, except where the normal load capacity is 2,500 pounds or more, and except also that ball bearings of other than alloy steel may be used in the swivel bearings or casters. This restriction shall not be deemed to prohibit the use of pin bearings using unground steel pins of other than alloy steel.

(3) Restrictions on use of cast steel wheels. No cast steel wheels shall be used in the manufacture of two wheel hand trucks, platform trucks, lift trucks, lift jacks, portable (platform type) elevators, dollies, or semi-live platforms.

(4) Other restrictions on use of iron and steel. No iron or steel shall be used in the manufacture of the equipment specified below, elsewhere than in bearings, wheels, axles, axle housings, caster brackets, or small hardware.

(i) In two wheel hand trucks, except in halfstrap nose, legs, or leg braces; except in the cross bars, hoops, clamps, or hooks of barrel trucks; and except in protective strapping on two wheel hand trucks to be used in stevedore operations and having a load capacity of 1,000 pounds or more;

(ii) In platform trucks, except in tongue type handles, stake pockets, and turntable in fifth wheel types;

(iii) In the flooring of trailers, except in edging and binding;

(iv) In dollies;

(v) In platforms, except in legs; in semi-live platforms, except in legs and engaging pins; in angle iron supports on slides and strap or angle iron protection on ends of platforms only where load capacity is 6,000 pounds or more;

(vi) In pallets;

(vii) In the platforms and back plates of portable (platform type) elevators, except in edging and binding; or

(viii) In racks.

(5) Restrictions on use of copper and copper base alloy. No copper or copper base alloy shall be used in the manufacture of hand trucks, pallets, or platforms, except in hydraulic packing washers, or where the use of other materials would create a definite explosion hazard as a result of the necessity of using such equipment in the same room with, or in other close proximity to materials subject to explosive reaction from sparks, such as black powder, lead azide, igniter composition, tracer mixtures, primer mixtures, incendiary composition, vapors from combustible substances, or dust from explosives.

(6) Restrictions on use of aluminum, tin, cadmium, zinc, stainless or alloy steel, and metallic plating and finishes. No aluminum, tin, cadmium, zinc, stainless or alloy steel, metallic plating or metallic finishes shall be used in the manufacture of hand trucks, pallets, or platforms, except that alloy steel may be used in bearings where permitted under paragraph (d) (2) above, or in lift trucks or lift jacks where necessary to afford strength, and being used by the manufacturer thereof for that pur-

pose in such parts on April 13, 1943, and zinc may be used for galvanizing when required by regulations of the Department of Agriculture or other federal agency, or by a state law, or where it would be required if such federal regulations were applicable in intrastate commerce.

(e) Required certification with orders. Each person placing an order for delivery of (1) new platform trucks, trailers or platforms with steel or iron platforms, or (2) new all steel or iron platforms, trailers or platform trucks, or (3) new steel supported platforms to carry loads in excess of 6,000 pounds, shall certify to his supplier on the purchase order or in an accompanying letter, as a condition to receiving such delivery, information in statements substantially as follows, respectively:

(i) The undersigned hereby certifies that the steel or iron platform on the platform truck(s), trailer(s), or platform(s) hereby ordered is (are) necessary in meat packing or processing as required by regulations of the Department of Agriculture or other federal agency, or by a state law, or where it would be required if such federal regulations were applicable in intrastate commerce.

(ii) The undersigned hereby certifies that the all steel or iron platform(s) or platform truck(s) or trailer(s) hereby ordered is (are) necessary to handle hot metal parts, or that the load to be handled will exceed 10,000 pounds.

(iii) The undersigned hereby certifies that the steel supported platform(s) hereby ordered is (are) necessary to carry loads in excess of 6,000 pounds.

Such certification shall in every case be signed by the purchaser or an authorized official, either manually or as provided in Priorities Regulation No. 7.

No person shall make delivery under any such order if he knows, or has reason to believe, that the certificate is false; and no person shall falsely furnish any such certification. Such certification shall constitute a representation to the War Production Board, as well as to the supplier, that the statements therein are true. Any manufacturer or dealer may rely upon the information therein and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he knows or has reason to believe that such statements are inaccurate or untrue.

(f) Exemptions and exceptions. (1) The limitations and restrictions contained in subparagraphs (4) (ii), (iii) and (v) of paragraph (d) shall not apply to the use of iron or steel where necessary in equipment manufactured for use in meat packing or processing to

comply with the regulations of the Department of Agriculture or other federal agency, or with a state law, or where it would be required if such federal regulations were applicable in intrastate commerce, or where necessary for the transportation of hot forgings, castings, heat treated or other hot metal parts, or loads in excess of 10,000 pounds.

(2) The limitations and restrictions of subparagraphs (2) to (6) inclusive, of paragraph (d) of this order shall not apply:

(i) To the manufacture, delivery and acceptance of parts which are to be used for repair and maintenance only and which cannot be used for replacement on existing equipment in a practical manner if made in conformity with such specifications and restrictions;

(ii) To the manufacture, delivery and acceptance of parts which on April 23, 1943, had been fabricated or processed to the extent that any other use would be impractical;

(iii) To the manufacture, delivery and acceptance of any hand trucks or other handling equipment in the process of manufacture on April 23, 1943, and to be used in filling any order accepted by the manufacturer prior to said date;

(iv) Until 90 days after April 13, 1943, to the manufacture, delivery and acceptance of any hand trucks or other handling equipment to be delivered to, and for direct use of, the Army, Navy, Maritime Commission or War Shipping Administration, to the extent that any applicable specifications of any such organization require construction, design or materials not in accordance with the provisions of this order. As used in this paragraph, the terms "Army", "Navy", "Maritime Commission" and "War Shipping Administration" shall not include any privately operated plants or shipyards financed by or controlled by any of those organizations, or operated on a cost-plus-fixed-fee basis.

(3) The limitations and restrictions of subparagraph (4) of paragraph (d) of this order shall not apply to the manufacture, delivery and acceptance of portable dough troughs, portable bread racks and proof racks, portable dump racks for bread, and portable mixture bowl stands (for dough or other ingredients), when such equipment is designed for use by, and to be delivered to or for the account of the United States Navy or Army, or laundry truck tubs designed for use aboard ship and to be delivered to or for the account of the United States Navy, or Army.

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

NOTE: Paragraph (g) (1) amended September 6, 1943.

(2) [Revoked September 6, 1943].

(3) [Revoked September 6, 1943].

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

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

(5) *Appeals.* Any appeal from the provisions of this order, or any direction thereunder, shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref.: L-111.

Issued this 6th day of September 1943.

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

[F. R. Doc. 43-14594; Filed, September 6, 1943;
12:08 p. m.]

PART 1226—GENERAL INDUSTRIAL
EQUIPMENT¹

[Limitation Order L-83 as Amended Sept. 6,
1943]

INDUSTRIAL MACHINERY

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of industrial machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.82¹ *General Limitation Order L-83—(a) Definitions.* For the purpose of this order:

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

(2) "Critical industrial machinery" means new, used or reconditioned machinery, of the kinds listed, from time to time, in List A. The value of a critical industrial machine shall be the selling price, or in any case where the machine is rented, the cost of production (as indicated by the company's regularly established cost accounting system), excise tax value, or insurance value, whichever is higher. The term "new critical industrial machinery" means any critical industrial machinery which has not been delivered to any person acquiring it for use, and does not include used or reconditioned machinery. The term "used critical industry machinery" means any critical industrial machinery which at any time has been delivered to any person acquiring it for use, but does not include rebuilt machinery. The term "reconditioned critical industrial machinery" means used machinery which has been rebuilt or otherwise conditioned for resale, or reuse.

(3) "Manufacturer" means any person producing critical industrial machinery.

(4) "Distributor" means any person regularly engaged in the business of buying or otherwise acquiring new, used, or reconditioned machinery for resale.

(5) "Order" means any commitment or other arrangement for the delivery of critical industrial machinery, whether by purchase, lease, rental, or otherwise.

(6) "Approved order" means:

(i) Any order for critical industrial machinery, when accompanied by a PD-3A certificate, to be delivered to, or for the account of:

(a) The Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(b) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies, and Protectorates, and Yugoslavia.

(ii) Any order placed by any agency of the United States Government for critical industrial machinery to be delivered to, or for the account of, the government of any country listed above, or any other country, including those in the western hemisphere, pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(iii) Any order for critical industrial machinery bearing a preference rating of A-9 or higher assigned by a Preference Rating Certificate PD-3 or PD-3A countersigned prior to May 18, 1942, by a Preference Rating Order in the P-19 series issued prior to May 18, 1942, or by a Preference Rating Certificate PD-1 or PD-1A, a Preference Rating Certificate in the PD-25 or PD-408 Series, or Preference Rating Order P-19-h (PD-200 or 200A) issued at any time. After May 18, 1942, Preference Rating Certificate PD-3A shall be used only to assign preference ratings to approved orders to be delivered to or for the account of the agencies set forth in subdivision (i) hereof. Any preference rating certificate or order of any of the kinds enumerated above may be used to secure critical industrial machinery only by the person to whom it was originally issued and only when such machinery is expressly specified on the certificate or order (or its Form PD-200 or 200A). Any person placing an approved order for critical industrial machinery bearing a rating assigned by any such certificate or order who does not deliver such certificate or order but retains the same, as permitted by Priorities Regulation No. 3, as amended from time to time, or by the terms of the preference rating order shall, in addition to furnishing the endorsement required by such Priorities Regulation No. 3, as amended from time to time, or such preference rating order certify to the person from whom the machinery is to be acquired that the certificate or order was originally issued to him and that the critical industrial machinery ordered was

expressly specified on the certificate or order (or its Form PD-200 or 200A).

(iv) Any order which the War Production Board authorizes for production or delivery pursuant to paragraph (b) (2) hereof.

(b) *Restrictions on acceptance of orders for, and delivery and acquisition of, critical industrial machinery—(1) General prohibitions.* Except as provided in paragraph (b) (4) hereof, no person shall accept any order for critical industrial machinery, or deliver any critical industrial machinery in fulfillment of any order, whether accepted or not; unless such order is an approved order. No person shall accept delivery of any critical industrial machinery except pursuant to an approved order.

(2) *Procedure for authorization of orders on books.* Manufacturers or distributors may apply for authorization to deliver orders which are not approved orders, on their books on May 18, 1942, as it affects classes of critical industrial machinery from time to time, by filing with the War Production Board in triplicate, plainly marked Ref: L-83, a list of all such orders together with the name of the purchaser or lessee, the date of the order, the number of pieces of machinery, a description of the machinery, the value of the machinery, the rating assigned, if any, the preference rating certificate number, if any (or blanket preference rating order and serial number), the specified delivery date, the percentage of completion of the order on May 18, 1942, as it affects any particular kind of machinery, and the expected use to which the machinery will be put. The War Production Board may thereupon, if it is deemed necessary or appropriate in the public interest and to promote the national defense, authorize the delivery of any such orders, or the assignment of preference ratings thereto.

(3) *Auction sales, sales pursuant to court order and similar transactions.* Dispositions of used critical industrial machinery at auction, at sheriff's sale, at tax sales, in liquidations of all or part of a business, and in similar transactions must be approved orders unless such dispositions are made to distributors within the limits specified in paragraph (b) (4) (vii).

(4) *Exempted transactions.* Nothing in this order shall be construed to prohibit any of the following transactions:

(i) The seizure of critical industrial machinery (but not subsequent disposition or use thereof) upon default, by any person pursuant to the terms of a conditional sale agreement, chattel mortgage, pledge, or other security agreement; and the distraint or levy by execution (but not subsequent disposition thereof) by tax authorities.

(ii) The delivery or acquisition of critical industrial machinery (but not subsequent disposition thereof) through a transfer by will or intestacy, or a transfer by operation of law to a trustee, receiver, or assignee for the benefit of creditors, in bankruptcy, insolvency, receivership, or assignment for the benefit of creditors.

(iii) The delivery or acquisition of critical industrial machinery as part of

¹ Formerly Part 1158, § 1158.1.

a transaction, such as merger, consolidation, sale and purchase of assets, sale and purchase of stock, or lease of plant, involving the transfer of all or substantially all of the assets of an enterprise, where no liquidation or dismemberment of assets is contemplated.

(iv) The transfer of critical industrial machinery, within a plant, or within a single corporate enterprise (including majority-owned subsidiaries), from one plant or branch to another: *Provided, however*, That nothing in this subdivision (iv) shall be construed to permit transfers from a portion of an enterprise manufacturing, building, or assembling new machinery to a portion using it.

(v) The delivery or acquisition of critical industrial machinery (but not subsequent disposition thereof) as a trade-in, where the machinery to be installed is delivered pursuant to an approved order.

(vi) Deliveries to, and acquisitions by distributors, of new critical industrial machinery in the following two instances only:

(a) To fill approved orders for new critical industrial machinery which orders are actually in the hands of such distributors; or

(b) To replace new critical industrial machinery delivered by such distributor to fill an approved order.

(vii) Deliveries to, and acquisitions by, distributors of used critical industrial machinery (but not subsequent dispositions thereof) at auction, sheriff's sales, tax sales, liquidations or otherwise.

(viii) Subject to the provisions of paragraph (c), the delivery of critical industrial machinery for repair and return, the return of a repaired machine, and the loan of a machine to the user, for a period not to exceed one month, pending the repair of the damaged machine.

(ix) The delivery and acquisition of critical industrial machinery to be scrapped for its material content.

(x) The unloading, from a vessel, of any imported critical industrial machinery.

(xi) The transfer of any interest in any written instrument evidencing an interest in critical industrial machinery: *Provided, however*, That nothing in this subdivision (xi) shall be construed to permit the physical delivery or use of critical industrial machinery.

(xii) The return of any leased critical industrial machinery by the lessee to the lessor upon the expiration, termination, or cancellation of the lease.

(c) *Non-applicability to repair or maintenance of existing equipment.* The prohibitions of paragraph (b) hereof shall not be construed to restrict any delivery (1) to fill any order or group of orders of less than \$1,000 placed with one or more suppliers within any four weeks' period, for parts intended for use in the repair or maintenance of any single existing machine, or a single machine delivered under the terms of this order, or (2) to fill any order of \$1,000 or more for repair or maintenance parts when and only when there has been an actual breakdown or suspension of operations because of damage, wear and tear, destruction or failure of parts or the like, and the es-

sential repair or maintenance parts are not otherwise available.

(d) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(e) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board setting forth the pertinent facts and the reason he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(f) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref.: L-83.

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

(h) *Records and reports.* All manufacturers and distributors affected by this order shall keep and preserve for not less than two years accurate and complete records concerning production, deliveries, and orders for industrial machinery. All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as said Board shall from time to time request. On or before 15 days after May 18, 1942, as to any kind of machinery, every manufacturer of critical industrial machinery shall file in triplicate with the War Production Board, plainly marked Ref.: L-83, a supplementary list of all orders for critical industrial machinery now on his books (in excess of the amounts listed in List A), not reported under paragraph (b) (2), together with the name of the purchaser or lessee, the date of the order, the number of pieces of machinery, a description of the machinery, the value of the machinery, the rating assigned, the preference rating certificate number, if any, (or blanket preference rating order and serial number), the specified delivery date, the percentage of completion of the order, and the expected use to which the machinery will be put. Manufacturers who have previously filed a list under the order need not refile.

Issued this 6th day of September 1943.

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

LIST A

1. Packaging and labeling machinery, on orders for a single machine of a value in ex-

cess of \$200: *Provided, however*, That there shall be excluded from the terms of this order, orders for machinery to which a preference rating has been legally applied pursuant to the terms of Preference Rating Order P-115, and orders for food processing machinery covered by Limitation Order L-202.

2. Pulp and paper making machinery, on orders for a single machine of a value in excess of \$1,000.

3. Paper converting machinery, on orders for a single machine of a value in excess of \$200.

4. [Deleted Sept. 6, 1943]

5. [Deleted June 16, 1943]

6. [Deleted June 16, 1943]

7. [Deleted June 16, 1943]

8. [Deleted June 16, 1943]

9. [Deleted June 16, 1943]

10. [Deleted June 16, 1943]

11. [Deleted Sept. 6, 1943]

INTERPRETATION 1

Paragraph (a) (2) of General Limitation Order L-83 defines "Critical industrial machinery" as new, used, or reconditioned machinery of the kinds listed from time to time in List A of the order, and provides that the value of a critical industrial machine shall be the selling price with certain exceptions. List A specifies the machinery included in the order. In certain instances, the list contains dollar limitations on the value of machines so included. For instance, bakery machinery is covered by General Limitation Order L-83 only on an order for a single machine of a value in excess of \$200.

The selling price of a machine would normally establish its value for purposes of this order unless other facts indicated that such selling price was not the actual value placed upon the machinery by the buyer and seller. In any case where a used machine is sold with the understanding by buyer or seller that the machine must be repaired or reconditioned in connection with or in relation to the sale transaction, in order that the machine be an effective instrument, the value of the machine for purposes of this order is to be deemed the aggregate of the selling price of the inoperable machine plus the cost of repairing or reconditioning the machine to the point where it can operate effectively. In other words, the sale of a broken down machine, followed by repairing or reconditioning in order that the machine be in condition to operate, does not avoid the impact of the order merely because the original sale of the inoperable machine is fixed at a value below the limitations established in General Limitation Order L-83; the cost of the repairs necessary to render the machine an effective instrument must be added to such original selling price in order to determine the value for the purposes of the order. (Issued December 17, 1942.)

INTERPRETATION 2

General Limitation Order L-83 restricts deliveries to those made on approved orders. An approved order is defined in paragraph (a) (6). Some confusion has arisen as to the exact requirements of an approved order assigned a rating on Form PD-3A, in accordance with the provisions of paragraph (a) (6) (iii). Under this paragraph Form PD-3A may be used after May 18, 1942 only to assign preference ratings to orders to be delivered to or for the direct account of the agencies specified in paragraph (a) (6) (i), and the machinery in question must be specified on the certificate. The two requirements are not alternates but must both be met in any one case. (Issued April 24, 1943.)

INTERPRETATION 3

Item 1 of List A to General Limitation Order L-83 covers packaging and labeling machinery. The question has arisen as to whether equipment for sealing glass containers with metal closures, used principally by packers, is within the definition of pack-

aging and labeling machinery. Such machinery is for the purpose of packaging and labeling food and other products and is included in Item 1 of List A. (Issued June 25, 1943)

[F. R. Doc. 43-14590; Filed, September 6, 1943; 12:09 p. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT¹

[General Limitation Order L-292 as Amended Sept. 6, 1943]

FOOD PROCESSING MACHINERY

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of materials used in the production of food processing machinery, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.77¹ *General Limitation Order L-292*—(a) *Definitions.* For the purpose of this order:

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

(2) "Processor" means any person to the extent that he is engaged in the business of preparing, processing, canning, packing or packaging human or animal foods or tobacco for distribution (except food for consumption on the premises). A person shall not be deemed to be a processor to the extent that he is engaged in the production of food or tobacco, but an operator of a processing plant located on a farm and engaged in the business of preparing, processing, canning, packing or packaging human and animal food for distribution shall be deemed a processor.

(3) "Food processing machinery" means new, used, reconditioned and rebuilt machinery and equipment, of the kinds specified in Schedule A hereto, with a sales value of \$50 or more for any single new machine or piece of equipment or \$300 for any single used, rebuilt or reconditioned machine or piece of equipment; excluding (i) refrigerating machinery and equipment as defined in Limitation Order L-38, (ii) machinery and equipment used on a farm or a fishing vessel for production and handling of food or tobacco prior to delivery to a processor, (iii) scales and balances as defined in Limitation Order L-190, (iv) conveying machinery as defined in Limitation Order L-193, (v) machinery and equipment used for packaging, filling or labeling containers, except as otherwise indicated in Schedule A, and (vi) oil processing machinery and equipment used in processing, or in connection with processing, animal, fish and vegetable fats, oils and greases, as described in Order L-281.

(4) "Manufacturer" means any person engaged in the fabrication, assembly, reconditioning or rebuilding of food processing machinery; and includes sub-

sidaries and affiliates of any such person.

(5) "Dealer" means any person engaged in the business of acquiring food processing machinery for resale; but the term shall not include any manufacturer.

(6) "Approved order" means any order of the following kinds:

(i) An order for any food processing machinery bearing a preference rating of AA-3 or higher assigned on Form WPB-617 formerly PD-200.

(ii) An order for canning machinery or equipment as described in Schedule A to be delivered to a processor located within the territorial limits of the United States and Canada, bearing a preference rating of AA-3 or higher assigned on Form WPB-576 formerly PD-285.

(iii) An order for dairy, egg, or poultry processing machinery or equipment as described in Schedule A to be delivered to a processor located within the territorial limits of the United States and Canada, bearing a preference rating of AA-3 or higher assigned on Form WPB-748 formerly PD-414.

(iv) An order for food processing machinery approved by the War Production Board pursuant to subparagraph (b) (2) hereof; or

(v) Any order for food processing machinery (except canning machinery or equipment or dairy, egg, or poultry processing machinery or equipment) bearing a preference rating of AA-3 or higher assigned on Form PD-1A or on Form WPB-837 (formerly PD-408).

Note: Paragraph (v) amended by deletion of the word "other", Sept. 6, 1943.

(vi) An order for meat canning, meat packing, and meat processing machinery and equipment, as described in Schedule A, to be delivered to a processor located within the territorial limits of the United States and Canada bearing a preference rating of AA-3 or higher assigned on Form WPB-3155.

(7) "Order" means any commitment or other arrangement for the delivery of food processing machinery, whether by sale, lease, consignment, or otherwise.

(b) *Restrictions on orders and deliveries.* (1) On and after June 15, 1943, no manufacturer, dealer, or processor shall accept any order for food processing machinery unless the order is an approved order. On and after June 30, 1943, no manufacturer, dealer, or processor shall deliver any food processing machinery and no person shall accept delivery of food processing machinery from any manufacturer, dealer, or processor, except pursuant to an approved order. However, these restrictions on the sale, delivery and acceptance of delivery of food processing machinery shall not prohibit any person from obtaining any complete piece of food processing machinery in accordance with CMP Regulation 5 or 5A if it is for replacement of an existing piece of machinery and if it does not cost over \$250 in the case of CMP Regulation 5 or \$100 in the case of CMP Regulation 5A. Any person applying or extending a preference rating un-

der CMP Regulation 5 or 5A for replacement may add to the certificate applying or extending the rating a statement substantially as follows: "This order is for replacement of existing machinery." Any person receiving an order bearing a certification and rating with this statement shall be entitled to rely on the representation of the certification unless he knows or has reason to believe it to be false.

(2) A manufacturer or dealer may apply for approval of orders received by him prior to the date of this order, to be delivered on or after June 30, 1943, by filing in triplicate a list of such orders together with the following information with respect to each:

Name and address of customer and date of order.
Description of food processing machinery ordered.
Expected delivery date.
Rating and source thereof (i. e., Form PD-1A, PD-285, etc.) if known.
Percentage of completion of order and amount of additional material necessary.
Use to be made of machine.

(3) Any person applying or extending a preference rating assigned to an "approved order" may add to the certificate applying or extending the rating a statement of the source of the rating substantially as follows: "This rating has been assigned on Form _____ as provided in Limitation Order L-292." (The appropriate form number should be inserted in the blank space by the purchaser.) Any person receiving an order bearing a certification and rating with this statement shall be entitled to rely on the representation of the certification unless he knows or has reason to believe it to be false.

(c) *Restrictions on manufacture.* On and after June 30, 1943, no manufacturer shall fabricate or assemble any new machinery or equipment of the kinds listed on Schedule B hereto, or any parts therefor. The provisions of this paragraph apply to all kinds of food processing machinery and equipment listed on Schedule B regardless of whether the sales value of any item is less than \$50. The limitations and restrictions of this paragraph shall not apply to (1) the completion of any food processing machine or piece of equipment for which parts weighing, in the aggregate, not less than 75% of the weight of the finished machine or piece of equipment were fabricated prior to June 5, 1943 to the extent that they could not be used either as maintenance or repair parts for other kinds of food processing machinery or in the assembly of food processing machinery not subject to the restrictions of this paragraph; or (2) the fabrication or assembly of maintenance and repair parts or parts used in the reconditioning or rebuilding of used food processing machinery. As used in this paragraph "maintenance" shall mean the upkeep of food processing machinery in sound working condition; and "re-

¹ Formerly Part 3250, § 3250.1.

pair" shall mean the restoration, without change of design, of any portion of food processing machinery to sound working condition, when such portion has been rendered inoperative or unsafe or unfit for service by wear and tear, damage, destruction or failure of parts, or other similar causes.

(d) *Simplification and standardization.* (1) On and after June 30, 1943, no manufacturer of dairy, egg, or poultry processing machinery or equipment shall fabricate or assemble any machinery or equipment of the kinds listed in Schedule C except in the size, style, or model therein prescribed.

(2) On and after June 30, 1943, no manufacturer of canning machinery or equipment shall fabricate or assemble any type or kind of machinery or equipment in more than one model for any one operation on any food or food product; except that a second model may be fabricated and assembled if it will provide at least 50% greater food processing capacity than that of the smaller model produced by the same manufacturer and performing the same operation on the same food or food product. In any event no manufacturer shall fabricate or assemble more than two models of any type or kind of machine. The provisions of this subparagraph shall not be construed to limit or restrict the number of sizes in any model which may be produced.

(3) Prior to June 30, 1943, each manufacturer of canning machinery and equipment shall file with the War Production Board on Form WPB-1902, formerly PD-754, a list of the models, and of the sizes thereof, which he proposes to manufacture in accordance with the restrictions of subparagraph (d) (2); and thereafter, unless otherwise directed by the War Production Board such manufacturer shall be permitted to produce only the models so reported.

(4) Notwithstanding any other provision of this paragraph (d) no manufacturer shall be prohibited from completing any machine or piece of equipment for which parts weighing in the aggregate not less than 75% of the weight of the finished machine were fabricated prior to June 5, 1943, to the extent that they could not be used either as maintenance or repair parts for other kinds of food processing machinery or in the assembly of food processing machinery in compliance with the restrictions of this paragraph (d).

(e) *Conservation of critical materials.* On and after June 30, 1943, no manufacturer shall fabricate or assemble any food processing machinery or equipment of the kinds listed in Schedule D, or repair parts therefor, otherwise than in accordance with the restrictions on the use of materials contained in that schedule. The restrictions of this paragraph (e) apply to all items listed in Schedule D and repair parts for them, regardless of whether the sales value of any of those items is less than \$50. However, the provisions of this paragraph shall not prohibit:

(1) The assembly of any machinery or equipment from parts fabricated prior to June 5, 1943, or

(2) The fabrication of repair parts for food processing machinery which was fabricated prior to June 30, 1943, if and to the extent that parts fabricated in accordance with the restrictions of Schedule D would not be interchangeable with the parts to be repaired or replaced because of a change in materials used.

(f) *Exemptions.* (1) The limitations and restrictions of subparagraph (b) (1) shall not apply to:

(i) Orders from or deliveries to a manufacturer or dealer to enable him to fill approved orders which he has actually received, or to replace machinery delivered by him to fill approved orders;

(ii) The seizure or transfer of food processing machinery upon distraint or levy, or upon default in the terms of a conditional sales agreement, chattel mortgage, pledge, or other security agreement;

(iii) The transfer of food processing machinery at judicial or sheriff's auction or sale, tax sale, or other similar transaction conducted by a judicial or other legal officer;

(iv) The transfer of food processing machinery by will or intestacy, or by operation of law to a trustee, receiver, or assignee for the benefit of creditors, in bankruptcy, insolvency, or receivership, proceedings or pursuant to any assignment for the benefit of creditors;

(v) The transfer of food processing machinery as part of a merger, consolidation, sale and purchase of assets, sale and purchase of stock, or lease of plant, involving all or substantially all the assets of a business, where no liquidation or dismemberment of assets is involved or contemplated;

(vi) The transfer of food processing machinery within a plant or from one plant or branch to another under common control, but not the transfer from a plant manufacturing the machinery to a plant which will use it;

(vii) The transfer of food processing machinery as a trade-in for other food processing machinery where the latter is delivered pursuant to an approved order;

(viii) The transfer of food processing machinery to be scrapped for its material content;

(ix) The transfer of any interest in a written instrument evidencing a lien upon or claim against food processing machinery: *Provided however,* That nothing in this subdivision (ix) shall be construed to permit the physical delivery of the food processing machinery involved;

(x) The return of any leased food processing machinery by the lessee to the lessor upon the expiration, termination or cancellation of the lease; or to

(xi) An order for or delivery of food processing machinery to be used directly by the Army, or Navy, Maritime Commission, or War Shipping Administration.

(xii) The transfer of food processing machinery from a processor to a manufacturer or dealer;

(xiii) Any order placed by a manufacturer for food processing machinery to be incorporated into other food processing machinery.

(2) The limitations and restrictions of paragraphs (c) and (d) shall not apply prior to September 3, 1943, to any order for or delivery of food processing machinery to be used directly by the Army, Navy, Maritime Commission or War Shipping Administration.

(g) *Production quotas.* (1) The War Production Board may at any time, by amendment to this order, adopt schedules prescribing the number of units of food processing machinery of any kind which may be fabricated and assembled by any manufacturer. On and after the date of issuance of any such schedules (or such other date as shall be specified in the schedule), no manufacturer shall fabricate or assemble more units of any kind of food processing machinery than the number thereof specified in such schedule.

(2) Unless and until the War Production Board shall otherwise provide by schedules adopted in accordance with the provisions of paragraph (g) (1) above:

(i) During the period from January 1, 1943, to September 30, 1943, no manufacturer shall fabricate or assemble any kind of food processing machinery in excess of the number of units of such kind fabricated and assembled by him during the similar period in 1942. However, a manufacturer may fabricate or assemble the quantity of meat canning, meat packing and meat processing machinery and equipment which will require a gross tonnage of controlled materials not exceeding the gross tonnage of the kinds of such materials used by him for this purpose during the first nine months of 1942. In any case where the restrictions of this subparagraph would prevent a manufacturer from filling any orders which he received prior to June 5, 1943, rated AA-3 or higher, he may fabricate and assemble the necessary number of additional units to enable him to fill such orders.

(ii) During the year beginning October 1, 1943, and ending September 30, 1944, no manufacturer shall fabricate or assemble any kind of food processing machinery in excess of 50% of the annual average number of units of such kind of machinery which he fabricated and assembled during the calendar years 1939, 1940 and 1941. However, a manufacturer may fabricate or assemble the quantity of meat canning, meat packing and meat processing machinery and equipment which will require a gross tonnage of controlled materials not exceeding 50% of the annual average gross tonnage of the kinds of such materials

used by him for this purpose during the calendar years 1939, 1940 and 1941.

(3) The quota provisions of paragraph (g) (2) do not apply to the fabrication or assembly of food processing machinery to fill specific orders actually received by a manufacturer for food processing machinery to be used directly by the Army, Navy, Maritime Commission or War Shipping Administration, or for export outside the territorial limits of the United States and Canada.

(4) The War Production Board may at any time prescribe a production schedule for any manufacturer in respect to any kinds or styles of food processing machinery, regulating the time in which such items shall be produced and the number of units of a model to be produced in any one size. From and after the receipt of any such schedule, the manufacturer may carry on production only in accordance with the schedule. The provisions of this subparagraph shall not be construed to affect the other provisions of this order regulating the aggregate number and kinds of machines or pieces of equipment which may be produced by any manufacturer.

NOTE: Paragraph (3) redesignated paragraph (4), Sept. 6, 1943.

(h) *Miscellaneous provisions*—(1) *Reports*. On or before the 20th day of June and of each succeeding calendar month, each manufacturer shall file a report on Form WFB-2721.

(2) *Other limitation orders*. Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of or otherwise acquire any raw materials, semi-processed parts, or finished products in contravention of the terms of any L or M order, or amendments or supplements thereto, or other regulation of the War Production Board effective at the date of any such sale, delivery, or other transfer. Where the limitations imposed by any other L or M order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

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

(4) *Appeals*. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from

and stating fully the grounds of the appeal.

(5) *Communications*. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C. Ref.: L-292.

NOTE: The reporting requirement of paragraph (b) (2) has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of September 1943.

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

SCHEDULE A

Machinery and equipment included in definition of "Food Processing Machinery," under paragraph (a) (3).

1. Baking machinery and equipment.
2. Brewing machinery and equipment including bottling, bottle capping and bottle labeling machinery and equipment but excluding refrigeration machinery and equipment.
3. Canning machinery and equipment. This term includes all preparation machinery and equipment, filling, labeling and casing machinery, and change parts for different can or container sizes, used in the canning, dehydrating, freezing and fresh packing of fruits, vegetables, fishery products (including fishery by-products) and all other human or animal food, but excluding (1) preparation equipment for meat and meat products (2) home canning and home dehydrating equipment (3) container sealing and closing and jar capping machines (4) refrigeration equipment, and (5) steam jacketed kettles, regardless of any use to which they may be put, which are designed to use steam at working pressures of less than 80 pounds per square inch, as governed by Limitation Order L-162.
4. Coconut shredding and processing equipment.
5. Coffee, tea, cocoa, and spice grinding and processing equipment, 1 H. P. and larger.
6. Confectionery machinery and equipment.
7. Dairy, egg and poultry processing machinery and equipment used in the commercial processing of milk and milk products, eggs and poultry including bottling, bottle capping and bottle labeling machinery and equipment but excluding (1) machinery or equipment used on a farm for the production and handling of milk, eggs or poultry prior to delivery to a processor and (2) machinery or equipment covered by the provisions of Limitation Order L-257.
8. Flour, grain, feed milling and processing machinery and equipment.
9. Food slicing and meat grinding machinery and equipment, 1 H. P. and larger, including power driven saws, but excluding feed slicing and grinding equipment designed as canning machinery.
10. Macaroni processing machinery and equipment.

11. Meat canning, meat packing and meat processing machinery and equipment. This term includes all machinery and equipment used in the preparation and processing of meat products, filling, labeling and casing machinery, but excluding (1) home canning equipment, (2) container sealing and closing and jar capping machines, and (3) refrigeration equipment.

12. Non-alcoholic beverage manufacturing machinery and equipment including bottling, bottle capping and bottle labeling machinery and equipment but excluding refrigeration machinery and equipment.

13. Sugar processing machinery and equipment.

14. Tobacco processing machinery and equipment.

15. Seed cleaning equipment.

SCHEDULE B

Food Processing Machinery and Equipment which cannot be manufactured unless specifically provided for under the terms of paragraph (g) (1).

1. The following items of baking machinery and equipment:
 - a. Angel food pan washing machine.
 - b. Cake slicing machine.
 - c. Dough brakes.
 - d. Dough hopper (Ind. unit).
 - e. Doughnut machines.
 - f. Vibrating screens.
 - g. Filling machines.
 - h. Fruit cleaning machines.
 - i. Icing machines.
 - j. Oven and conveyor, dump units excluding dump racks.
 - k. Pan greasers.
 - l. Pan washing machines.
 - m. Pie pan washing machines.
 - n. Retarding dough box.
 - o. Sack cleaners.
 - p. Sweet and plain roll tables.
 - q. Sweet roll cutting machines.
 - r. Trolleys.
 - s. Trough dividing boards.
 - t. Chocolate melting kettles.
 - u. Dough sheeting and stamping machines.
 - v. Enrobers.
 - w. Icing trolleys.
 - x. Marshmallow depositors.
 - y. Oil spraying machines.
 - z. Sandwich machines.
 - aa. Spreading machines.
 - bb. Sugar topping machines.
 - cc. Sugar wafer machines.
2. All brewing machinery and equipment including bottling machinery and equipment but excluding refrigeration machinery and equipment.
3. All coconut shredding and processing equipment.
4. Coffee, tea, cocoa and spice grinding and processing equipment except equipment by and for the direct use of the Army, Navy, Maritime Commission and War Shipping Administration, and except equipment used in the manufacture of soluble and dehydrated coffee.
5. All confectionery machinery.
6. The following items of dairy machinery and equipment:
 - a. Automatic pasteurizing and holding controls for vat pasteurizers.
 - b. Batch measures.
 - c. Batch weighers.
 - d. Butter wrappers.
 - e. Butter cutters—power driven.

f. Fruit feeders.
g. Flavor tanks for ice cream mix.
h. Ice cream freezers, except on order by and for the direct use of the Army, Navy, Maritime Commission and War Shipping Administration:

1. Ice cup—package fillers.
Coating and dipping machines, all types.
Bar and popsicle machinery
j. Ice cream cutting and wrapping machines.

k. Homogenizers for whole fluid milk.
l. Milk bottle hooding machines.
m. Milk irradiator.
n. Milk bottle case washers.
o. Paper bottle filling machines.
p. Soft curd machinery.
q. Vacuum milk samplers.
r. [Revoked Sept. 6, 1943]
s. Foam destroyers.
t. Multiple effect vacuum pan.
u. Automatic pocket type holding systems.
v. Milk can washers for handling chained type covers.

w. All sanitary fittings for dairy machinery and equipment except the following, as set forth in the International Association of Milk Dealers Code:

#2C—ell.
#2F—ell, one end threaded.
#6—tee, one end recessed.
#7—tee.
#9—cross.
#10C—valve.
#11C—valve, 3 way.
#13H—union nut.
#14—union ferrule.
#14A—union ferrule.
#14R—union ferrule, recessless
#15—union ferrule, threaded.
#15R—union ferrule, threaded, recessless.
#16A—cap.
#17—coupling.
#20—pipe clamp, tapped 3/4" I. P. T.
#21—nipple adapter.
#22—coupling adapter.
#23A—thermometer ferrule, fine thread.
#23B—thermometer ferrule.
#24—pipe hanger clamp 3/8" I. P. T.
#25H—malleable wrench.
#26D—ell 45°.
#31R—reducing ferrule, concentric.
#32—eccentric reducing ferrule.
#32-15—reducing ferrule, eccentric, small end.
#32-R—eccentric reducing ferrule, flat face.
#33B—can filler.
#38—vat outlet.
#43—tank outlet.
#45H—check valve, hexagon nut.
#45V—check valve.
#30W—angle valve, inlet recessed.
#30WC—angle valve 90°.
#60T—compression valve, tee.
#60C—compression valve, cross.
#60Y—compression valve, straightway.
#60R—compression valve, recessless.
#13SH—union nut.

7. The following items of egg machinery and equipment:

a. Egg graders, hand.
b. Egg graders, power.
8. The following items of flour and grain milling machinery:

a. Mixers (molasses, etc.).
b. Pellet machines.

9. Food slicing and meat grinding machinery and equipment except:

1. Preparation machinery for canning and dehydrating;

2. Freezing equipment;
3. Machinery and equipment used in commercial meat packing houses;
4. On order by and for the direct use of the Army, Navy, Maritime Commission, and War Shipping Administration.
5. Bread slicing machinery.
10. All macaroni processing machinery and equipment except drier.
11. Non-alcoholic beverage manufacturing machinery including bottling machinery and equipment but excluding refrigeration equip-

ment and excluding fresh fruit and vegetable juice machinery.

12. The following items of Poultry Machinery and Equipment:

a. Blood cups.
b. Poultry killing machines.
c. Waxers, poultry.
d. Wax extractors, poultry.

13. Sugar processing machinery and equipment.

14. All tobacco processing machinery and equipment.

SCHEDULE O

SIMPLIFICATION SCHEDULE FOR DAIRY MACHINERY AND EQUIPMENT

[Permitted styles, sizes and capacities per manufacturer. Nearest standard style and size or capacity formerly manufactured.]

[NOTE: This table amended in its entirety.]

Type of machine	Style	Size or capacity
Babcock testers.....	1 (motor driven).....	3 (8, 12 & 24 short bottle). 2 (24 & 36 long bottle). 2 (4 and 12 bottles). 2 (30 and 90 lbs.).
Butter cutters, hand.....	1 (hand operated).....	1.
Bottle cappers, hand.....	1 (manual).....	2 (8" and 12").
Cheese curd mills.....	1 (portable).....	5 (Cheddar, Longhorn, Daisies, Twin, Leaf).
Cheese hoops.....	1 style each size.....	3 (1, 2 & 3 row convertible 3 lengths to 24').
Cheese presses.....	1 (manual).....	5 (100, 300, 500, 1,200 & 1,400 gals.). 16' to 22'. 3 (1,000, 1,500 & 2,000 lbs.). 3 (under 1,000 lbs.). 3 (6,000, 12,000 & 20,000 lbs. per hour milk basis).
Cheese vats.....	1 (wood body).....	Upon application.*
Cheese vat agitators.....	1.....	
Churns, butter wood barrel.....	1 (roll-less).....	Drier rolls—3 sizes only. Spray—approved for projects on WPB-617.
Churns, small.....	1.....	
Clarifiers.....	1 (airtight, for eggs or upon application* for replacement or size conversion for milk). 4 (internal tube, plain surface, cabinet surface, plate).	
Coolers, Heater and Preheaters.....	2 (roll and spray).....	
Dehydrators or driers for milk and eggs.....		
Fillers for dairy products:		
(a) Hand.....	1.....	2 (2 and 4 valves).
(b) Power.....	1.....	4 (frame and bowl sizes).
Fillers for evaporated milk.....	1.....	3 (one size only for each of 3 size cans). Existing.
Filters.....	2 (cloth and screen).....	2 (300 and 600 gallons). 2 (500 and 1000 gallons). Smaller sizes upon application.*
Forewarmers.....	1.....	4 (frame and head sizes).
Hot wells.....	1 (single well).....	
Homogenizers for evaporated and dehydrated milk and ice cream.....	1 (up to 5000 lbs. pressure).....	
High pressure sanitary pumps.....	1 (up to 7000 lbs. pressure).....	2 (frame and head sizes). 2 (cheddar and warehouse).
Paraffining equipment.....	1.....	
Pasteurizers:		
(a) Cheese.....	2 (tubular and plate).....	Upon application.*
(b) Coll.....	1.....	4 (300, 600, 800 and 1,000 gals.).
(c) Plate.....	2 (screw type).....	2 size plates.
(d) Vat and starter can.....	1 for each size.....	7 (50, 100, 200, 300, 500, 800 and 1,000 gals.).
Pumps, sanitary:		
(a) Centrifugal.....	1.....	4 (1", 1 1/2", 2" and 3").
(b) Positive.....	1 (rotary only)..... (No variable speed driven except for high temperature pasteurizers and vacuum pans.)	3 (1", 1 1/2" and 2").
Separators, open and closed type.....	1 (open).....	4 (1,650, 2,500, 7,000 and 11,000 lbs. per hour).
Tanks, receiving.....	1 (closed).....	3 (3,500, 7,000 and 11,000 lbs. per hour).
Tanks, storage:		
(a) Open top.....	1 (non-refrigerated).....	5 (100, 300, 500, 1,000 and 1,500 gals.).
(b) Cylindrical.....	2 (horizontal and vertical, non-refrigerated). 2 (coil or tubular single effect only).	3 (300, 500 and 1,000 gallons). 3 (84", 96", 120" diam. minimum 2,000 gallons). 2 (60" and 72"). Smaller sizes upon application.*
Vacuum pans.....		
Washers:		
Hand milk bottle.....	1.....	2 (1 and 3 brush).
Sterilizer can.....	1.....	1.
Milk bottle, soaker type.....	3.....	4 (20, 48, 72 and 120 B. P. M.). Larger sizes upon application.*
Milk can, rotary.....	1.....	2 (3 and 6 O. P. M.).
Milk can, straightaway.....	1 for each size. (Single and double tank permitted in each style).	3 (4-6, 8-10, and 12-14 O. P. M.).
Weigh cans.....	2 (1 compartment)..... 1 (2 compartments, small, no dump hopper). 1 (2 compartment, large dump hopper optional).	2 for each style. 1.
Weighing receiving unit.....	1.....	1 (not to exceed 50 gal. weigh cans).

*On any applicable form specified in paragraph (a) (6).

SIMPLIFICATION SCHEDULE FOR EGG PROCESSING EQUIPMENT

Type of machine	Style	Size or capacity
EGG BREAKING EQUIPMENT		
Egg breaking cups.....	1	1 not over 3 eggs per cup.
Egg breaking knife.....	1	1 10 3/4".
Egg breaking separator.....	1	1 1 1/8".
Egg breaking tray.....	1	1 medium 11 1/2 x 10 x 1 1/4".
Egg breaking tray grid.....	1	1 medium 11 1/4 x 9 x 3/4".
Egg candlers, hand.....	1	1 1 hole.
Egg candlers, flash.....	1	1 three dozen.
Egg churns.....	2	2 2500 lbs. and 800 lbs. eggs.
Egg crushers (frozen) Sanitary.....	1	1.
Egg bashers.....	1	1.
Egg leaker trays & grid.....	1	1 13 x 13 x 3/4".
Egg suckers.....	1	1.
Egg treating machines.....	1	1 16-20 cases per hour.
Egg washers.....	2	2 six and ten cases per hour.
Sterilizer.....	1	1 40 x 44 x 36" (16 ga. Galv.).

¹ Tray type.

SIMPLIFICATION SCHEDULE FOR POULTRY PROCESSING EQUIPMENT

Type of machine	Style	Size or capacity
Cooling racks for dressed poultry.....	1	1 150 birds.
Eviscerating equipment.....	1	3 50 ft. 20-26 birds per minute.
.....	1	32 ft. 10-15 birds per minute.
.....	1	1 Cafeteria tray top, hand.
Feather driers.....	1	2 5,000 and 8,000 birds per day.
Feather wringers.....	1	1.
Giblet cleaning equipment.....	1	1.
Live poultry holding trucks.....	2	2 8 and 16 compartment.
Packing bench & tables.....	1	1 36 x 46.
Picking machines: (a) Automatic.....	1	1.
..... (b) Hand fed.....	1	3 (1, 2 or 3 operators each)
Rubber fingers.....	1	1.
Pinning conveyors.....	1	2.
Scalding machines.....	1	2 Poultry size and Turkey size.
Shackles.....	2	2 Poultry size and Turkey size.
Tanks and wash sinks.....	1	2 Poultry size and Turkey size.

¹ Loose pans.

² Metal or wood.

³ Motor driven drum.

⁴ Plain and locking.

SCHEDULE D—CONSERVATION PROVISIONS

NO. 1—DAIRY EQUIPMENT

1. As used herein "contact parts" mean those parts of dairy equipment which come in direct contact with dairy or egg products and the fittings to hold such parts in place. "Corrosion points" mean those parts or fittings, stationary or movable, which are exposed to corrosive action from food products, water, or brine and which, if corroded, will interfere with the normal operation of the machinery or equipment.

2. No aluminum, cadmium, bismuth, tin, magnesium, copper, zinc, nickel, chromium or alloys containing these metals other than as impurities shall be used for parts, finishes or plating except as otherwise specifically permitted in this schedule "D"—1.

3. Copper and copper base alloys are permitted only in electrical conductors, bearings, valves, instruments, motors, worm driven gears, and cappers for dairy products,

and in contact parts and corrosion points for the following equipment:

- Babcock testers (cups only)
- Cheese pasteurizers
- Clarifiers—Sanitary, all types for milk and eggs
- Coolers, heaters, preheaters—Sanitary, all types for milk and eggs
- Dehydrators for milk and eggs
- Fillers for dairy products
- Filters for milk and eggs
- Forewarmers
- Hot Wells
- Homogenizers and high pressure sanitary pumps
- Pasteurizers, coil, vat and plate type
- Separators
- Tanks and vats—Sanitary, for milk and egg products
- Vacuum pans
- Washers
 - (a) Bottle, hand
 - (b) Milk bottle, cooker type
 - (c) Can
- Weigh cans
- Weighing receiving units.

4. Chromium or nickel or stainless steel alloys containing these metals may be used only in contact parts and corrosion points for the following equipment:

- Clarifiers
- Coolers, heaters and preheaters
- Spray dehydrators
- Fillers
- Filters
- Forewarmers
- Hot wells
- Homogenizers
- High pressure sanitary pumps
- Pasteurizers
- Centrifugal pumps
- Separators
- Storage tanks
- Vats (including receiving tanks)
- Vacuum pans
- Weigh cans
- Weighing receiving units.

5. Secondary copper—nickel alloys (white metal) made only from scrap or remelt, may be used for capping equipment, pumps (centrifugal, positive and high pressure), sanitary fittings, and contact parts and corrosion points of dairy equipment.

6. Tin may be used for solder and for plating or coating parts which come in contact with milk or egg products.

7. Rubber can only be used for gaskets, filling valves and couplings.

8. Zinc for protective coating is permitted.

NO. 2—EGG EQUIPMENT

No aluminum, cadmium, bismuth, tin, magnesium, copper, zinc, nickel, chromium, iron and steel or alloys containing these metals other than as impurities shall be used for parts, finishes, or plating except in bearings, valves, instruments, motors, or solder, or to the extent permitted below:

Equipment	Permitted metals
Egg breaking cups.....	Chromic or nickel stainless steel only where in contact with egg or egg product.
Egg breaking knife.....	
Egg breaking tray.....	
Egg breaking tray grid.....	
Egg breaking separator.....	

Equipment	Permitted metals
Egg candlers, flash.....	Iron or steel except in benches.
Egg churns.....	Chromic or nickel stainless steel, secondary copper nickel alloy (white metal) made only from scrap or remelt and tin coated iron or steel, and only where in contact with egg or egg product. Balance of equipment iron or steel.
Egg hachers.....	
Egg crushers (sanitary) for frozen eggs.....	
Egg suckers.....	Iron, zinc for galvanizing.
Egg leaker trays and grids.....	
Egg treating machines.....	
Egg tables.....	Iron and steel.
Egg washers.....	

NO. 3—POULTRY EQUIPMENT

No more than 12% crude rubber may be used in rubber fingers. No aluminum, cadmium, bismuth, tin, magnesium, copper, zinc, nickel, chromium, iron and steel or alloys containing these metals other than as impurities shall be used for parts, finishes, or plating except in bearings, instruments, valves, motors, solder, or to the extent permitted below.

Equipment	Permitted metals
Cooling racks for dressed poultry.....	Iron or steel in axles, casters and hangers only.
Eviscerating equipment.....	Iron and steel, zinc for galvanizing top only.
Feather driers.....	Iron or steel—12 gauge or lighter except in base.
Feather wringer.....	Iron and steel, zinc for galvanizing.
Giblet cleaning equipment.....	Iron and steel, zinc for galvanizing.
Live poultry holding trucks.....	Iron and steel, zinc for galvanizing.
Packing bench and tables.....	Galvanized iron for top only.
Picking machines.....	Iron and steel, zinc for galvanizing on drum only.
Pinning conveyors.....	Iron and steel.
Scalding machines.....	Iron and steel.
Shackles.....	Iron and steel, zinc for galvanizing.
Sterilizers.....	Iron and steel, zinc for galvanizing.
Tanks and wash sinks.....	Iron and steel.

NO. 4—CANNING MACHINERY AND EQUIPMENT

(A) As used herein "contact parts" mean those parts of a food processing or packing machine or item of equipment which come in direct contact with the edible portion of the food product being processed at any stage of the processing operation.

(B) No stainless steel shall be used except in:

1. Contact parts for machinery processing fishery products, citrus products, pineapples, tomatoes and tomato products, vinegar and vinegar products, sauerkraut, chickens, mayonnaise, apples and apple products, riced potatoes for dehydration, and cranberries and cranberry products.

2. Cutting knives as used in food processing equipment for peeling, coring, extruding, slicing or dicing.

(C) No copper other than for electrical conductors shall be used except for contact parts for acidulous fruits and vegetable products, or in steam-jacketed kettles and in tubing for cooking coils.

(D) No bronze or other copper base alloys shall be used except in—

1. Bearings, gears and fittings;
2. Parts which are in contact with corrosive glues in labeling and sealing machines or with brine and salt water;

3. Contact parts of equipment handling acidulous fruit, acidulous vegetables or fishery products;

4. Bearings and packing glands in fresh fruit, vegetable and fishery products, grading, packing and treating equipment.

(E) No copper-nickel alloy shall be used except secondary copper-nickel alloy made from reprocessed scrap. This alloy is permitted in

1. Filling chambers, plunger valves for fillers and contact parts in pumps for baby foods, citrus, and pineapple products;

2. Pump parts that come in contact with hydrochloric solution or brine in fresh fruit, vegetable and fish washing and treating equipment.

3. Contact parts for machinery processing fishery products, citrus products, pineapples, tomatoes and tomato products, vinegar and vinegar products, sauerkraut, chickens, mayonnaise, apples and apple products, riced potatoes for dehydration, and cranberries and cranberry products.

(F) No nickel shall be used except in pineapple screens.

(G) No monel metal shall be used except for bolts, nuts, nails and rods in fresh fruit and vegetable washing and treating equipment.

(H) No aluminum shall be used. However, this provision shall not prohibit the use of low-grade aluminum, as defined in Order M-1-1, in contact parts of citrus fruit extractors and citrus fruit presses.

(I) No structural steel framework shall be used in the building of viners or viner feeders, pea and bean cleaners or recleaners or shaker shoes, except that rerolled rails may be used in the structural framework of cleaners, recleaners and shaker shoes.

(J) No tin shall be used except in the plating (including hot dipping and hot wiping) of contact parts and in solder.

(K) No rubber shall be used in any canning machinery or equipment, except the following items in which only reclaimed rubber shall be permitted:

1. Apron flaps and viner screens (which shall be impregnated fabric with coating not to exceed $\frac{1}{64}$ " thickness on each side);

2. Inspection tables, conveyors and sorting belts for fruits and vegetables (which shall be only impregnated fabric with coating on one side not to exceed $\frac{1}{64}$ " and coating on other side not to exceed $\frac{1}{32}$ ");

3. Belts or rolls for can and bottle unscramblers and fruit and vegetable dicers, slicers, slitters, and cutters, which shall be only impregnated fabric with coating on one side not to exceed $\frac{1}{4}$ " in thickness (a coating of $\frac{5}{16}$ " is permitted when applied to slicer rolls);

4. Baffle strips and separators in continuous peelers;

5. Green corn husking rolls; grading ropes for vegetable graders.

6. Valve seals, rings, washers, hoses and displacement members in filling machines; spacing rolls and seaming pads in labeling machines; type and typeholders in can and package marking devices; food rolls for green

corn-cutting machines; gaskets for vacuum pans, centrifuges, heaters and hatch peelers; pump parts; and hose, tubing and baffles in fresh fruit and vegetable grading, packing and treating equipment.

(L) No temperature and pressure automatic recording control instruments (industrial type) shall be furnished except on continuous cookers, continuous blanchers, continuous preheaters, continuous scalders, continuous juice tanks and food dehydrators.

(M) No metallic paints or filling coats shall be used.

(N) No ball bearing metal rollers shall be used on washing, sorting, packing, scalding, peeling or blanching tables.

(O) Retort cages, crates or covers shall be of the perforated type made of sheet steel, 14 gauge in thickness or less.

(P) No sanitary pumps shall be variable speed driven.

(Q) No nickel silver (copper-nickel-zinc-alloy) having a nickel content in excess of 18% shall be used except in pulper screens, juice extractor screens, and finisher screens, with a perforation of .040 inches diameter or smaller.

[F. R. Doc. 43-14592; Filed, September 6, 1943; 12:08 p. m.]

PART 3286—MISCELLANEOUS MINERALS¹

[Conservation Order M-199 as Amended Sept. 6, 1943]

SILVER

Section 3286.51 *Conservation Order M-199* is hereby amended to read as follows:

§ 3286.51 *Conservation Order M-199*—(a) *Definitions*. For the purposes of this order:

(1) "Silver" means silver bullion, semi-fabricated forms of silver, silver scrap and other secondary forms of silver, and any alloy, compound, salt, or mixture containing more than one-half of one percent of silver by weight. The term does not include alloyed gold produced in accordance with U. S. Commerce Standards CS 51-35 and CS 67-38. The term also does not include finished silver products, the value of which is more than twice the value of the silver contained therein. The term includes, however, brazing alloys and solders containing more than one-half of one percent of silver by weight.

(2) "Domestic silver" means any silver which has been produced since July 1, 1939, from mines situated inside of the territorial limits of the United States, its territories and possessions.

(3) "Treasury silver" means any silver which has been held or owned by the United States and has been sold pursuant to the provisions of Public Law 137, approved July 12, 1943.

(4) "Foreign silver" means any silver except that which is either domestic silver or Treasury silver. Scrap generated by manufacturers from the processing of domestic silver or Treasury silver shall also be considered to be foreign silver if it does not remain in the ownership of the manufacturer whose processing

operations produced it; *Provided, however*, That domestic silver scrap or Treasury silver scrap produced by suppliers in semi-fabricating operations may be sold by such suppliers to manufacturers as domestic silver casting metal or Treasury silver casting metal.

(5) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with or available for the use of such person.

(6) "Manufacturer" means any person who uses silver by incorporating it physically in the finished products or parts thereof which he manufactures or who uses or consumes silver in any manufacturing, testing, laboratory, plating, or repairing process.

(7) "Supplier" means any person regularly engaged in the business of importing, smelting, or refining silver, or in the business of selling silver to manufacturers and other suppliers. The term includes any person who may import, smelt, or refine silver for his own use as a manufacturer.

(8) "Put into process" means the first change by the manufacturer in the form of the material from that form in which it was received by him. Putting into process does not include minor initial operations such as marking and does not include any alloying, shearing, cutting, trimming, or other operation unless such initial operations are part of a continuous fabricating or assembling operation. Nor does it include operations such as inspection and testing, nor segregation or earmarking for a specific job or operation. The term also does not include the reclaiming and reforming of scrap.

(9) "Process" means cut, draw, machine, stamp, melt, mix, compound, cast, forge, roll, turn, spin, or otherwise shape or change in form or chemical composition. It also means assemble. The term does not include sand-bobbing, buffing, or polishing an assembled article.

(10) The term "assemble" shall not be deemed to include the putting together of an article after delivery to a sales outlet or consumer in knock-down form pursuant to an established custom. The term "assemble" shall also not be deemed to include adding finished parts to an otherwise finished article when the placing of one or more finished parts or the size or type of one or more finished parts is determined by the use to which the ultimate consumer is to put the article. In all other cases, the term "assemble" shall be deemed to include adding parts, whether of silver or of any other material, to an article of silver, where such article is not deemed complete and ready for immediate sale or use until such parts have been added, including adding gems, stones, or glass jewels or beads to articles or parts of silver, and adding brushes, combs, knives, forks, or other utensils to backs or handles of silver.

(11) The term "deliver" shall not be deemed to include a redelivery of silver to the owner thereof, who is a manu-

¹Formerly Part 3022, § 3022.1.

facturer, by a person to whom such owner delivered such silver to be alloyed or processed and returned to such owner for further processing; nor does it include the delivery under the same circumstances by the owner to the person who alloys or processes the silver for the owner.

(12) The term "accept delivery" shall not be deemed to include acceptance of delivery of silver by the owner thereof, who is a manufacturer, from a person to whom such owner delivered such silver to be alloyed or processed and returned to such owner for further processing; nor does it include acceptance of delivery under the same circumstances from the owner by the person who alloys or processes the silver for the owner.

(b) *Restrictions upon sale or delivery of silver by suppliers.* (1) No supplier shall sell or deliver any kind of silver (foreign, Treasury, or domestic) except to

- (i) Another supplier; or
- (ii) A manufacturer; or
- (iii) The United States; or
- (iv) Metals Reserve Company or any other corporation organized under section (5) (d) of the Reconstruction Finance Corporation Act as amended.

(2) No supplier shall sell or deliver foreign silver to a manufacturer except to fill orders for uses on List A.

(3) No supplier shall sell or deliver Treasury silver to a manufacturer except to fill orders for uses on List C.

(4) No supplier shall sell or deliver any kind of silver (foreign, Treasury, or domestic) to any person if he knows or has reason to believe such silver is to be received or used in violation of the terms of this order.

(c) *Restrictions upon sale or delivery of silver by manufacturers.* No manufacturer shall sell or deliver any kind of silver (foreign, Treasury, or domestic) except to:

- (1) A supplier; or
- (2) The United States; or
- (3) Metals Reserve Company or any other corporation organized under section (5) (d) of the Reconstruction Finance Corporation Act as amended.

(d) *Restrictions upon purchase, acceptance of delivery, and processing of foreign silver by manufacturers.*

(1) *Uses on List A.* On and after July 29, 1943, no manufacturer shall purchase, accept delivery of, put into process, or process any foreign silver for any use other than a use on List A.

(2) *Temporary exception.* Notwithstanding the foregoing provisions of this paragraph (d), a manufacturer may continue the processing of any foreign silver which on July 29, 1943, he had already put into process for any use on List B to fill orders rated A-1-a or higher; also, a manufacturer may put into process and process to completion for a List C use any foreign silver owned by him on July 29, 1943, and he may complete the processing of any foreign silver already put into process by him on such date for any such use: *Provided*, That on and after September 6, 1943, no manufacturer may put into process any foreign silver in the manu-

facture of brazing alloys or solders, but he may complete the processing of any foreign silver already put into process by him on September 6, 1943, for any such use.

(e) *Restrictions upon purchase, acceptance of delivery, and processing of Treasury silver by manufacturers.* No manufacturer shall purchase, accept delivery of, put into process, or process Treasury silver except for a use on List C.

(f) *Authorization to purchase Treasury silver from the United States.* Purchases of Treasury silver from the United States pursuant to Public Law 137, approved July 12, 1943, shall be made only upon specific authorization of the War Production Board. Any supplier or manufacturer desiring such authorization may apply by letter to the War Production Board, Miscellaneous Minerals Division, Washington 25, D. C., Reference: M-199, not later than the 15th day of the month preceding the month in which delivery of the Treasury silver is desired. In such letter the applicant, in addition to other pertinent information, shall state the nature of his business and the intended use of the silver in terms of the uses specified on List C.

(g) *Restrictions upon the purchase, acceptance of delivery, and processing of domestic silver for List B uses.* In any calendar quarter after July 1, 1943, until further notice, no manufacturer shall purchase, accept delivery of, or put into process domestic silver for uses on List B in excess of $\frac{1}{3}$ of the aggregate amount by weight of all silver (foreign and domestic), computed on the basis of the fine silver content thereof in troy ounces, put into process by such manufacturer for List B uses during the calendar year 1941 or the calendar year 1942, whichever year is the greater: *Provided, however*, That such manufacturer, in computing his quota of domestic silver under the foregoing provision, shall deduct from the said aggregate amount put into process by him for List B uses for the year 1941 or 1942, as the case may be, the aggregate amount by weight of silver (fine silver content, troy ounces) put into process by him in such year for List B uses to fill orders rated A-3 or higher, and the aggregate amount by weight (fine silver content, troy ounces) of sales made by him in such year of silver scrap or silver waste material resulting from the processing of silver for List B uses, exclusive of orders rated A-3 or higher. In any case where prior to January 1, 1943, a manufacturer furnished silver to another manufacturer under toll agreement to be processed and returned, only the manufacturer who did the actual processing shall be entitled to claim that he put the silver into process for the purpose of computation of domestic silver quotas under the provisions of this paragraph. However, in any case after January 1, 1943, where a manufacturer furnishes silver to another manufacturer under toll agreement to be processed and returned, both the manufacturer who furnishes the silver and the manufacturer who processes it shall be deemed to

have put the silver into process for the purposes of this paragraph.

(h) *Special exception as to domestic silver.* The restrictions of this order as to the purchase, acceptance of delivery, and processing of domestic silver for List B uses shall not apply to any manufacturer:

(1) Who manufactures jewelry by the use of hand tools exclusively (that is, without the use of dies, jigs, or molds or any mechanical apparatus whatsoever, such as mechanically operated spinning or turning wheels, or lathes, presses, grinders, or cutters, whether operated by hand, foot, or other power); or

(2) Who meets each and all of the following requirements:

(i) He was engaged in the silver manufacturing business throughout the year 1941;

(ii) His gross receipts in the year 1941 from the sale of silver products did not exceed \$25,000;

(iii) He continues to engage in the silver manufacturing business, and to have at all times not more than five persons at one time, excluding all clerical employees, working in such business, each of which persons is either over the age of 50 years or is physically incapacitated from performing ordinary factory labor; and

(iv) His gross sales of silver products for the calendar year 1943 and for each calendar year thereafter do not exceed \$35,000 per year.

For a manufacturer to be engaged in the "silver manufacturing business" as the term is used in paragraph (h) (2), at least 75% of the gross receipts of such manufacturer in the year 1941 and succeeding years from products of all kinds sold by him (including products sold but not manufactured by him) shall have been derived from the sale of silver products manufactured by him. A silver product is one in which silver is physically incorporated and in which the amount of contained silver is greater either in weight or in value than any other single material, excluding precious or semi-precious stones, contained in such products.

(i) *Special directions as to distribution of foreign, Treasury, and domestic silver.* From time to time the War Production Board may issue special directions to individual suppliers and manufacturers, specifying the sources, destinations, and amounts of silver (foreign, Treasury, or domestic) to be delivered or acquired by them.

(j) *Restrictions on holding of scrap silver.* (1) No manufacturer shall purchase or accept delivery of silver of any kind (foreign, domestic, or Treasury) if he has on hand more than a thirty days' accumulation of scrap silver, exclusive of wastes, such as mirror wastes, polishings, and sweepings, whether foreign, Treasury, or domestic, or any combination thereof, unless such accumulation aggregates less than 1,000 ounces, fine silver content.

(2) No manufacturer shall have scrap melted, reformed, and redelivered to him under toll agreement if by such redelivery his inventory of silver will be in excess of a minimum practicable working

inventory, taking into consideration the orders on his books requiring use of silver and the limitations placed upon the use of silver by this order.

(k) *Fungibility of silver stocks recognized.* Although this order deals with three kinds of silver (foreign, Treasury, and domestic) which are separately defined, and imposes restrictions which vary in their application as among these kinds of silver, it is recognized that all three kinds of silver are physically identical. Accordingly, nothing in this order shall be deemed to require any person holding two or more kinds of silver to keep the various kinds physically segregated. It is also understood that a person who holds only one kind of silver at a particular moment may be called upon to deliver or to use another kind of silver. In such cases, the person holding the one kind of silver may change part or all of his stock of such silver to silver of another kind simply by selling part of his stock to a supplier, ordering an equivalent amount, silver content, of the different kind of silver required for his purposes and paying or receiving the difference in price. For the purposes of this order, physical delivery to the supplier of the silver being sold and physical delivery by the supplier of the different kind of silver being purchased are not required in order to change the character of the silver involved from the kind in stock to the kind being purchased. The form of the silver can also be disregarded. For example, a manufacturer with partially processed stocks of foreign silver which he cannot finish for List B uses under the restrictions of the order, can purchase domestic silver bars having a silver content equal to the silver content of the partially processed silver, sell those same bars back to the supplier as foreign silver, pay the difference in price, and then consider that the partially processed silver is domestic silver and may be further processed for List B uses as permitted by the order. Any purchasing or processing of domestic silver under the provisions of this paragraph for uses on List B must, however, be within the quota limitations of paragraph (g) hereof. Furthermore, at no time shall any person sell silver of any kind in excess of the amount of silver of that kind, fine silver content, owned by him.

(1) *Use certificate.* No supplier shall deliver any silver (foreign, Treasury, or domestic) to any manufacturer, and no manufacturer shall accept delivery of any silver from any supplier, unless the manufacturer shall have furnished the supplier with a certificate specifying the end use of such silver in terms of the uses specified on List A, List B, and List C. Such certificate may be placed on or attached to the purchase order, and shall be in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

Pursuant to Conservation Order M-199, the undersigned hereby certifies to the supplier and the War Production Board that the silver covered by the accompanying order (and all silver purchased from the supplier under or-

ders placed in the future) shall be used solely for the following purposes: -----

(Name of purchaser)

Date----- By-----

(Signature and title of duly authorized officer)

In appropriate cases one certificate may cover the use of silver to be delivered under orders to be placed with such supplier in the future. Such certificate shall constitute a representation to, but shall not be filed with, the War Production Board. The supplier shall be entitled to rely on such representation, unless he knows or has reason to believe it to be false.

(m) *Exceptions—(1) United States Government.* None of the restrictions in this order as to sale, purchase, delivery, acceptance of delivery, or use of silver shall be applicable to the United States Government or any of its departments or agencies; provided, however, this exception shall not be deemed to extend to a manufacturer who manufactures items for delivery to or for the account of the United States Government or any of its departments or agencies. An item is not deemed removed from the list of restricted uses simply because it is to be manufactured for delivery to or for the account of the United States Government or any of its departments or agencies.

(2) *Repair.* The restrictions of this order as to the putting into process and the processing of foreign, Treasury, or domestic silver shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use silver weighing in the aggregate more than 3 ounces and if any putting into process or processing done by such person is for the purpose of making the specific repair. The term "repair" as used in this paragraph shall include the replating of used articles, provided the article was originally made of silver or silver-plated material.

(n) *Limitations of inventories.* No manufacturer shall accept delivery of silver, in the form of raw materials, semi-processed materials, finished parts, or sub-assemblies, nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of raw, semi-processed, or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the use of silver by this order.

(o) *Reports.* Each supplier and each manufacturer and every other person affected by this order shall file such reports as may be requested from time to time by the War Production Board, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(p) *Miscellaneous provisions—(1) Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(2) *Applicability of order.* The prohibitions and restrictions contained in this order as to foreign silver shall apply to the use of such material in all items manufactured after July 29, 1942, irrespective of whether such items are manufactured pursuant to a contract made prior or subsequent to July 29, 1942. The prohibitions and restrictions contained in this order as to domestic silver shall apply to the use of such material in all items manufactured after February 25, 1943, irrespective of whether such items are manufactured pursuant to a contract made prior or subsequent to February 25, 1943. The prohibitions and restrictions contained in this order as to Treasury silver shall apply to the use of such material in all items manufactured on or after July 29, 1943, irrespective of whether such items are manufactured pursuant to a contract made prior or subsequent to July 29, 1943. In so far as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided, the use of foreign, Treasury, or domestic silver in the production of any item, the limitations of such other order shall be observed.

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

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington 25, D. C. Ref: M-199.

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

Issued his 6th day of September 1943.

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

List A: Permitted uses of foreign silver under Conservation Order M-199:

1. Manufacture of medicines and health supplies.
2. Manufacture of photographic film, photographic papers, and photographic chemicals, and use in any photographic process.
3. Manufacture of electrical contacts and other silver products or parts used for electrical current carrying purposes.
4. Manufacture of any product or use in any process to fill orders bearing a preference rating of AA-5 or higher, except uses on List B or List C.

List B: Restricted uses of silver under Conservation Order M-199:

1. Manufacture of silverware, including, without limitation, knives, forks, spoons,

plates, platters, dishes, pitchers, vases, cups, candlesticks, and all other kinds of flatware and hollow ware and table, kitchen, and decorative utensils and objects, including silver deposit china or glassware.

2. Manufacture of watch cases and jewelry, including, without limitation, costume jewelry, blackout jewelry, and other articles of personal adornment, except push-pins for wrist watches. The term jewelry also includes personal accessories of all kinds such as bags, compacts, vanity cases, cigarette cases, cigarette holders, lighters, souvenirs, cuff links, pins, and clasps.

3. Manufacture of badges and insignia, other than official military insignia.

4. Manufacture of church goods as defined in General Limitation Order L-136.

5. Manufacture of slide fasteners, hooks and eyes, snaps, buttons, clips (except for fountain pens and mechanical pencils), buckles, and fasteners of every description.

6. Manufacture of closures for containers.

7. Manufacture of pens and pencils, except the nibs, interior tubes, filling mechanisms, clips, and reinforcing cap-rings or bands of fountain pens, and the tips, interior operating mechanisms, clips, and reinforcing bands of mechanical pencils.

8. Manufacture of toilet articles and picture frames.

9. Manufacture of musical instruments, except strings for stringed instruments.

10. Electroplating not necessary for operational purposes, except for use in the manufacture and repair of dental, surgical, veterinary, and optical (including spectacle frames) instruments, appliances, and equipment.

List C: Permitted uses of Treasury silver under Conservation Order M-199:

1. Manufacture of engine bearings.

2. Manufacture of official military insignia.

3. Manufacture of brazing alloys.

4. Manufacture of solders.

5. Use of brazing alloys or solders manufactured of Treasury silver in the manufacture of any product or use in any process to fill orders rated AA-5 or higher.

6. Use of brazing alloys or solders manufactured of Treasury silver in making repairs within the limitations of paragraph (m) (2).

INTERPRETATION 1

Conservation Order M-199 imposes certain quota limitations upon the amount of domestic silver which a manufacturer may put into process for restricted uses. In many silver manufacturing processes, a manufacturer starts with a certain amount of silver in primary shapes and ends the operation with a large part of such silver in the form of scrap. It is customary for the manufacturer in these cases to have this scrap melted, rolled, or otherwise processed so as to return it to a primary shape in which it can again be subjected to manufacturing processes. This reforming of the silver scrap in some instances is done by the manufacturer himself, in other instances the work is done by others under toll agreement. The question has been presented as to whether the processing of this reformed scrap must be considered as coming within this meaning of the term "put into process" or whether such processing of reformed scrap shall be considered as only the continuation of a processing operation which began when the manufacturer processed for the first time in any form for a restricted use the specific amount of silver from which such scrap was produced.

It is hereby determined that for the purposes of the quota limitations of Order M-199, the term "put into process" shall be deemed to cover only the manufacturer's first processing for a restricted use of a given amount of silver. It shall not be deemed to

cover the subsequent processing of reformed scrap produced therefrom, whether such reforming is done by the manufacturer himself or by others for him under toll agreement. The term shall be deemed to cover, however, the first processing for a restricted use of reformed scrap which was produced in a manufacturing operation which is not restricted under the order.

Domestic silver scrap produced in filling an order rated A-1-a or higher for a restricted use is considered as having been produced in a manufacturing operation which is not restricted under the order. Hence such scrap when reformed can be processed for a restricted use only if within the manufacturer's quota limitations or to fill an order rated A-1-a or higher.

This interpretation supersedes Interpretation 1 of Conservation Order M-193 issued September 1, 1942. (Issued May 10, 1943.)

[F. R. Doc. 43-14693; Filed, September 6, 1943; 12:03 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER¹

[General Preference Order M-91, as Amended September 6, 1943]

COTTON DUCK

Section 3290.56 (General Preference Order M-91) is amended to read as follows:

§ 3290.56¹ *General Preference Order M-91.* (a) "Cotton Duck" means a cotton fabric in any weight, 15 to 87 inches wide, in the greige, dyed or proofed state, made of single or plied warp and filling yarns, of one of the following types:

- (1) Shelter tent duck.
- (2) Numbered (wide or sail) duck.
- (3) Narrow or naught duck.
- (4) Hose or helting duck.
- (5) Harvester duck.
- (6) Plied yarn filter duck and twills.
- (7) Chafer duck (chafer fabric).

Restrictions

(b) No producer shall sell or deliver cotton duck, unless:

(1) Pursuant to contracts or purchase orders rated AA-5 or higher; or

(2) It is the product of looms designated in writing by the War Production Board to produce cotton duck for manufacture into items listed on Schedule A, and the buyer states in writing that it will be used for that purpose; or

(3) Authorization has been given by the War Production Board pursuant to application on form WPB-678 (formerly PD-329); or

(4) It has been rejected in writing by both the Army and the Navy of the United States; or

(5) It is in lengths not exceeding ten yards produced in the ordinary course of manufacture; or

(6) It has been manufactured in a rug or carpet mill or on looms which were producing draperies or upholstery fabrics before February 28, 1942.

(c) A producer of cotton duck who is offered a rated order for cotton duck which would defer deliveries under a rated order for cotton duck already ac-

cepted, shall immediately notify the War Production Board to give it an opportunity to direct the placing of the order elsewhere.

(d) No industrial consumer shall:

(1) Accept delivery in a calendar month of cotton duck designated for Schedule A items, in excess of $\frac{1}{2}$ of the yards or pounds (whichever is the standard unit of purchase) which such person put into process in 1941 for the manufacture of such items.

(2) Accept delivery of Schedule A items, unless required by him within 60 days after receipt for actual use or resale in the 48 states (or within 90 days after receipt for actual use or resale outside the 48 states) or to enable him to have minimum spare materials in stock as a reserve for emergency breakdown.

Equitable Distribution

(e) It is the policy of the War Production Board that cotton duck and cotton duck products not required to fill rated orders shall be distributed equitably. In making such distribution due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy every seller of cotton duck and cotton duck products, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

General Provisions

(f) All communications concerning this order shall, unless otherwise directed in writing, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Ref. M-91.

(g) Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) 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 or from processing or using materials under priorities assistance by the War Production Board.

(i) This order and all transactions affected thereby are subject to all applica-

¹ Formerly Part 1094, § 1094.1.

ble regulations of the War Production Board, as amended from time to time.

(j) Allocations of cotton duck, as defined in the June 19, 1943 issue of this order, made pursuant to application on form WPB-678 (formerly PD-329), and directions relating to the operation of looms for the production of cotton duck shall continue in full force and effect.

Issued this 6th day of September 1943.

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

SCHEDULE A

PART I—HOSE MANUFACTURED FROM HOSE DUCK AND CHAFER FABRICS

- A. Air drill (2" size and over, only).
Butane and propane.
Cement gun (1½" size and over, only).
Chemical (including foamite) (1½" size and over only).
Flexible pipe (3" size and over, only).
Grouting, hydraulic, jetting.
Lubrication, high pressure (1" and over, only).
Pneumatic (2" size and over, only).
Railroad (car and engine equipment):
Air brake.
Air signal.
Railroad (shop and maintenance):
Air or pneumatic (2" size and over, only).
Steam (for uses involving pressure of 50 lbs. or more).
Rotary drilling.
Sand blast (1¼" size and over, only).
Steam hose (for uses involving pressures of 50 lbs. or more).
Suction (and/or discharge)—3" sizes and over, only.
Oil, and other petroleum products and molasses.
Sand.
Water.
Water (3" size and over, only).
- B. Acid.
Air drill (sizes under 2").
Beverage.
Cement gun (sizes under 1½").
Chemical (sizes under 1½").
Creamery.
Divers air.
Dredging sleeves.
Dust.
Flexible pipe (sizes under 3").
Lubrication, high pressure (sizes under 1").
Pneumatic (sizes under 2").
Radiator.
Railroad (car and engine equipment):
Tender tank.
Railroad (shop and maintenance):
Air (sizes under 2") steam (for working pressures less than 50 lbs.).
Water, welding, and other essential types.
Sand blast (sizes under 1¼").
Spray (industrial and agricultural).
Steam (for working pressures less than 50 lbs.).
Suction (and/or discharge) (sizes under 3"):
Oil, and other petroleum products and molasses.
Sand.
Water.
Tank wagon, oil and other petroleum products.
Vacuum (industrial).
Ventilating.
Water (sizes under 3").
Welding.

PART II—BELTING, PACKING AND MISCELLANEOUS FABRIC PRODUCTS MANUFACTURED WITH OR WITHOUT RUBBER OR BALATA FROM BELTING OR OTHER COTTON DUCKS

- A. Belting
Conveyor (all types)
Elevator
Hog-beater
Power transmission, flat
Power transmission, vee type, industrial and agricultural machinery
- B. Packings
Sheet, strip, rod, coil and other mechanical packings
Miscellaneous Products
Band saw bands
Card clothing
Chute and tumbling barrel liners
Cleats and bucket pads
Draper and feed aprons
Drop hammer pads
Escalator hand rails
Granite slings
Laundry machine tapes
Linoleum forming belts
Linemen's straps
Loom and harness strapping
Polishing belts
Printers and lithographers supplies
Pulley lagging
Round belts and belting
Rut aprons and condenser tapes
Screen diaphragms
Street sweepers belts
Tank and dam seals

PART III—"COTTON DUCK" PRODUCTS PRODUCED FROM NUMBERED OR FILTER DUCK AND FILTER TWILLS

- Chemical filters
Cane and beet sugar industrial filters
Oil and wax filters
Paint filters
Dyestuff filters
Filters used in the processing of food products
Mining, quarrying and smelting filters
Filters used in the processing of ceramics
Cement filters

Issued this 6th day of September 1943.

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

[F. R. Doc. 43-14592; Filed, September 6, 1943;
12:08 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-421]

SPECIALTY MANUFACTURING CO.

Paul Roberts, an individual doing business as Specialty Manufacturing Company, St. Louis, Missouri, is engaged in the sale of metal milk stools manufactured for him by others. On November 17, 1942, in an appeal to the War Production Board for relief from Limitation Order L-170, he stated as facts, among other things, that he had on hand all of the metal necessary to manufacture 16,000 milk stools and that he had some machines which were not in use. In reliance upon these representations, the appeal was granted. Both of these statements were false and were either known to be false or were made recklessly without regard to easily obtainable facts and hence were wilful misstatements. The furnishing of false information and

making false statements to the War Production Board constituted violations of Limitation Order L-170 and Priorities Regulation No. 1.

The action as above described has hampered and impeded the war effort of the United States. In view of the foregoing: *It is hereby ordered, That:*

§ 1010.421 *Suspension Order No. S-421.* (a) Deliveries of material to Paul Roberts, whether doing business as Specialty Manufacturing Company, or otherwise, his or its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation 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 Paul Roberts, whether doing business as Specialty Manufacturing Company or otherwise, his or 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 Paul Roberts, whether doing business as Specialty Manufacturing Company or otherwise, his or its successors or assigns, from any prohibition, restriction 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 September 7, 1943 and shall expire on December 7, 1943.

Issued this 31st day of August 1943.

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

[F. R. Doc. 43-14646; Filed, September 7, 1943;
11:22 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Quota Schedule I to Limitation Order L-202]

PRODUCTION QUOTAS FOR DAIRY MACHINERY AND EQUIPMENT

§ 1226.78 *Production quotas for dairy machinery and equipment—(a) Purpose of this schedule.* The purpose of this schedule is to fix production quotas for certain items of dairy processing machinery and equipment for the year beginning October 1, 1943, and ending September 30, 1944. These quotas are being set up in accordance with paragraph (g) (1) of Limitation Order L-202 which states that the War Production Board may at any time adopt schedules prescribing the number of units of food processing machinery of any kind that may

be manufactured and assembled by any manufacturer. The quotas for the items described in this schedule shall take the place of the quota provisions of paragraph (g) (2) (ii) of Order L-292 with respect to those items.

(b) *Definition.* "Base production" means the annual average number of units of any item of dairy machinery or equipment produced by a manufacturer during the years 1939, 1940 and 1941.

(c) *Production quotas.* During the year beginning October 1, 1943, and ending September 30, 1944, no manufacturer shall fabricate or assemble more units of any type of new dairy machinery or equipment listed below than the quota percentage of his base production of each type.

Production Quotas

The first column gives the machine code numbers of the various types of dairy machinery and equipment shown on Form WPB-2721 as revised on September 1, 1943. This is a form which each manufacturer is required by paragraph (h) (1) of Order L-292 to file monthly.

The second column describes the types of machinery and equipment covered by this schedule.

The third column shows the quota percentage that each manufacturer is allowed.

Wherever two or more items are bracketed together, they must be treated as one item and the manufacturer must apply the quota percent opposite those items to his total base production of all of the items in the bracket. The permitted number of units may then be distributed among all or any one or more of the items in that bracket.

Machine code No.	Type of machine	Quota percent
203.001	Agitators, cheese vat	105
203.002A	Babcock testers, motor driven, up to 14 bottle	100
203.002B	Babcock testers, motor driven, 14 to 30 bottle	
203.002C	Babcock testers, motor driven, 30 bottle and larger	100
203.002D	Babcock testers, hand operated, all sizes	
203.004	Butter cutters, hand operated	150
203.008A	Cappers for dairy products (not installed on filler) single head	100
203.010	Cheese grinders or curd mills	110
203.011A	Cheese hoops, cheddar	115
203.011B	Cheese hoops, longhorn	
203.011C	Cheese hoops, daisies	
203.011D	Cheese hoops, twins	
203.011E	Cheese hoops, leaf	
203.011F	Cheese hoops, specials	220
203.012A	Cheese pasteurizers, tubular	
203.012B	Cheese pasteurizers, small press (less plates)	
203.012C	Cheese pasteurizers, large press (less plates)	1275
203.012D	Cheese pasteurizers, (small plates for above)	1275
203.012E	Cheese pasteurizers, (large plates for above)	
203.013A	Cheese presses, 1 row	105
203.013B	Cheese presses, 2 row	
203.013C	Cheese presses, 3 row	
203.014A	Cheese vats, up to 150 gallon	160
203.014B	Cheese vats, 150 gal. to 350 gallon	
203.014C	Cheese vats, 350 gal. to 850 gallon	
203.014D	Cheese vats, 850 gal. to 1250 gallon	
203.014E	Cheese vats, 1250 gal. and up	
203.015A	Clarifiers, airtight, up to 6500 lbs.	75
203.015B	Clarifiers, airtight, 6500 to 12500 lbs.	
203.015C	Clarifiers, airtight, 12500 lbs. and up	

Machine code No.	Type of machine	Quota percent
203.016A to 203.016H inclusive	Coolers, Heaters, and Preheaters, all types for milk and egg processing plants	100
203.016A	Internal tube, 1", 6 to 8 ft. inclusive	
203.016B	Internal tube, 1 1/2" and larger, 6 to 8 ft. inclusive	
203.016C	Internal tube, 1 1/2" and larger, 10 ft. and longer	105
203.016D	Surface type plain, 4 to 8 ft. inclusive	
203.016E	Surface type plain, 6 to 8 ft. inclusive	
203.016F	Surface type plain, 10 ft. and longer	100
203.016G	Cabinet surface type, 3 ft. and shorter	
203.016H	Cabinet surface type, 3 ft. section	
203.016I	Cabinet surface type, 5 ft. section	205
203.016J	Cabinet surface type, 6 ft. section	
203.016K	Plate type, small press (less plates)	
203.016L	Plate type, large press (less plates)	205
203.016M	Plate type, small plates (for above)	
203.016N	Plate type, large plates (for above)	
203.017A	Churns, butter, 50 lbs. and smaller	100
203.017B	Churns, butter, 50 lbs. to 1,000 lbs.	100
203.017C	Churns, butter, 1,001 lbs. to 1,500 lbs.	
203.017D	Churns, butter, 1,501 lbs. and larger	
203.018A	Dehydrators or Dryers—for milk and eggs, spray	250
203.018B	Dehydrators or dryers for milk, roll, up to 2750 lbs.	60
203.018C	Dehydrators or dryers for milk, roll, 2751 to 3500 lbs.	
203.018D	Dehydrators or dryers for milk, roll, 3501 lbs. and over	
203.019A	Fillers for bottle milk, hand with copper	70
203.019B	Fillers for bottle milk, portable, single valve	
203.019C	Fillers for other dairy products except ice cream	100
203.019D	Fillers for bottle milk, power, up to 22 qts. per min.	
203.019E	Fillers for bottle milk, power, 23 qts. to 40 qts. per min.	
203.019F	Fillers for bottle milk, power, 41 qts. to 80 qts. per minute	100
203.019G	Fillers for bottle milk, power, 81 qts. to 125 qts. per min.	
203.019H	Fillers for bottle milk, power, 126 qts. and larger	
203.019I	Fillers for evaporated milk	100
203.020	Filters for milk and eggs	125
203.022	Forwarders, coil	100
203.025	Fittings, sanitary, by pieces for milk and eggs	100
203.029A	Homogenizers, viscolizers, and high pressure sanitary pumps, piston type, up to 425 gallons (milk per hr.)	
203.029B	Homogenizers, viscolizers, and high pressure sanitary pumps, piston type, 426 to 850 gals. (milk per hr.)	
203.029C	Homogenizers, viscolizers, and high pressure sanitary pumps, piston type, 851 to 1250 gals. (milk per hr.)	40
203.029D	Homogenizers, viscolizers, and high pressure sanitary pumps, piston type, 1251 gals. and up (milk per hr.)	
203.027	Hotwells	
203.030A	Paraffining equipment for cheese, plant size	100
203.030B	Paraffining equipment for cheese, warehouse size	
203.037A	Pasteurizers, coil, up to 250 gallons	100
203.037B	Pasteurizers, coil, 251 gals. and up to 750 gals.	
203.037C	Pasteurizers, coil, 750 gals. to 650 gals.	
203.037D	Pasteurizers, coil, 651 gals. and larger	200
203.037E	Pasteurizers, plate, small press (less plates)	
203.037F	Pasteurizers, plate, large press (less plates)	
203.037G	Pasteurizers, small plates (for above)	200
203.037H	Pasteurizers, large plates (for above)	
203.137A	Pasteurizers, vat and starter can, up to 80 gal.	
203.137B	Pasteurizers, vat and starter can, 81 to 175 gals.	85
203.137C	Pasteurizers, vat and starter can, 176 to 220 gals.	
203.137D	Pasteurizers, vat and starter can, 221 to 420 gals.	
203.137E	Pasteurizers, vat and starter can, 421 to 750 gals.	200
203.137F	Pasteurizers, vat and starter can, 751 to 850 gals.	
203.137G	Pasteurizers, vat and starter can, 851 gals. and larger	
203.039A	Pumps, sanitary, centrifugal, up to 1 1/2" inclusive	125
203.039B	Pumps, sanitary, centrifugal, larger than 1 1/2"	
203.039C	Pumps, sanitary, positive, 1"	
203.039D	Pumps, sanitary, positive, 1 1/2"	120
203.039E	Pumps, sanitary, positive, 2" and larger	

Machine code No.	Type of machine	Quota percent
203.041A	Separators, cream, open type, 1000 to 2470 lbs. per hr.	105
203.041B	Separators, cream, open type, 2481 to 4000 lbs. per hr.	
203.041C	Separators, cream, open type, 4001 to 4500 lbs. per hr.	
203.041D	Separators, cream, open type, 4501 lbs. and larger	100
203.041E	Separators, cream, closed type up to 4500 lbs.	
203.041F	Separators, cream, closed type, 4501 to 6000 lbs.	
203.041G	Separators, cream, closed type, 6001 lbs. and larger	210
203.041A	Tanks, storage and receiving, sanitary, for milk and egg products	
203.041H	Open top, insulated, up to 550 gals.	
203.041A	Open top, insulated, 551 gals. and larger	210
203.041C	Cylindrical, insulated, 2000 to 4000 gals.	
203.041D	Cylindrical, insulated, 4000 to 6000 gals.	
203.041E	Cylindrical, insulated, 6000 gals. and larger	140
203.041F	Receiving or storage, uninsulated, up to 350 gals.	
203.041G	Receiving or storage, uninsulated, 351 to 600 gals.	
203.041H	Receiving or storage, uninsulated, 601 gals. & larger	120
203.041A	Washers, hand milk bottle	
203.041B	Washers, 1, 2, 3-compartment sinks	
203.041C	Washers, san. pipe wash outfit with tank	200
203.041D	Washers, separator parts wash outfit with tank	
203.041A	Washers, (power) milk bottle (in the case type)	
203.041B	Washers, (power) milk bottle, hydraulic (not dominant) seal	100
203.041C	Washers, (power) milk bottle, seaker up to 23 qts. per min.	
203.041D	Washers, (power) milk bottle, seaker 24 qts. to 40 qts. per min.	
203.041E	Washers, (power) milk bottle, seaker 41 to 80 qts. per min.	100
203.041F	Washers, (power) milk bottle, seaker 81 to 125 qts. per min.	
203.041G	Washers, (power) milk bottle, seaker 126 qts. and larger	
203.147B	Washers, rotary or in and out, milk can, up to 3 1/2 cans per min.	150
203.147C	Washers, rotary, milk can, 3 1/2 cans per min. and larger	
203.147D	Washers, straightaway, milk can, up to 7 cans per min.	
203.147E	Washers, straightaway, milk can, 7 to 11 cans per min.	150
203.147F	Washers, straightaway, milk can, 12 cans per min. and larger	
203.043A	Wet ch cans, single compartment, up to 25 gals.	
203.043B	Wet ch cans, single compartment, 25 gals. and larger	180
203.043C	Wet ch cans, two compartment, up to 25 gals. each compartment	
203.043D	Wet ch cans, two compartment, 25 gal. each compartment and larger with or without dump hopper	
203.043E	Weighting and receiving combination unit for milk and egg products	140
203.043	Vacuum pans	
203.050	All others	

(d) *Exceptions.* The quota provisions of paragraph (c) above do not restrict the fabrication or assembly of dairy machinery or equipment to fill specific orders actually received by a manufacturer for export outside the territorial limits of the United States and Canada, or for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

(e) *Increase, decrease and transfer of quotas.* The War Production Board may, by specific written directions issued to any manufacturer or class of manufacturers, increase or decrease any quota established by this schedule and may transfer any portions of a quota between

manufacturers, taking into consideration the amount of materials to be used, the need for particular items at the time required, the labor and transportation situation in the manufacturing areas involved, the inability of any manufacturer to manufacture his quota, and such other factors as may be relevant.

(f) *Applicability of Limitation Order L-292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L-292 as amended from time to time.

Issued this 7th day of September 1943.

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

[F. R. Doc. 43-14643; Filed, September 7, 1943;
11:21 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Conservation Order L-318]

SPOT WELDING ELECTRODES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used in the production of spot welding electrodes, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.108 *General Conservation Order L-318—(a) Definitions.* For the purpose of this order:

(1) "Producer" means any person engaged in the manufacture of spot welding electrodes.

(2) "Critical material" means cadmium, silicon, silver, chromium, zinc, lithium, beryllium, cobalt and nickel.

(3) #1, #2 and #3 Morse taper fitting ends mean fitting ends of electrodes with diameters and tapers as follows:

Morse fitting taper	Diameter of small end ¹	Taper per foot ¹
#1.....	0.438"	0.600"
#2.....	.587"	.602"
#3.....	.819"	.602"

¹ A tolerance of plus or minus .005" is allowed.

(b) *Simplification and standardization.* (1) After October 7, 1943, no producer shall manufacture any spot welding electrodes without machining the fitting ends for #1, #2 or #3 Morse taper fittings to holders. However, this paragraph (b) (1) does not apply to the manufacture of welding electrodes to fill any specific purchase order, where

the buyer needs the electrodes for use in pulsation welding and gives the producer a certification substantially as follows: "This order is for electrodes needed for use in pulsation welding." Any producer receiving this certification may rely on the representation of it unless he knows or has reason to believe it to be false.

(2) After October 7, 1943, no producer shall manufacture any straight spot welding electrodes except in accordance with the lengths and maximum diameters specified in Schedule A hereto.

(c) *Conservation of critical materials.* After October 7, 1943, no producer shall manufacture any spot welding electrodes except in accordance with the restrictions on the use of materials contained in Schedule B. However, the provisions of this paragraph (c) shall not prohibit any producer from using any materials which he had on hand or which were in process by or for him on September 7, 1943.

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

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

(3) *Appeals.* Any appeals from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref: L-318.

Issued this 7th day of September 1943.

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

SCHEDULE A—SIMPLIFICATION AND STANDARDIZATION SCHEDULE

PERMITTED LENGTHS AND MAXIMUM DIAMETERS FOR STRAIGHT SPOT WELDING ELECTRODES

Morse fitting tapers	Over-all lengths of electrodes	Maximum diameters of electrodes
#1.....	1 1/4", 1 1/2", 2", 2 1/4", 3"	.500"
#2.....	1 1/2", 2", 2 1/2", 3", 4"	.625"
#3.....	2", 3", 4"	.875"

**SCHEDULE B
CONSERVATION PROVISIONS**

1. No tungsten, molybdenum or metallo mixtures containing these metals shall be used except in electrode facings and inserts.
2. No copper base alloys containing critical materials shall be used except as described in the following table:

Kinds of alloys permitted	Critical materials permitted	Maximum percentage of critical materials permitted
1. Cadmium-copper base.	Cadmium..... Silicon or silver or a combination of both.	1.25% .25%
2. Chrome-copper base.	Chromium..... Zinc, lithium, silicon, beryllium or silver or a combination of two or more of these.	1% .39%
3. Beryllium-cobalt-copper base.	Cobalt or nickel or a combination of both. Beryllium..... Silicon, lithium or silver or a combination of two or more of these.	2.75% .7% .3%
4. Beryllium-nickel-copper base.	Beryllium..... Cobalt, nickel or silicon or a combination of two or more of these.	2.5% .7%

[F. R. Doc. 43-14643; Filed, September 7, 1943;
11:21 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT¹

[Conservation Order M-28, as Amended
September 7, 1943]

CHLORINATED HYDROCARBON REFRIGERANTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of chlorinated hydrocarbon refrigerants for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.27¹ *Conservation Order M-28—(a) Definitions.* For the purpose of this order:

(1) "Chlorinated hydrocarbon refrigerants" means trichloromono-fluoromethane, dichlorodifluoromethane, dichloromonofluoromethane, trichlorotrifluoroethane, and dichlorotetrafluoroethane.

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

(3) "Producer" means any person engaged in the production of chlorinated hydrocarbon refrigerants.

(4) "Contract agent" means any person engaged in the business of accepting orders for chlorinated hydrocarbon refrigerants on behalf of and as agent for a producer.

¹ Formerly Part 970, § 970.1.

(5) "Supplier" means any person engaged in the business of distributing chlorinated hydrocarbon refrigerants to persons using the same for installation in a refrigerating or air conditioning "system". The term shall include an equipment manufacturer to the extent that he engages in the sale of such refrigerants to distributors or dealers handling "systems". "System" means any "system" as defined in General Limitation Order L-38.

(6) "Equipment manufacturer" means any person who uses chlorinated hydrocarbon refrigerants for charging new refrigerating or air conditioning systems manufactured by him.

(7) "Insecticide manufacturer" means any person who uses chlorinated hydrocarbon refrigerants in the production of insecticides.

(8) "User" means any person who installs chlorinated hydrocarbon refrigerants in a refrigerating or air conditioning system, other than an equipment manufacturer.

(9) "Comfort cooling system" means any air conditioning system of a type described on List A, made a part of this order.

(b) Classification of uses of chlorinated hydrocarbon refrigerants. The uses of chlorinated hydrocarbon refrigerants are hereby classified as follows:

Class I: Army, for use in new or existing refrigeration and air conditioning systems.

Class II: Navy, for use in new or existing refrigeration and air conditioning systems.

Class III: (a) Maritime Commission or War Shipping Administration, for charging new refrigeration or air conditioning systems at factories of equipment manufacturers.

(b) Maritime Commission or War Shipping Administration, for charging new refrigeration or air conditioning systems in the field.

(c) Maritime Commission or War Shipping Administration, for maintenance and repair of systems already installed.

Class IV: (a) For maintenance of industrial, wholesale, retail, and household refrigeration systems used for the processing, storage, and dispensing of food and food products; but excluding systems referred to on List A or List B.

(b) For maintenance of the specified refrigerating and air conditioning systems and special uses, as described on List C.

(c) For maintenance of all other refrigeration and air conditioning systems not included under (a) or (b) above, and not on List A or List B. This class includes sealed railroad cars.

Class V: Charging new refrigeration and air conditioning systems in the field except those systems owned and operated by the Army, Navy, Maritime Commission and War Shipping Administration, and excluding comfort cooling systems.

Class VI: Charging new equipment by an equipment manufacturer, exclusive of comfort cooling systems. This class does not include charging systems for Army, Navy, Maritime Commission and War Shipping Administration.

Class VII: Maintenance and repair of comfort cooling systems and maintenance and repair of refrigeration equipment used solely for storing or dispensing carbonated or malt beverages. This class does not include systems owned and operated by Army, Navy, Maritime Commission or War Shipping Administration.

Class VIII: Inventory—Surplus refrigerants in excess of one month's anticipated requirements.

(c) Certification of orders by users, and deliveries thereunder—(1) Orders must be certified. On and after July 15, 1943, no user shall place an order with a supplier or any other person, and no supplier or other person shall accept such an order, for any chlorinated hydrocarbon refrigerants unless such order (or vendor's delivery receipt) is accompanied by a certificate endorsed thereon, or attached to it, showing the uses for which the refrigerants are required, and in substantially the following form:

The undersigned purchaser hereby certifies to the seller and to the War Production Board that he has no empty or surplus cylinders, and that the refrigerants covered by this order are required for immediate use for the following purposes, as classified in Conservation Order M-28:

<u>Classification</u> (Here list classifications included in the purchase order and the specific use if in Class IV.)	<u>Quantity Required</u> (Here list minimum operating charge, in pounds, ordered for each classification and for each specific use if in Class IV.)
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Such certificate shall in every case be signed by the user or his authorized official, either manually or as provided in Priorities Regulation No. 7. It shall constitute a representation to the War Production Board, as well as to the supplier, that the facts stated therein are true. No supplier shall make any delivery under such an order if he knows, or has reason to believe, that such certificate contains any false, inaccurate or incomplete statement. He may rely thereon if he does not know or have any reason to believe that a certificate is inaccurate, incomplete or false.

On and after July 15, 1943, no supplier shall deliver any chlorinated hydrocarbon refrigerants except pursuant to an order accompanied by such a certificate as provided for above.

(2) Deliveries to be subject to restriction. If and whenever any use shall be prohibited, as provided in (g) below, no user shall install or use any chlorinated hydrocarbon refrigerants for such a use, regardless of the purpose for which it was acquired.

(d) Certification of orders by suppliers; records; deliveries by suppliers (1) Orders must be certified. On or before July 15, 1943 and on or before the 10th day of each calendar month thereafter, each supplier who wishes to secure delivery of chlorinated hydrocarbon refrigerants through any contract agent during the next calendar month, shall place his order for such refrigerants with the contract agent. No supplier shall place such an order with a contract agent, and no contract agent shall accept such an order unless it is accompanied by a certificate endorsed thereon or attached thereto showing the

uses for which the refrigerants are acquired, and the supplier's deliveries during the preceding month, in substantially the following form (except that deliveries made prior to July 15, 1943, may be estimated).

The undersigned purchaser hereby certifies to the seller and to the War Production Board that to the best of his knowledge, information and belief, the quantities of chlorinated hydrocarbon refrigerants covered by this order will be required during the next calendar month for deliveries by him for the following classified purposes, as described in Conservation Order M-28; and that he made deliveries during the preceding month of _____ as shown below:

<u>Classification</u>	<u>Quantities required</u>	<u>Deliveries in preceding month</u>
(Here list classifications included in purchase order)	(Here list quantity, in pounds, ordered for each classification)	(Here show quantities delivered in preceding month for each classification)

Such certificate shall in every case be signed by the supplier or his authorized official, either manually or as provided in Priorities Regulation No. 7. It shall constitute a representation to the War Production Board as well as to the contract agent, that the facts stated therein are true. No contract agent shall approve or request any such delivery if he knows, or has reason to believe, that such certificate contains any false, inaccurate or incomplete statement. He may rely thereon if he does not know or have any reason to believe that a certificate is inaccurate, incomplete or false.

On and after August 1, 1943, no contract agent shall approve or request delivery of any chlorinated hydrocarbon refrigerants to any supplier except pursuant to an order placed, and accompanied by such a certificate, as provided for above.

(2) Records must be kept. Each supplier shall keep records showing the quantities of chlorinated hydrocarbon refrigerants delivered by him during each month for the various uses as classified in paragraph (b) above and the quantities of such refrigerants allocated to him each month for deliveries in each of such classifications.

(3) Deliveries of dichlorodifluoromethane (sometimes called "F-12") after September 7, 1943, for uses in (c) of Class IV and (a) and (b) of Class III. (1) Dichlorodifluoromethane (or "F-12") will not be allocated for the uses included in part (c) of Class IV, or in parts (a) and (b) of Class III, by means of regular monthly deliveries to suppliers.

(ii) Instead, in the event a system of any type which is included on List C (in Class IV (c)) should become inoperative for lack of the refrigerant, a separate application for the refrigerant must be made by the owner of the system, directly to the War Production Board, General Industrial Equipment Division, by letter, telegram, or other communication, stating (a) whether the system is used for

air conditioning or refrigeration, (b) its size or capacity by horsepower or tons of refrigeration, (c) the minimum operating charge necessary to restore the system to operation, (d) why conversion to another type of refrigerant is not practicable, (e) the functional use of the system in the plant, and (f) the end product being processed by its use. If the application is granted, the Board will issue a specific direction to the producer authorizing and directing delivery of a specified quantity to be made to the owner of the particular system for the use specified. No user, supplier, or other person shall deliver any dichlorodifluoromethane (or "F-12") to the owner of such a system unless and until the Board has specifically directed such delivery to be made.

(iii) An equipment manufacturer who needs dichlorodifluoromethane (or "F-12") for charging new systems for the Maritime Commission or War Shipping Administration at the factory or in the field (included in parts (a) and (b) of Class III) must make a separate application, directly to the War Production Board, General Industrial Equipment Division, by letter, telegram or other communication stating the procurement order number and (a) if the refrigerant is for factory charging, the minimum amount which he will need to meet his scheduled deliveries for the next month, and what part of the amount is for spare charges, or (b) if for charging in the field, the minimum amount, in addition to his inventory available for such use, which he will need during the next month to meet the ship-launching schedule. If the application is granted, the Board will issue a specific direction to the producer authorizing and directing delivery of a specified quantity to be made to the equipment manufacturer for the use specified. No person shall deliver any such refrigerant to an equipment manufacturer for such purpose unless and until the Board has specifically directed such delivery to be made.

(iv) This paragraph (d) (3) shall be followed, as long as it remains in effect, notwithstanding any other provisions of this order. However, suppliers will continue to place their orders for refrigerants, for uses described in Class III, in parts (a), (b) and (c) and Class IV in parts (a), (b) and (c) in accordance with paragraph (d). When an application is made in accordance with this paragraph, (d) (3), the user is not required to furnish the certificate referred to in paragraph (c) (1).

(4) Deliveries by suppliers during August 1943 and subsequent months. (i) During the month of August, 1943, and each succeeding calendar month, no supplier shall deliver for any use a

greater quantity of refrigerants than is allocated to him during such month for that use, except as provided in (ii) below. A supplier shall rely upon the notification given him, by the contract agent with whom his order was placed, as to the quantities allocated the supplier for each of such uses during each calendar month, unless he knows or has reason to believe that such notification is incorrect, incomplete or false.

(ii) If a supplier has exhausted the quantity allocated him for classifications I, II, III, or IV during any calendar month, he may use his supply in classification VIII for the classification exhausted. If classifications IV and VIII become exhausted, he may then draw upon the supply allocated for classifications V or VI.

(iii) No supplier shall deliver during any month any such refrigerants allocated to him for delivery to or for use by the Army, Navy, Maritime Commission, or War Shipping Administration (Classes I, II and III) for use by any other person during that month; and no supplier shall deliver to or for use by any of such agencies any refrigerants which were allocated to him for civilian uses (Classes IV, V, and VI) during that month.

(iv) Any chlorinated hydrocarbon refrigerants allocated for classifications I through VII during any month and not delivered by the supplier during the month shall be transferred by him to classification VIII (Inventory), at the end of such month. If notice of his allocations for the following month has not been received by the first day of the month, the amount transferred to Class VIII (Inventory) from any classification may continue to be used for such classification; provided that the amount so used is restored to Class VIII, by deduction from the new allocation for that classification, as soon as notice of the new allocation for such month is received.

(e) Certification of orders by contract agents, equipment manufacturers, and insecticide manufacturers—(1) By contract agents. On or before the 20th day of each calendar month, commencing with the month of July, 1943, each contract agent who transmits orders for chlorinated hydrocarbon refrigerants from suppliers to a producer, for delivery during the next calendar month, shall place a written request for shipments, covering all of such orders, with the producer. No contract agent shall place such orders with a producer, and no producer shall accept such orders unless accompanied by the request with a certificate endorsed thereon or attached thereto, showing the uses for which the refrigerants are ordered, and deliveries made during the preceding month by suppliers placing orders through the agent, and in substantially the following form (except that deliveries prior to July 15, 1943 may be estimated):

The undersigned contract agent hereby certifies to the producer and to the War Production Board that he has received orders for shipment of the quantities of chlorinated hydrocarbon refrigerants covered by this request for shipments, for the following classified purposes as described in Conservation

Order M-28; and that deliveries during the preceding month of _____ were made as shown below:

Classification	Quantities requested	Deliveries in preceding month
(Here list classifications included in all purchase orders)	(Here list aggregate quantity in pounds ordered for each classification by suppliers)	(Here show aggregate quantities delivered in preceding month for each classification, as shown by suppliers' certificates)

Such certificate shall in every case be signed by the contract agent or his authorized official, either manually or as provided in Priorities Regulation No. 7. It shall constitute a representation to the War Production Board as well as to the producer, that the facts stated therein are true. No producer shall make any such shipment or delivery if he knows, or has reason to believe, that such certificate contains any false, inaccurate or incomplete statement. He may rely thereon if he does not know or have any reason to believe that a certificate is inaccurate, incomplete or false.

(2) By equipment and insecticide manufacturers. On or before the 20th day of each calendar month, commencing with the month of July, 1943, each equipment manufacturer or insecticide manufacturer who wishes to secure delivery of chlorinated hydrocarbon refrigerants from a producer during the next calendar month shall place his order for such refrigerants with the producer. No such manufacturer shall place such an order with a producer, and no producer shall accept such an order unless it is accompanied by a certificate endorsed thereon or attached thereto, showing the uses for which the refrigerants are acquired, and the quantities used during the preceding month, in substantially the following form:

The undersigned purchaser hereby certifies to the seller and to the War Production Board that, to the best of his knowledge, information and belief, the quantities of chlorinated hydrocarbon refrigerants covered by this order will be required by him during the month of _____ for the following purposes, according to the classifications described in Conservation Order M-28 (or for the production of insecticide for the Army or for the Navy); and that he used such refrigerants during the preceding month of _____ as shown below:

Proposed use	Quantities required	Used in preceding month
(Here show whether proposed use is for insecticide, or for classifications under M-28, or for each.)	(Here list quantity in pounds, ordered for each use or classification.)	(Here show quantities used in preceding month for each.)

Such certificate shall in every case be signed by the equipment or insecticide manufacturer or his authorized official, either manually or as provided in Priorities Regulation No. 7. It shall constitute a representation to the War Production Board, as well as the seller, that the facts stated therein are true. No producer shall make any delivery under such an order if he knows, or has reason

to believe, that such certificate contains any false, inaccurate or incomplete statement. He may rely thereon if he does not know or have any reason to believe that a certificate is inaccurate, incomplete or false.

On and after August 1, 1943, no producer shall deliver any chlorinated hydrocarbon refrigerants to any equipment manufacturer or insecticide manufacturer except pursuant to an order placed, and accompanied by such a certificate, as provided for above.

(f) *Shipments by producers*—(1) *Statement of requested shipments.* On or before the 25th day of each calendar month, commencing with the month of July 1943, each producer shall file with the War Production Board a statement showing: the orders for chlorinated hydrocarbon refrigerants which have been transmitted to him by contract agents, or which have been placed with him by equipment and insecticide manufacturers, for delivery during the next calendar month, and the uses for which the refrigerants are ordered, as indicated by the certificates accompanying the orders; the quantity of such refrigerants which will be available for delivery by him, during such month; and his deliveries of such refrigerants to the suppliers and equipment and insecticide manufacturers, during the preceding calendar month (except that deliveries to suppliers prior to August 1, 1943, need not be shown by classifications).

(2) *Deliveries by producers.* On and after July 10, 1943, no producer shall deliver any chlorinated hydrocarbon refrigerants to any person, or for any use, except in accordance with specific directions from the War Production Board. Such directions will be issued primarily to insure the meeting of defense requirements, and of the more essential needs if and whenever all cannot be met. Such directions may specify the aggregate quantities of such refrigerants which shall be delivered by the producer during any calendar month (or other period) for any of the classifications of uses established by this order or for other requirements (including Lend-Lease, and the production of insecticide, separately, for Army and Navy use), or the pro ration of the available supply among all or any part of the various classifications and other requirements, or establish a reserve or emergency stock to be held by the producer. Such directions may also direct the producer to make such adjustments in his deliveries as may appear reasonable and appropriate to equalize the inventories held by suppliers, so as to more nearly assure all suppliers of a minimum working inventory whenever practicable. Directions issued under this order to a producer and directing deliveries to be made by him for specified uses or in specified quantities shall be deemed allocations of the refrigerants for the purposes specified and, subject to the provisions of this order, no producer, supplier, equipment manufacturer or insecticide manufacturer shall make or receive delivery for any other purpose.

(g) *Prohibited uses (List B), emergency cases.* (1) No user, supplier, con-

tract agent, or producer shall deliver or cause to be delivered to the owner of any system, any chlorinated hydrocarbon refrigerants for use in, or for resale for use in any system of the types described on List B, made a part of this order. Such list may be changed from time to time (from month to month, or otherwise) by amendments to this order, as the War Production Board may consider necessary to assure sufficient supplies of such refrigerants in all areas and for the uses which are deemed most essential to the national defense.

(2) An authorization for an exemption from the terms of paragraph (g) (1) above may be allowed by the War Production Board when an air conditioning system must be operated (i) to avoid intolerable conditions in sealed or substantially airtight rooms or enclosures used for essential purposes, or (ii) to protect the life or health of a person under care of a licensed physician. An exemption from the requirement of paragraph (d) that a supplier's order must be placed by the 10th of the month preceding that in which delivery is required, may be allowed when the supplier demonstrates that, due to causes beyond his control, it will be impossible for a delivery in classifications I, II, III or IV to be met by him or any other supplier or user unless an exemption is allowed. Application for such an authorization may be made by or on behalf of the person affected by such restriction, by letter or telegram or other communication addressed to the General Industrial Equipment Division, War Production Board, stating facts sufficient to enable the Board to determine the necessity for such authorization. If granted, the authorization may be by letter or telegram, and shall be transmitted by the applicant to the person who will supply such refrigerants, and shall be deemed an authorization to any user or supplier to furnish or install the minimum operating charge necessary to maintain such system in adequate operation.

(h) *Notification of customers.* Any producer, contract agent, supplier, or person who is prohibited from or restricted in making deliveries of any chlorinated hydrocarbon refrigerants by the provisions of this order, and any producer who is prohibited from or restricted in making any such deliveries by any directions issued hereunder and received by him from the War Production Board, shall as soon as practicable notify each of his regular customers of the requirements of this order or of such directions; but the failure to give such notice shall not excuse any customer from the obligation of complying with any requirement of this order, or of any such directions applicable to such customer and of which he has notice.

(i) *Effect of preference ratings.* The provisions of this order shall be followed by every producer, contract agent, supplier, user, equipment manufacturer, insecticide manufacturer, and any other person buying, selling or delivering chlorinated hydrocarbon refrigerants, without any regard to any preference ratings which have been assigned or

which may hereafter be assigned to particular contracts or orders.

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

(2) *Monthly reports.* Each person (including a producer, contract agent, supplier, equipment manufacturer, insecticide manufacturer, user, or owner of refrigerating or air conditioning systems) who has in his possession on the 15th day of any calendar month in excess of 500 pounds of any type of chlorinated hydrocarbon refrigerants, and any person who sold in excess of 2000 pounds of any type of such refrigerants during the preceding calendar month, shall file with the War Production Board, on or before the 20th day of each month, commencing with the month of July 1943, a report on Form WPB-3054 prepared in accordance with the instructions for such form.

(3) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully 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, materials under priority control, and may be deprived of priorities assistance.

(4) *Appeals.* Any appeal from the provisions of this order, or any direction thereunder, shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(5) *Communications.* All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref: M-28.

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

Issued this 7th day of September 1943.

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

LIST A: "Comfort cooling system" means any system, of any size, operated or installed for the purpose of lowering the temperature and/or humidity of air in any building, room or other enclosure used as, or located in any of the following:

- Amusement parks.
- Animal hospitals.
- Auditoriums.
- Ballrooms, dancing studios and dance halls.
- Bank and loan associations.
- Bars, cocktail lounges, and beer parlors.
- Bowling alleys.
- Concert halls.
- Funeral parlors.
- Golf clubs, country clubs, and athletic clubs.
- Hotels and apartment houses.
- Moving picture houses.
- Night clubs.

Office buildings and offices, public or private.
 Railway, streetcar and bus stations and terminals.
 Residential buildings and dwellings of all kinds.
 Restaurants, cafeterias, and other places selling meats, food or beverages.
 Schools.
 Service establishments, such as laundries, cleaners and dyers, tailor shops, barber shops, "beauty" parlors, automobile sales and service shops, and repair shops of all kinds.
 Skating rinks.
 Stores, selling any kind of products, material or merchandise, at retail or wholesale (excluding manufacturing establishments).

The term "comfort cooling system" shall not include (1) any such system used to air condition a building, room or other enclosure used chiefly for purposes not listed above, or (11) any system designed, necessary and used, in substantial part for the refrigeration and storage or processing of food, ice, or other materials or products requiring refrigeration, temperature control, or freedom from dust or other impurities, or (111) such part of a system as may be necessary and used for the circulation of air, or necessary and used for raising the temperature of air during cold weather to a degree which is comfortable or tolerable for persons (comfort heating).

List B: Systems for which chlorinated hydrocarbon refrigerants shall not be delivered.

Systems:	Effective date
Comfort cooling systems.....	June 5, 1943
Skating rink systems.....	June 5, 1943
Refrigeration systems solely for storing or dispensing carbonated or malt beverages	July 10, 1943

List C: Systems and special uses, referred to in Class IV (b), for which a minimum operating charge (or the minimum quantity necessary for a special use, or for a "standby charge") of dichlorodifluoromethane (or "F-12") may be obtained by a user from any supplier, without a specific authorization from the War Production Board, if the supplier has on hand any such refrigerants which were allocated to him for uses covered by Class IV (b), or are carried over from his previous month's supply and are available for such use in accordance with paragraph (d) (4) (iv). A "standby charge" may be delivered only where specifically mentioned below. The systems covered by this list include only those which are operated for air conditioning or refrigeration exclusively for one or more of the following purposes:

AIR CONDITIONING

1. Air conditioning equipment in crane cabs.
2. Air conditioning in communication rooms which are sealed, including telephone or telegraph relay stations and exchanges and control rooms of radio stations, if no other rooms are conditioned by the system.
3. Air conditioning to maintain prescribed conditions in laboratories where the tests being conducted are directly concerned with the production of parts or instruments for aircraft, combat tanks, ships, radio and radar

equipment and other military combat equipment.

4. Air conditioning for temperature and humidity control in the production of gyroscopic instruments and compasses.

5. Air conditioning for temperature and humidity control in the production of turbo superchargers.

6. Air conditioning for temperature and humidity control in hospital operating rooms.

7. Air conditioning for humidity controls in annealing furnaces.

8. Air conditioning for temperature and humidity control in electro-drying of aluminum castings containing a percentage of magnesium, (including standby charge).

9. Air conditioning for humidity control for production of optical products going into the production of fire control instruments for range finding, etc., Army and Navy telescopes, height finders, bombsights, and air borne control station computers.

10. Air conditioning for the production and storage of penicillin and blood serum, (including standby charge).

REFRIGERATION

1. Low temperature metal shrinking cabinets.

2. Low temperature rivet storage for aircraft production.

3. Cooling of oil or other coolant in high speed machining and cutting operations in the production of military aircraft and other combat vehicles.

4. Cooling of anodizing solutions, where the product produced is used directly in military ordnance material.

5. Controlling reactions in photographic solutions for the development and printing of X-ray, news, and motion picture film or prints.

6. Cooling of X-ray apparatus used in the analysis of castings in the production of aircraft and other combat vehicles, or pressure vessels.

7. Cooling of rollers or mixers in the production of synthetic rubber.

8. Low temperature cabinets for the testing of combat instruments.

9. Variable temperature cabinets for the testing of radio sending and receiving sets for installation in military aircraft or other combat vehicles or portable radio transmitter-receiver sets for military use.

10. Variable temperature cabinets for the testing of radar equipment for installation in military aircraft and Navy vessels.

11. Low temperature chambers designed to duplicate substratospheric conditions for the testing of instruments, flying clothes, personnel and equipment.

12. Refrigeration for the production and storage of penicillin and blood serum, (including standby charge).

13. Refrigeration for the storage of blood for plasma, production of blood plasma and storage of blood plasma, (including standby charge).

14. Refrigeration for cooling of welding tips used on spot-welders in the production of military aircraft.

SPECIAL USES

1. Testing of coaxial cable.

2. Cooling of transformers where no refrigeration equipment is involved in the process.

3. Charging of gas filled condensers for radio frequency equipment.

(INTERPRETATION 1)

a. *Reports of inventories.* The reporting requirement of paragraph (j) (2) of Order M-28 [§ 970.1] must be complied with regardless of whether the chlorinated hydrocarbon refrigerants are being held by the owner for his own use or for resale.

The paragraph requires every person (including the owner of a refrigerating or air conditioning system) who has in his possession, on the 15th day of any calendar month (commencing with the month of July), more than 500 pounds of any type of chlorinated hydrocarbon refrigerants, or who sold more than 2,000 pounds of such a refrigerant during the preceding calendar month, to file a report on Form WPB-3054 with the War Production Board on or before the 20th day of the month.

Each "person", as defined in the order, must report the aggregate quantities in his possession (including stocks of less than 500 pounds located at various places) if the total is more than 500 pounds.

The report must include all amounts not actually being used in refrigerating or air conditioning systems. Thus the owner or operator of a system who has more than 500 pounds in his possession must report his entire supply except for the minimum operating charge actually installed in his system. Any additional amount which he may have must be reported, whether kept in cylinders, a storage receiver or other form of container. However, if a minimum operating charge is being temporarily held in a container while the system in which it had been installed is being repaired, it should not be reported.

An equipment manufacturer who has more than 500 pounds in his possession on the 15th day of any calendar month must report his entire supply except what has been actually installed as an operating or holding charge in accordance with his regular manufacturing practice.

b. *Charging of equipment manufacturers.* Paragraph (g) provides that no user, supplier, contract agent, or producer shall deliver, or cause to be delivered, to the owner of any system any chlorinated hydrocarbon refrigerants for use in, or for resale for use in any system of the types described on List B.

This restriction is intended to prevent charging any system of the types included on List B with chlorinated hydrocarbon refrigerants except for a person who was operating a system and had the necessary refrigerants in his possession on the effective date specified in List B. Therefore, a manufacturer may not charge any such system with chlorinated hydrocarbon refrigerants before delivery, and he may not deliver the refrigerant separately to be used in charging the system. However, he is not restricted from delivering systems which had already been charged with such a refrigerant on the effective date specified on List B. (Issued July 29, 1943.)

[F. R. Doc. 43-14647; Filed, September 7, 1943; 11:21 a. m.]

PART 3114—SIMPLIFICATION AND STANDARDIZATION OF PORTABLE TOOLS, CHUCKING EQUIPMENT, MECHANIC'S HAND SERVICE TOOLS, FILES, HACK AND HAND-SAWS, VISES, AND MACHINE TOOL ACCESSORIES
[Schedule VI to Limitation Order L-216]

VISES

§ 3114.7 *Schedule VI of Limitation Order L-216*—(a) *Definitions.* For the purpose of this schedule and the tables attached hereto:

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

(2) Names of various styles of vises shall have the same meaning as in Federal Specifications GGG-V-436-a, and the illustrations in such specifications shall be deemed the graphic descriptions of the vises referred to; provided, however, that none of the other provisions of such specifications shall be controlling.

(3) "Jaw cap" means the cap designed to be placed across the face of the jaw of a vise to cover the surface of the jaws.

(b) *Manufacture of jaw caps.* On and after September 7, 1943, no person shall perform any manufacturing operation upon or sell any jaw caps made of any metal other than lead or lead base alloy.

(c) *Limitation on manufacture of vises.* On and after September 7, 1943:

(1) No person shall manufacture any vise other than in the styles listed in Tables I and II hereto attached.

(2) No person shall manufacture any vise of any of the styles listed in Table II, except in the jaw sizes and not exceeding the maximum weights, if any, specified for such style of vise in such table.

(3) No person shall use in the manufacture of vises any metals other than carbon steel or cast or malleable iron, except that jaw facings may be manufactured of tool steel.

(d) *Exceptions.* Nothing contained in paragraphs (b) and (c) of this schedule shall be deemed to prohibit the sale of jaw caps or vises which on September 7, 1943, were completely fabricated, nor to prohibit the manufacture and sale of jaw caps or vises which on September 7, 1943, had been so fabricated that completion in compliance with the provisions of this schedule would be impracticable. Each person who shall manufacture or sell any jaw cap or vise under the terms of this exception shall keep and maintain, subject to inspection by the War Production Board, accurate records with respect to each such transaction.

(e) *Manufacture of repair parts.*

Nothing contained in paragraph (c) of this schedule shall be deemed to prevent the manufacture of repair parts for vises, notwithstanding the fact that the vises for which such parts are made do not conform to the limitations set forth in this schedule. No person shall assemble repair parts so produced into a complete vise, but shall use them only for the purpose of replacing parts of vises which are broken or so badly worn that they are no longer serviceable.

Issued this 7th day of September 1943.
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE I.—TYPES OF VISES WHICH MAY BE MANUFACTURED WITHOUT RESTRICTIONS

1. Pipe vises (chain, hinged or open jaw and open slide).
2. Riggers' (splicing) vises.
3. Patternmakers' vises.
4. Saw vises.
5. Machine vises for mounting on drill presses, milling machines, etc.
6. Tools commonly called vises (such as hinged jaw, hand, pin and lineman's vises), which do not have the characteristics of a bench mounted vise.

TABLE II.—TYPES OF VISES WHICH MAY BE MANUFACTURED ONLY IN THE WEIGHTS AND JAW SIZES SPECIFIED

Types of vise	Jaw size	Maximum weight of vise
Anvil.....	2 3/4	10 lbs.
Bench, clamp base.....	2	N. R.
	3	N. R.
	4	N. R.
Blacksmiths'.....	4 1/2	35 lbs.
	5	50 lbs.
	6	70 lbs.
	7	120 lbs.
Bodymakers', sheetmetal or woodworkers', swivel base.....	4 1/2	N. R.
Combination, bench and pipe, swivel base.....	4 1/2	N. R.
	6	N. R.
Double swivel.....	4	N. R.
Files', swivel base.....	4	N. R.
Jewelers', swivel base.....	2	3 lbs.
Mechanists' bench, stationary base and jaw.....	3	N. R.
	3 1/2	N. R.
	4	N. R.
	4 1/2	N. R.
	5	N. R.
	6	N. R.
	8	N. R.
Mechanists' bench, swivel base, stationary jaw.....	2	N. R.
	3	N. R.
	3 1/2	N. R.
	4	N. R.
	4 1/2	N. R.
	5	N. R.
	6	N. R.
	8	N. R.
Mechanists' bench, swivel base and jaw.....	3 1/2	N. R.
	4 1/2	N. R.
	6	N. R.
Steam fitters.....	4 1/2	N. R.
Utility, swivel base.....	3 1/2	17 lbs.
Woodworkers'.....	4 x 1 1/2	N. R.

Note: "N. R." as used herein means "not restricted."
[F. R. Doc. 43-14645; Filed, September 7, 1943; 11:21 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9]

COPPER WIRE FOR RETAIL DEALERS AND REPAIRMEN

§ 3175.9 *CMP Regulation No. 9*—(a) *What this regulation does.* This regulation tells how retailers, radio repair shops, electrical appliance repair shops, and electricians get copper wire for retail sale or for household, farm and small commercial repairs and improvements. Copper wire mills and copper warehouses are required to fill orders placed under this regulation in the same way as orders from persons who have copper allotments under the Controlled Materials Plan.

(b) *What retailers can buy copper wire under this regulation.* Hardware stores, department stores, general stores and others who sell copper wire to the general public may buy it under this regulation. Copper warehouses may not buy copper wire under this regulation.

"Copper warehouses" are industrial suppliers, mill suppliers, plumbing supply houses, electrical wholesalers or other persons engaged in the business of distributing copper wire mill products to industry or trade.

(c) *What repairmen can buy copper wire under this regulation.* An electrician, radio repairman or electrical appliance repairman may buy copper wire under this regulation unless he has received an allotment of copper wire by applying to the War Production Board on form CMP-4B under paragraph (g-1) of CMP Regulation No. 5.

(d) *What copper wire is covered.* This regulation applies to all bare or insulated wire or cable for electrical conduction made from copper.

(e) *How retailers and repairmen can buy copper wire.* A retailer or repairman who wants to buy copper wire may place an order with any supplier. Retailers and repairmen may buy copper wire under this regulation from other retailers and repairmen without certifications or other formalities. If a retailer or repairman wants to buy copper wire under this regulation from either a copper warehouse or wire mill, he should put on his order the following certification:

CMP allotment symbol V-3—The undersigned certifies subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that he is a retailer or repairman entitled under CMP Regulation No. 9 to buy the copper wire covered by this order.

An order bearing this certification, signed manually or as described in Priorities Regulation No. 7, is an authorized controlled material order under all CMP regulations, and must be recognized as such and treated accordingly by the person receiving it.

(f) *How much copper wire may be bought.* Any retailer or repairman who was in business as a retailer or repairman on August 1, 1943, may order for delivery in any calendar quarter up to \$100 worth of wire under this regulation. If he needs more, he should determine as accurately as practicable the dollar value of the copper wire which he sold as a retailer or used as a repairman during 1941. He may buy under this regulation up to one-eighth of that amount in any quarter if this comes to more than \$100. If it does not, he may buy up to \$100 regardless of his use in 1941. A retailer or repairman who has more than one store or shop may compute the amount of copper he is allowed to buy under this regulation either on the basis of the total purchases of all his stores and shops in 1941, or on the basis of each outlet's total purchases in 1941, depending on whether he purchases centrally, or separately for each outlet. A retailer or repairman who bought no copper wire in 1941 may not buy more than \$100 worth a quarter under this regulation, and one who was not in business on August 1, 1943 may not buy any copper wire under this regulation, unless an appeal is granted by the War Production Board as provided in paragraph (k).

(g) *Retailers may sell copper wire free of ratings.* (1) A retailer may sell copper wire which was acquired under pro-

visions of this regulation to any person without restriction unless he knows or has reason to know that the customer will be violating an order or regulation of the War Production Board in receiving the wire or using it for the purposes for which he is buying it. A retailer need pay no attention to preference ratings (except AAA) in selling copper wire and may also disregard authorized controlled material orders. However, he must fill orders supported by farmers' certificates as provided in Priorities Regulation No. 19.

(2) Since it is the purpose of this regulation to provide copper wire to meet the minimum repair needs of the general public, retailers are requested not to sell copper wire to persons who have received allotments under the Controlled Materials Plan, who are listed in Schedules I or II of CMP Regulation No. 5 or who are otherwise entitled to place authorized controlled material orders with warehouses or wire mills, except in cases where the purchaser needs such small quantities that it is not practicable to get them from warehouses or wire mills.

(h) *Restrictions on use of wire by repairmen.* In order that the War Production Board may keep track of the amounts of wire used for different purposes, it is important that repairmen should not get wire under this regulation for purposes for which other means are provided by War Production Board orders and regulations. For this reason, in the case of any job where the repairman is entitled to use his customer's allotment symbol under paragraph (g-1) of CMP Regulation No. 5 to place an authorized controlled material order for the copper wire needed to do the job, he must get the wire or replace it in his inventory by that means rather than under this regulation. Likewise, in the case of any job for which his customer is entitled to buy the copper wire by placing an authorized controlled material order, or for which the customer has received an authorization under the Construction Order, L-41, the repairman may not use this regulation to get the wire.

(i) *Restrictions on inventory.* A retailer or repairman may not accept delivery of any kind of copper wire bought under this regulation if his inventory of that kind of copper wire already is, or will be, on accepting the delivery, more than thirty days' supply in case of retail dealers, or fifteen days' supply in the case of repairmen. However, if the supply of any kind of copper wire which a retailer or repairman has on hand is less than the permitted amount, he may buy the smallest standard package of that kind of copper wire even if as a result his supply will become larger than the amount specified.

(j) *Compliance with Conservation Order M-9-c.* The provisions of Conservation Order M-9-c which places certain restrictions on the use of copper, must be observed by retailers and repairmen and their customers.

(k) *Appeals to local WPB offices.* Any retailers or repairmen who need to buy more copper wire than is permitted un-

der this regulation, or who are not permitted to buy any copper wire under this regulation, may ask for authorization from the local WPB office. Any appeals under this regulation should also be made to the retailer's or repairman's local WPB office.

Issued this 7th day of September 1943.

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

[F. R. Doc. 43-14649; Filed, September 7, 1943; 11:22 a. m.]

PART 3291—CONSUMERS DURABLE GOODS¹

- [Limitation Order L-175, as Amended September 7, 1943]

RAILROAD STANDARD WATCHES

§ 3291.200¹ (General Limitation Order L-175) is hereby amended to read as follows:

(a) *Definitions.* For the purposes of this order:

(1) "Railroad standard watch" means any spring-driven time piece, designed primarily for use by a railroad time service employee, including but not limited to those watches enumerated in Schedule A.

(2) "New railroad standard watch" means any railroad standard watch which has never been used by an ultimate consumer.

(b) *Restrictions on transfers of new and used railroad standard watches.* No manufacturer, distributor, dealer or other person engaged in the business of transferring new or used railroad standard watches shall transfer, sell or deliver any such watch except

(1) To or for the account of the United States Army or Navy, the United States Maritime Commission or the War Shipping Administration, but not for resale; or

(2) To a railroad time service employee in fulfillment of a purchase order or contract accompanied by a certificate in substantially the following form, signed by the superintendent of a railroad division and by the prospective buyer:

----- is an employee subject to Time Service Rules of the ----- Railroad Company, is employed on the ----- Division of the ----- Railroad Company, and is required by such Railroad Company to carry a Railroad Standard Watch in the performance of his duties and has no watch capable of meeting these requirements.

(s) -----
Employee Subject to Time Service Rules

Position

Specify
New or used
Railroad Stand-
ard Watch

(s) -----
Railroad division superintendent

or
(3) To a wholesale or retail watch dealer if his order is accompanied by a

¹ Formerly Part 3028, § 3028.1.

certificate executed in accordance with paragraph (b) (2); or

(4) For export pursuant to written authorization of the War Production Board. Applications for such authorization should be filed by letter.

(c) *Records.* Each person engaged in the business of transferring new or used railroad standard watches shall keep for not less than two years complete records of his inventory and sales of new and used railroad standard watches and each certificate received by him in accordance with paragraph (b) (2) of this order (unless such certificate is transferred by him in accordance with paragraph (b) (3), in which case the person receiving such transferred certificate shall keep it).

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

(e) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Washington 25, D. C., Ref: L-175.

Issued this 7th day of September 1943.

WAR PRODUCTION BOARD,
By JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Waltham watches-----	16 size "Vanguard", 23 Jeweled, Bridge Model, Double Roller.
	16 size "Crescent St.", 21 Jeweled, Bridge Model, Double Roller.
	16 size "Riverside", 19 Jeweled, Bridge Model, Double Roller.
	16 size No. 645, 21 Jeweled, Bridge Model, Double Roller.
Elgin watches-----	16 size "Veritas", 23 Jeweled, three-quarter plate, Double Roller.
	16 size "Father Time", 21 Jeweled, three-quarter plate, Double Roller.
	16 size "B. W. Raymond", 19 Jeweled, three-quarter plate, Double Roller.
Hamilton watches-----	16 size No. 950, 23 Jeweled, Bridge Model, Double Roller.
	16 size No. 992, 21 Jeweled, three-quarter plate, Double Roller.
	16 size No. 996, 19 Jeweled, three-quarter plate, Double Roller.
Ball watches-----	16 size "Official R. R. Standard", 19, 21, and 23 Jeweled, Double Roller.

[F. R. Doc. 43-14644; Filed, September 7, 1943; 11:21 a. m.]

Subchapter D—Office of the Rubber Director

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1 as Amended, Amdt. 3]

Rubber Order R-1 as amended is hereby amended in the following respects:

(1) By amending subparagraph (d) of § 4600.01 to read as follows:

(d) "Reclaimed rubber" means any vulcanizable material derived from the processing or treatment of scrap rubber except reclaimed residue or "mud". Reclaimed residue or "mud" means dried and recovered sludge consisting of a mixture of partially hydrolyzed cellulose, finely divided rubber and other waste products of the digester process of reclaiming rubber.

(2) By amending subparagraph (i) of § 4600.01 to read as follows:

(i) "Repairable tire" means a pneumatic tire or tire casing which can be made serviceable for a use for which it was designed, by means of either temporary repair (insertion of a reliner or temporary patches) or permanent repair (vulcanized sectional repairs, vulcanized reinforcements or vulcanized spot repairs which can be made in accordance with recognized commercial practice and which reasonably can be expected to render satisfactory and safe service under present limited operating conditions).

(3) By amending subparagraph (j) of § 4600.01 to read as follows:

(j) "Treadable tire" means a pneumatic tire or tire casing which warrants retreading or recapping in accordance with recognized commercial practice and which can be reasonably expected to render satisfactory and safe service under present limited operating conditions.

(4) By adding the following new section designated § 4600.03-1 to follow § 4600.03:

§ 4600.03-1 *Chlorinated rubber.* Chlorinated rubber may be consumed only upon specific authorization of the War Production Board.

(5) By amending § 4600.04 to read as follows:

§ 4600.04 *Balata.* Balata may be consumed for the manufacture of any product, whether to fill Government orders or civilian orders, if and to the extent permitted by specific authorization of the War Production Board.

(6) By amending § 4600.10 to read as follows:

§ 4600.10 *Delivery and acquisition of rubber, synthetic rubber and balata.* No person shall deliver rubber, synthetic rubber, chlorinated rubber, or balata except as permitted by regulations of Rubber Reserve Company or as specifically authorized by the War Production Board. No person, other than Rubber Reserve Company, shall accept such delivery, except for the purpose of consuming the same in accordance with the provisions

of this order. Nothing contained in this § 4600.10 shall be deemed to prohibit:

(a) Delivery of rubber, synthetic rubber, chlorinated rubber or balata from one location to another location controlled by the same person where no change of ownership takes place, or by any corporation to another corporation which is its subsidiary or of which it is a subsidiary;

(b) Any scrap dealer from acquiring scrap rubber in the usual course of his business for the purpose of selling the same to another scrap dealer or to Rubber Reserve Company;

(c) Any person from accepting delivery from another of rubber, synthetic rubber, chlorinated rubber, or balata for the purpose of milling, washing, deresinating, drying, compounding, or conditioning the same, or for processing or manufacturing products therefrom, and thereafter returning the same or the products thereof to such other person.

(7) By adding the following new paragraph to § 4600.14 (Tire and tube manufacturers' inventories of tires and tubes):

For the purpose of this section and §§ 4600.15-4600.17 inclusive, the above groups shall be deemed to refer only to new products.

(8) By amending § 4600.17 to read as follows:

§ 4600.17 *Industrial users' inventories of industrial tires and tubes.* No person shall deliver any product listed in groups 11 to 14 inclusive of § 4600.14 to any person acquiring the same for use as replacement and not for resale, unless the person acquiring the same shall attach to his purchase order a certification (in addition to any other certification which may be required by regulations of the War Production Board) in substantially the following form signed by an authorized official either manually or as provided in Priorities Regulation No. 7:

The undersigned hereby certifies to _____ (Insert name and address of seller) and to the War Production Board that he is familiar with Rubber Order R-1 and that the products listed on this purchase order are required by him for replacement purposes within 30 days from the date of this certification.

Address _____
Name of purchaser _____
Date _____
By _____
Signature, title of duly authorized officer.

(9) By amending § 4600.25 to read as follows:

§ 4600.25 *Authorization to consume balata.* Any person desiring to consume balata to manufacture any product should make application for authorization to do so by letter to the Office of Rubber Director, War Production Board, Washington 25, D. C.

(10) By adding the following new section designated § 4600.25-1 to follow § 4600.25:

§ 4600.25-1 *Authorization to consume chlorinated rubber.* Any person

desiring to consume chlorinated rubber should make application for authorization to do so by letter to the Office of Rubber Director, War Production Board, Washington 25, D. C.

(11) By amending § 4600.29 to read as follows:

§ 4600.29 *Definition.* As used in §§ 4600.29 and 4600.30, "lifesaving suit" means any suit approved by the United States Coast Guard, made in whole or in part of rubber or synthetic rubber, designed for use with an approved life preserver and intended for rescuing or preserving the lives of seamen.

(12) By adding the following new section designated § 4600.34-1 to follow § 4600.34:

PREFERENCE RATINGS—HEELS AND SOLES

§ 4600.34-1 *Suspension of preference ratings.* Rubber heel and sole products may be produced or delivered to fill civilian orders without regard to preference ratings. With respect to civilian orders, no person shall apply or extend any rating to rubber heel and sole products, and no person selling any such product shall require a rating as a condition of sale. Any rating purporting to be applied or extended to rubber heel and sole products shall be void and no person shall give any effect to it except in filling a Government order.

(13) By adding the following to the first sentence of § 4600.35 (a):

, except a scrap dealer who shall report on Form WPB-792.

(14) By amending § 4600.37 to read as follows:

§ 4600.37 *Applicability of regulations.* Except as otherwise provided in § 4600.-34-1, this order and all transactions affected thereby are subject to all applicable provisions of War Production Board Priorities and CMP Regulations as amended from time to time.

(15) By adding the following new paragraph to Appendix I, under the heading "reclaimed" preceding Schedule A:

Class 2 or class 3 reclaim may be substituted for class 1 reclaim on the basis of one and one-third pounds of class 2 or one and two-thirds pounds of class 3 reclaim for each pound of class 1 reclaim allotted.

(16) By adding the following items to Code 64 of Schedule A, Appendix I:

- Cord protectors
- Cable connectors
- Electric base plugs, plug connectors and light sockets
- Chute lining
- Conveyor skirting or skirtboard rubber
- Rubber scrapers for conveyor belts
- Grommets

Together with the following entries opposite each of said items in the columns of Schedule A designated below:

Appendix II	Code and/or G. P. S.	Letter and/or G. P. S.	Reclaim	Scrap
No. _____	G. P. S. _____	_____	_____	3

(17) By adding the following item to Code 60 of Schedule A, Appendix I:

Tire rolliners

together with the following entries opposite said item in the columns of Schedule A designated below:

Appendix II	Crude and/or G. P. S. ¹	Latex and/or G. P. S. ¹	Re-claim	Scrap
No.	-----	-----	1	-----

(18) By deleting from Code 61 of Schedule A, Appendix I, the following items, together with all entries opposite said items in the columns of Schedule A:

- V-Belts:
 - Type 1
 - V-Belts all other:
 - Type 2
 - Type 3

and by substituting in lieu of said items:

V-Belts

together with the following entries opposite said item in the columns of Schedule A designated below:

Appendix II	Crude and/or G. P. S. ¹	Latex and/or G. P. S. ¹	Re-claim	Scrap
2	X	X	1	3

(19) By changing the "Appendix II" column reference opposite the item, "gasoline curb pump hose," listed in Code 62 of Schedule A, Appendix I, from "No" to "3".

(20) By amending Code 64 of Schedule A, Appendix I, in the following respects:

(a) By changing the class of scrap in the "scrap" column, opposite the item, "plumbing products including only * * *", from "1" to "3".

(b) By changing the "Appendix II" column reference opposite the item, "mine safety lamp parts excepting insulated wire," from "14" to "19".

(21) By amending Code 71 of Schedule A, Appendix I in the following respects:

(a) By adding the following item:

Dental plaster bowls

together with the following entries opposite said item in the columns of Schedule A designated below:

Appendix II	Crude and/or G. P. S. ¹	Latex and/or G. P. S. ¹	Re-claim	Scrap
No.	X	-----	1	3

(b) By changing the "Appendix II" column reference opposite the item, "smoking pipe bits," from "No" to "19".

(22) By adding Code 73 of Schedule A, Appendix I in the following respects:

(a) By deleting all of the products specifically listed under the item, "elastic fabrics and elastic webbing * * *"

(b) By inserting the symbol "X" opposite the item, "tennis balls," in the "Crude and/or G. P. S.¹" column.

(23) By deleting the following items from Group 2, Schedule B, Appendix I:

- Chute lining
- Electric base plugs, plug connectors and light sockets
- Grommets

(24) By amending the item, "Grommets (except airplane and dielectric)," in Group 1, Schedule B of Appendix I to read as follows:

Grommets containing crude rubber except airplane and dielectric.

(25) By amending the item, "Telephone bases and cord protectors," in Group 1, Schedule B of Appendix I to read as follows:

Telephone bases.

(26) By amending the item, "Telephone cord protectors and bases," in Group 2, Schedule B of Appendix I, to read as follows:

Telephone bases.

(27) By amending the item, "fuel oil, gasoline and fuel tank filler (not service station pump hose)," in subdivision (b) of List 3, Appendix II, to read as follows: fuel oil, gasoline and fuel tank filler (including gasoline curb pump hose).

(28) By amending Note 2 of List 12, Appendix II, to read as follows:

NOTE 2: No crude rubber, latex, reclaimed rubber or scrap rubber shall be used in conjunction with tanks, barrels, pails, drums, fume ducts or pipe and fittings (but not including racks and automatic machine perforated steel base baskets) for any operation connected with the plating or anodizing of materials.

(29) By amending the regulations in subdivision 6 of List 19, Appendix II, for "Aircraft Monoblocs," to read as follows:

Type of product	Compound	Specifications and physical requirements
Army aircraft monoblocs.	HR-I....	70-22-C. Tensile—3,000 lbs. 5,000 p. s. i. 4.0%—2.0% elongation.
Navy aircraft monoblocs.	HR-I....	B-38B. Tensile—3,000 lbs. 5,000 p. s. i. 4.0%—2.0% elongation.
Coast Guard aircraft monoblocs.	HR-I....	RM5-104-B. Tensile—3,000 lbs. 5,000 p. s. i. 4.0%—2.0% elongation.

(30) By amending Note 7 of List 23, Appendix II, to read as follows:

NOTE 7. No tire patches, boots or rolliners may be manufactured from scrap tire casings except upon special authorization of the War Production Board.

(31) By amending Items 5 and 11 of subdivision (a), List 32, Appendix II, to read as follows:

- 5. Mileage contract intercity bus tires.
- 11. (a) Mileage contract city bus tires.
- (b) Natural rubber truck and bus tires, including only:
 - Tread types: Standard highway.
 - Sizes: W. P. B. sizes 29, 31, 33, 34, 36, 41, 42, and 50.
 - Orders: Civilian only.

(32) By amending List 33, Appendix II, in the following respects:

(a) By adding the following new paragraph designated (b):

(b) *Exceptions.* General purpose synthetics may be consumed in the manufacture of

the following products to fill Government orders: Sponge rubber cushioning for goggle frames and rubber bands.

(b) By deleting the item, "athletic equipment consisting of the following only, * * *" together with all products included thereunder.

(c) By changing the grade of reclaimed rubber permitted for the item, "automotive and boat parts consisting of the following * * *" from "3" to "1".

(d) By deleting "channel rubber and weatherstrip" under the item, "automotive and boat parts consisting of the following * * *," and by substituting therefor the following:

Weatherstrip

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727)

Issued this 7th day of September 1943.

WAR PRODUCTION BOARD.

By J. JOSEPH WHELAN.

Recording Secretary.

[F. R. Doc. 43-14650; Filed, September 7, 1943; 11:21 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1 as Amended, Amdt. 4]

Rubber Order R-1 as amended is hereby amended in the following respects:

(1) By amending § 4600.27 to read as follows:

§ 4600.27 *Use of cement.* No person shall use cement for any industrial or commercial purpose except that:

(a) Cement may be used in the manufacture, application or repair of any product in the manufacture of which this order permits rubber, synthetic rubber or balata to be consumed.

(b) Cement which does not contain crude rubber or natural latex may be used in the manufacture and repair of shoes.

(c) Cement which contains crude rubber or natural latex may be used after October 1, 1943, in the manufacture and repair of shoes, but in the following operations only:

(1) Cutting and fitting room operations limited to:

Folding uppers including French cord binding.

(2) Lasting room operations limited to:

Bed, side and semi-automatic toe lasting; stitchdown construction lasting linings to insoles and uppers to midsoles or outsoles.

(3) Bottoming or making room operations limited to:

Sole laying as follows—cementing bottoms and outsoles or outsole midsole combinations prior to permanent attachment; prewelt bottom assembly and per-

manent attachment of platforms and outsoles; McKay outsole channels.

(4) Stock fitting room operations limited to:

Cementing welt-insole ribs and lips; coating and attaching Gem duck to welt innersoles.

(5) Special operations limited to:

Repairing shoes; joining leather welt-ing.

(d) Cement made only of reclaimed or scrap rubber or general purpose synthetics for folding or assembling component parts of luggage, handbags, belts, small leather goods and millinery.

(2) By amending § 4600.28 to read as follows:

§ 4600.28 *Delivery of cement.* No person shall deliver any cement to another person unless such person shall attach to his purchase order a certification in substantially the following form signed by an authorized official, either manually or as provided in Priorities Regulation No. 7.

The undersigned hereby certifies to _____ (insert name and address of seller) and to the War Production Board that he is familiar with Rubber Order R-1 restrictions on the use of cement and that the cement specified in the accompanying purchase order will be used by him only in the permitted operations indicated below:

Manufacture or repair of products in the manufacture of which rubber, synthetic rubber or balata is permitted.

Manufacture or repair of shoes; if crude rubber or natural latex, only for one or more permitted operations listed in Rubber Order R-1.

Folding or assembling component parts of luggage, handbags, belts, small leather goods and millinery (reclaimed or scrap rubber or G. P. S. cement only).

Date	Name of purchaser	Authorized official
(Use only the applicable statement of use.)		

Any person making delivery of cement may rely upon the certification of the purchaser, unless he knows or has reason to believe that the certification is false.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727)

Issued this 7th day of September 1943.

WAR PRODUCTION BOARD.

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-14651; Filed, September 7, 1943; 11:21 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 37]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith,

8 F.R. 10002, 11676, 11480, 11479.

has been filed with the Division of the Federal Register.*

Section 3.9 is added to read as follows:

Sec. 3.9 *Inventory of dried prunes and raisins.* (a) As part of his application for his allotment of processed foods for the fifth allotment period, an institutional user must report in pounds his inventory of dried prunes and raisins at the close of business on September 4, 1943 in accordance with the rules stated in paragraph (a) to (e) of section 3.2 with respect to processed foods. Such inventory shall be treated as excess inventory.

(b) The point value of an institutional user's inventory of dried prunes and raisins at the close of business on September 4, 1943 is computed by multiplying the total weight in pounds by four (4) points per pound.

This amendment shall become effective 12:01 a. m., September 5, 1943.

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

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 4th day of September 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-14541; Filed, September 4, 1943; 4:39 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16, Amdt. 67]

MEAT, FATS, FISH AND CHEESES

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

Section 7.7 is amended to read as follows:

SEC. 7.7 *Registration after April 10, 1943—(a) Registration of persons who become industrial users because an item is added to or removed from the foods covered by this order.* (1) Any person who becomes an industrial user because an item of food he uses in his operations is added to the foods covered by this order (or because he uses an item of food covered by this order in making products which are removed from the foods covered by this order) must, if he used that item of food in his operations prior to March 29, 1943, register his industrial

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

8 F.R. 6466, 6614, 6629, 6687, 6340, 6369, 6361, 7115, 7263, 7281, 7455, 7492, 8357, 8340, 8614, 8844, 8809, 9014, 9025, 9217, 9395, 9336, 10085, 10511, 10665, 10763, 11653, 11613, 11754, 11813, 11955.

user establishment by filing OPA Form R-1605 within twenty days after he becomes an industrial user. If he has more than one such industrial user establishment, he must either register each establishment separately, on a separate form, or he must register them together on a single form. The registration form must be filed, in person or by mail, with the board for the place where his principal business office is located. However, if he has more than one such industrial user establishment, and registers them separately, the registration form for each must be filed with the board for the place where it is located. He must give all the information called for by the form. However, he must report his inventory of foods covered by this order as of the time he became an industrial user. This registration is treated as an application for an allotment for the allotment period in which he became an industrial user.

(2) Any person who becomes an industrial user because an item of food he uses in his operations is added to the foods covered by this order (or because he uses an item of food covered by this order in products which are removed from the foods covered by this order) may, if he began to use those foods in his operations since March 28, 1943, apply for an allotment. The application must be made on OPA Form R-315 to the board for the place where his principal business office is located. The application must show:

- (i) The product he makes;
- (ii) The size of the establishment;
- (iii) The amount invested in it;
- (iv) The market supplied;
- (v) The date on which he started to use the item of food;
- (vi) His inventory of foods covered by this order;
- (vii) The amount and kinds of foods used since he began operations; and
- (viii) The amount of allotment requested.

The board may call for any additional information it finds necessary. It may not pass upon the application, but must forward it, together with all information received, to the district office. It may attach its recommendation, if any, as to the action to be taken. The district office must forward the entire file to the Washington Office, for decision, or take such other action as the Washington Office may authorize or direct.

(3) Any allotment given to an industrial user pursuant to an application made under this paragraph is to be reduced in proportion to the part of the allotment period which had elapsed at the time he became an industrial user.

(b) *Late registrations.* (1) The board may permit an industrial user who failed to register at the time required to register and apply for an allotment at a later date. In his registration he must report his inventory of foods covered by this order as of the first day of the period in which he was required to register.

(2) His allotment is computed in the same way as that of an industrial user who registered on time. However, un-

less he shows good cause for his failure to register on time, his allotment is to be reduced in proportion to the part of the allotment period which had elapsed at the time he registered and he may not receive an allotment for expired allotment periods.

This amendment shall become effective 12:01 a. m. September 5, 1943.

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

(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 4th day of September 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-14543; Filed, September 4, 1943;
4:39 p. m.]

PART 1305—ADMINISTRATION

[Rev. Supp. Order 34]

PACKING EXPENSES ON SALES TO PROCUREMENT AGENCIES

Supplementary Order No. 34¹ is redesignated Revised Supplementary Order No. 34 and is revised to read as set forth herein.

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

§ 1305.40 *Special packing expenses permitted to be added to maximum prices on sales to procurement agencies.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Supplementary Order No. 34, which is annexed hereto and made a part hereof, is hereby issued.

REVISED SUPPLEMENTARY ORDER NO. 34—PACKING EXPENSES ON SALES TO PROCUREMENT AGENCIES

Sec.

1. Additions of extra packing expenses.
2. Conditions on which extra packing expenses are allowed.
3. Relation to other regulations.
4. Definitions.

AUTHORITY: § 1305.40 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Additions of extra packing expenses.* On sales or deliveries of any commodity to a procurement agency of the United States the seller, or any subcontractor under the seller's contract of sale with the United States, may add to

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

¹ 7 F.R. 10779.

the maximum domestic price for such commodity:

(a) If the packing specified by the buyer differs from standard packing, the difference between the total cost of packing to the specifications of the buyer and the total cost of standard packing, or

(b) If the commodity has already been packed in standard packing and if repacking to the specifications of the buyer is required, the total cost incurred in the unpacking and repacking, less the reasonable value of salvaged materials, or

(c) If the commodity has initially been packed to the specifications of the buyer in accordance with paragraph (a), and if repacking to new specifications of the buyer is required, the amount permitted by paragraph (a) plus the total cost of unpacking and repacking, less the reasonable value of salvaged materials.

"Total costs" include the direct materials costs, direct labor costs, factory overhead and other expenses actually incurred in performing the above-described operations.

Sec. 2. *Conditions on which extra packing expenses are allowed.* The additions for extra packing expenses provided in section 1 may be made only if all of the following conditions are satisfied:

(a) The buyer must require that the commodity be packed to its specifications or must specifically request that the seller unpack and repack the commodity to the buyer's specifications.

(b) The seller must show separately in his contract of sale or on the invoice furnished to the buyer the net charge being made for the packing and/or unpacking and repacking specified by the buyer.

(c) In addition to the records required by any price regulation, the seller must prepare and keep for inspection by the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, is in effect, true and accurate records showing the total additional cost necessitated by the special packing and/or unpacking and repacking specified by the buyer, and the value of materials salvaged in the process.

Sec. 3. *Relation to other regulations.* This Revised Supplementary Order No. 34 shall apply to all price Regulations heretofore or hereafter issued except Revised Maximum Price Regulations Nos. 148 (Dressed Hogs and Wholesale Pork Cuts)², 169 (Beef and Veal Carcasses and Wholesale Cuts)³, 239 (Lamb and Mutton Carcasses and Cuts at Wholesale and Retail)⁴, and Maximum Price Regulations Nos. 286 (Certain Sausage Products for War Procurement Agencies)⁵ and 398 (Variety Meats and Edible

² 7 F.R. 8609, 9005; 8 F.R. 544, 2922, 3367, 4785, 7322, 7671, 7826, 8376, 8677, 9998, 10571, 10732, 11350, 9998.

³ 7 F.R. 10381, 10719; 8 F.R. 164, 491, 4097, 4786, 4844, 5170, 5478, 5634, 6058, 6427, 6945, 7109, 7199, 7200, 7675, 8011, 8677, 8756, 9066, 9300, 9995, 10362, 10363, 10671, 11081, 11298, 11445.

⁴ 7 F.R. 10638; 8 F.R. 3589, 4786, 5407, 7679, 8677, 9066, 10444, 11082, 11296.

⁵ 7 F.R. 10554; 8 F.R. 2157, 2350, 4640, 7681, 10079, 11039.

By-Products at Wholesale)⁶, and such others as may hereafter expressly provide that this order does not apply to them.

Sec. 4. *Definitions.* As used in this Revised Supplementary Order No. 34:

(a) "Price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, as amended, a maximum price regulation, a temporary maximum price regulation, or any amendment or supplement thereto or order thereunder.

(b) "Packing" shall include the providing of wrappings, inner containers, or outer containers, the placing of commodities in such wrappings or containers, and the application of any special coverings or coatings to insure shipment without damage.

(c) "Standard packing" means that packing, the cost of which was included in calculating the maximum domestic price established by the applicable maximum domestic price regulation, or any other type of packing expressly referred to and expressly priced in the applicable domestic price regulation.

This Revised Supplementary Order, No. 34 shall become effective September 11, 1943.

Issued this 6th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14597; Filed, September 6, 1943;
4:46 p. m.]

PART 1330—CONTAINERS

[Rev. MPR 55¹ Amdt. 1]

SECOND-HAND BAGS

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

Revised Maximum Price Regulation 55 is amended in the following respects:

1. Section 1330.51 is amended to read as follows:

§ 1330.51 *Prohibition against transactions at prices in excess of maximum prices.* On and after September 11, 1943, regardless of any contract, agreement, lease, or other obligation, no person shall:

(a) Sell or deliver, or, in the course of trade or business, buy or receive second-hand bags at prices higher than the maximum prices established herein; or

(b) Supply the service of printing second-hand bags, or, in the course of trade or business, buy or receive such service at prices higher than the maximum prices established herein; or

(c) Agree, offer, solicit or attempt to do any of the foregoing.

2. Section 1330.53 is amended to read as follows:

§ 1330.53 *Adjustable pricing.* Any person may agree to sell at a price which

¹ 7 F.R. 10104, 10554, 10585.

⁶ 8 F.R. 6945, 7351, 11082.

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 the 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.

3. § 1330.61 (i) is added to read as follows:

(i) *Printing charges.* In the event that a seller of second-hand bags prints

such second-hand bags at the request of the purchaser, an amount not to exceed the applicable maximum charge for such printing service determined pursuant to § 1330.63, Appendix C, of this Revised Maximum Price Regulation No. 55 may be added to the maximum price otherwise applicable to the sale.

4. Section 1330.62 (e) is added to read as follows:

(e) *Printing charges.* In the event that the manufacturer prints any small shipping bags at the request of the purchaser, an amount not to exceed the applicable maximum charge for such printing service determined pursuant to § 1330.63, Appendix C, of this Revised Maximum Price Regulation No. 55 may be added to the maximum price otherwise applicable to the sale.

5. Section 1330.63 is added to read as follows:

§ 1330.63 *Appendix C: Maximum charges for printing second-hand bags.* (a) The following are the maximum charges for printing second-hand textile bags.

MAXIMUM CHARGES FOR PRINTING
[One side]

	Quantity of a brand, one set of plates one shipment	Black only	One color other than black	Two colors	Three or more colors
Per 1000 bags.....	50,000 or more.....	\$4.75	\$5.25	\$5.75	\$6.25
Per 1000 bags.....	25,000 to 49,999.....	5.00	6.00	6.50	7.00
Per 1000 bags.....	10,000 to 24,999.....	6.00	6.50	7.00	7.50
Per 1000 bags.....	5,000 to 9,999.....	6.75	7.00	7.50	8.00
Per 1000 bags.....	3,000 to 4,999.....	7.00	7.50	8.00	8.75
Per 1000 bags.....	2,000 to 2,999.....	7.75	8.25	8.75	11.00
Per 1000 bags.....	1,500 to 1,999.....	8.50	9.00	11.00	13.25
Per 1000 bags.....	1,000 to 1,499.....	10.25	10.75	13.00	15.50
Per lot.....	750 to 1,000.....	10.25	10.75	13.00	15.50
Per lot.....	500 to 749.....	9.50	10.00	12.00	15.00
Per lot.....	Less than 500.....	8.75	9.25	11.00	14.00

The maximum prices enumerated above are for printing one side only. Maximum prices for printing both sides shall be determined by combining the applicable maximum prices for printing each side. The above prices include all labor and material, including plates, ink and baling.

Plates of one size constitute a set. If, in the course of printing, a change in the brand requires substituting one plate for another of the same size and color, a charge of \$1.00 may be made for each such substitution. No charge may be made for the removal, during the course of printing, of one or more plates from a set of color plates or for changing pound marks during the course of printing.

(b) *Invoices.* Every person selling a printing service with respect to second-hand bags shall deliver to each purchaser of such service an invoice in accordance with the following:

(1) If the printing service is performed as a part of a transaction involving the sale of the second-hand bags, the invoice or other memorandum covering the sale of the bags shall separately state (i) the quantity of bags printed; (ii) the number of sides printed;

(iii) the colors printed on each side; and (iv) the price charged.

(2) In all other cases, an invoice or other memorandum shall be delivered to the purchaser stating (i) the quantity of second-hand bags printed; (ii) the number of sides printed; (iii) the colors printed on each side; and (iv) the price charged.

6. Section 1330.64 is added to read as follows:

§ 1330.64 *Geographical applicability.* This Revised Maximum Price Regulation No. 55 shall be applicable to the continental United States but not to the territories and possessions of the United States.

This amendment shall become effective September 11, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14598; Filed, September 6, 1943; 4:47 p. m.]

PART 1340—FUEL
[RFS 83; Amdt. 126]

PETROLEUM AND PETROLEUM PRODUCTS

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 1340.159 (c) (3) (xxiii) is amended to read as follows:

(xxiii) *Maximum Prices for Nos. 2 and 3 fuel oil in Metropolitan Boston, Massachusetts Area.* In the Metropolitan Boston, Massachusetts Area, comprising the following towns and cities: Arlington, Belmont, Boston, Braintree, Brookline, Cambridge, Canton, Chelsea, Cohasset, Dedham, Dover, Everett, Hingham, Hull, Lexington, Lynn, Malden, Medford, Melrose, Milton, Nahant, Needham, Newton, Quincy, Reading (but not North Reading), Revere, Saugus, Somerville, Stoneham, Swampscott, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop, and Woburn, maximum prices for Nos. 2 and 3 fuel oil in bulk lots shall be as follows:

Cents per gallon

- F. o. b. refineries and seaboard tanker terminals delivered into barges, except on sales between original suppliers... 6.45
- F. o. b. refineries and seaboard tanker terminals delivered into tank car or motor transport... 6.7
- F. o. b. barge and inland terminals, except Shell Oil Company's pipeline terminal in Waltham, Massachusetts delivered into tank car or motor transport... 6.8
- F. o. b. Shell's pipeline terminal at Waltham, Massachusetts except for sales to jobbers whose bulk plants are located in the following cities and towns: Brookline, Watertown, Waltham, Newton, Wellesley, Weston, Lincoln, Natick, Wayland, Maynard, Sudbury, Framingham, Ashland, Sherborn, Hopkinton, and Holliston delivered into tank car or motor transport... 6.7
- F. o. b. Shell's Pipeline Terminal at Waltham, Massachusetts for sales to jobbers whose bulk plants are located in the following cities and towns: Brookline, Watertown, Waltham, Newton, Wellesley, Weston, Lincoln, Natick, Wayland, Maynard, Sudbury, Framingham, Ashland, Sherborn, Hopkinton, and Holliston delivered into tank car or motor transport... 6.9
- F. o. b. yard at seaboard tanker terminals, barge and inland terminals, and Shell's pipeline terminal at Waltham, Massachusetts delivered into buyers' tank wagons... 7.1
- F. o. b. yard at jobbers' inland bulk plant delivered into buyers' tank wagons... 7.3
- Tank wagon deliveries to consumers in quantities of 100 gallons or over... 8.7
- Tank wagon deliveries to consumers in quantities of less than 100 gallons... 9.2

This amendment shall become effective September 11, 1943.

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

18 F.R. 9365, 9530, 9774, 9876, 10901, 10731, 9516, 11149, 11374.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9255, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14599; Filed, September 6, 1943;
4:46 p. m.]

PART 1405—FERRO ALLOYS

[MPR 248, Amdt. 3]

MANGANESE ORES

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 248 is amended in the following respect:

1. Subparagraph (11) of paragraph (a) of § 1405.63 is amended to read as follows:

(11) "Buyer's most favorable basing point" means that one of the basing points listed from which delivery of the particular lot of manganese ore to the buyer's receiving point would yield the buyer the lowest delivered cost: *Provided, however*, That in the case of a delivery to a buyer's receiving point located in the area east of the Mississippi River and north of the Ohio River it shall mean the Atlantic basing point (Norfolk, Baltimore, Philadelphia or New York) from which delivered cost would be lowest. The delivered costs shall be computed by adding to the base price applicable to the particular basing point the rail freight for the delivery of the particular lot of ore from such basing point to the buyer's receiving point.

This amendment shall become effective September 11, 1943.

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

Issued this 6th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14605; Filed, September 6, 1943;
4:49 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 20]

REFRACTORY STOVE LINING BRICKS

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

Maximum Price Regulation No. 188 is amended in the following respect:

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

¹ 7 F.R. 8694, 10017; 8 F.R. 2109.

² 7 F.R. 5872, 7967, 8943, 10155; 8 F.R. 537, 1815, 1980, 3105, 3788, 3850, 4140, 4931, 5759, 7107, 8751, 8754, 9836, 10433, 10906.

1. The list of commodities in § 1499.167, Appendix B is amended by adding a new commodity as set forth below:

Refractory stove lining brick.

This amendment shall become effective September 11, 1943.

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

Issued this 6th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14607; Filed, September 6, 1943;
4:46 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. Supp. Reg. 1, Amdt. 28]

CLAY PIGEONS

* 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 4.2 of Revised Supplementary Regulation No. 1 is amended by adding paragraph (f) set forth below:

(f) Clay pigeons—but this exemption shall expire on January 1, 1944.

This amendment shall become effective on the 11th day of September 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14608; Filed, September 6, 1943;
4:49 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. Supp. Reg. 14 to GMPR, Amdt. 23]

TOMATOES

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

Section 7.12 is added to read as follows:

SEC. 7.12 *Transportation of fresh tomatoes from and to certain points in the state of Pennsylvania during the 1943 season.* (a) Maximum prices for the transportation, by carriers other than common carriers, of fresh tomatoes by motor vehicle from certain points in Pennsylvania to Chambersburg, Pennsylvania and to Pittsburgh, Pennsylvania on and after August 1, 1943 and to and including October 31, 1943 shall continue to be established under the General Maximum Price Regulation or shall be as follows, whichever basis is higher:

¹ 8 F.R. 4978, 6055, 6363, 6547, 6615, 6852, 6964, 7261, 7270, 7349, 7592, 7600, 7668, 8710, 8754, 9025, 9218, 9016, 9216, 10304, 10759, 10002, 11572.

To: Chambersburg, Pa.	Cents
From:	per cent.
Bloomsburg, Pa.	24
Florin, Pa.	18
Martinsburg, Pa.	16
Mechanicsburg, Pa.	13
Millersville, Pa.	18
Oxford, Pa.	24
To: Pittsburgh, Pa.	
From: Martinsburg, Pa.	22

This amendment shall become effective September 11, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14609; Filed, September 6, 1943;
4:49 p. m.]

PART 1381—SOFTWOOD LUMBER

[Rev. MPR 26, Amdt. 3]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

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

Revised Maximum Price Regulation 26 is amended in the following respects:

Section 23, Table 1, footnote 14 is amended to read as follows:

14. If a mill is operating in compliance with War Production Board Circular No. 31, of March 31, 1943, addressed to "All Douglas Fir Sawmills", for so long as that order is in force and for so long as the mill has not been granted exception from that order, its maximum prices for surfaced boards shall be the maximum prices established under this table and its footnotes plus \$3.50 per MBM in the case of Select Merchantable, No. 1 and No. 2 boards, and \$1.50 in the case of No. 3 boards. This addition may be made on 4/4, 5/4 and 6/4 boards. Such mill's maximum prices on rough boards may be increased by \$2.50 per MBM in the case of Select Merchantable, No. 1 and No. 2 boards and \$1.00 per MBM in the case of No. 3. In computing maximum prices under Maximum Price Regulation 216, Distribution Yard Sales of Softwood Lumber, the addition may be included as part of the basic f. o. b. mill maximum price for Douglas fir boards.

This amendment shall become effective as of August 24, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14604; Filed, September 6, 1943;
4:53 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 412, Amdt. 1]

TIDEWATER RED CYPRESS LUMBER

A statement of the considerations involved in the issuance of this amend-

¹ 8 F.R. 7570, 9519, 11608.

² 8 F.R. 8712.

ment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 5 is amended to read as follows:

SEC. 5. *Registration.* (a) All producers of Tidewater red cypress are required to register with the Lumber Branch of the Office of Price Administration, Washington, D. C., by filing a written notification that they sell and produce this species and must specify annual Tidewater red cypress production of the registrant for the calendar years 1945, 1941 and 1942.

(b) Producers of cypress (other than those in Florida) whose standing timber is located more than 75 miles from the nearest coast point on the Gulf of Mexico or the Atlantic Ocean will be deemed to be producers of other than Tidewater red cypress. However, any producer so located may register as a producer of Tidewater red cypress as provided in paragraph (a) above, upon condition that letters from three buyers be furnished stating that they have purchased true Tidewater red cypress from such producers at some time during 1940, 1941 or 1942.

(c) All cypress producers qualifying under above paragraphs (a) and (b) will be assigned specific registration numbers which must appear on all invoices covering shipments designated as Tidewater red cypress.

(d) All cypress mills or producers which do not register as required above will be deemed to produce only cypress other than Tidewater red and will be required to sell under and pursuant to the regulation covering the other types of cypress (i. e. yellow, white, etc.) when that regulation is issued by the Office of Price Administration. Until such time, sales of cypress other than Tidewater red continue to be governed by the General Maximum Price Regulation.²

This amendment shall become effective September 11, 1943.

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

Issued this 6th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14603; Filed, September 6, 1943; 4:53 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 604 Under § 1499.3 (b) of GMPR]

IVER'S A-1 SALES CO.

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

§ 1499.2141 *Authorization of maximum price for sales of "Iver's A-1 Spiced Vinegar", a liquid product containing*

*Copies may be obtained from the Office of Price Administration.
² 8 F.R. 3096, 3849, 4347, 4486, 4724, 4848, 4978, 6047, 6962, 8511, 9025, 9991.

white vinegar, and oils and extracts of pimento, cassia, bay leaves, mustard, celery seed, pepper, cardamon, ginger root and dill, packed in pint bottles, manufactured by Iver Weinstein, doing business as Iver's A-1 Sales Company, 52 Deerfield Avenue, Hartford, Connecticut.

(a) On and after September 7th, 1943, the maximum selling price for sales by Iver Weinstein, doing business as Iver's A-1 Sales Company, 52 Deerfield Avenue, Hartford, Connecticut, of "Iver's A-1 Spiced Vinegar," a liquid product containing white vinegar, and oils and extracts of pimento, cassia, bay leaves, mustard, celery seed, pepper, cardamon, ginger root and dill, shall be \$2.00 per dozen pint bottles, delivered to purchasers' receiving stations.

(b) Iver Weinstein, doing business as Iver's A-1 Sales Company, is not required to apply any discounts to the maximum price authorized by paragraph (a).

(c) This Order No. 604 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 604 shall become effective September 7, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 7 F.R. 4681)

Issued this 6th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14011; Filed, September 6, 1943; 4:54 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 605 Under § 1499.3 (b) of GMPR]
CONTINENTAL FOODS INC.

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

§ 1499.2142 *Authorization of maximum prices for sales to the Chicago Quartermaster Depot of the War Department of certain dehydrated soup mixes known as "Army—Type III Green Peas Soup", "Army—Type IIA Yellow Pea Soup" and "Army—Type IVA Navy Bean Soup", by Continental Foods, Inc., 1500 Hudson Street, Hoboken, New Jersey.*

(a) On and after September 7, 1943, the maximum prices for sales to the Chicago Quartermaster Depot of the War Department by Continental Foods, Inc., 1500 Hudson Street, Hoboken, New Jersey, of the following items of dehydrated soup mixes, all packed in 4-pound foil-lined bags inserted in 4-pound cartons, six 4-pound cartons to a solid fibre container and two containers to a steel-strapped shipping case, shall be as follows for the respective items, all f. o. b. factory:

	<i>Per pound</i>
Army—Type III green pea soup.....	20.1625
Army—Type IIA yellow pea soup.....	.1625
Army—Type IVA navy bean soup.....	.1625

(b) This Order No. 605 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 605 shall become effective September 7, 1943.

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

Issued this 6th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14612; Filed, September 6, 1943; 4:53 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 606 Under § 1499.3 (b) of GMPR]

F. G. VOGT AND SONS, INC.

For the reasons set forth in an opinion issued simultaneously herewith; Order No. 606 under § 1499.3 (b) of the General Maximum Price Regulation is issued.

§ 1499.2143 *Authorization of maximum prices for sales of scrapple in 1 lb. glass jars by F. G. Vogt and Sons, Inc.*

(a) On and after September 7, 1943, the maximum delivered price at which F. G. Vogt and Sons, Inc., may sell and purchasers may buy its scrapple made from whole pork heads with pork livers added, packed in 1 lb. glass jars, shall be \$2.15 per dozen jars.

(b) This order may be revoked or amended by the Administrator at any time.

(c) This Order No. 606 (§ 1499.2143) shall become effective September 7, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681).

Issued this 6th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14613; Filed, September 6, 1943; 4:54 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 98 Under SR 15 to GMPR]

ALBOUM MOTOR FREIGHT SERVICE

Order No. 98 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of the General Maximum Price Regulation; (Docket No. GF3-3386).

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

§ 1499.1398 *Adjustment of maximum prices for contract carrier services furnished by Alboum Motor Freight Service.*

(a) Emanuel Alboum of Lancaster, Pennsylvania, d/b/a Alboum Motor Freight Service may sell and deliver contract carrier services to H. J. Heinz & Co. in connection with the transportation of fresh tomatoes from, to and between points in Pennsylvania at rates not to exceed those hereinafter set forth:

	<i>Proposed rate (cents per cwt.)</i>
To Chambersburg:	
Bloomsburg	30
Florin	24
From:	
Martinsburg	22
Mechanicsburg	19
Millersville	24
Oxford	30
To Pittsburgh:	
From Martinsburg, Pa	23

(b) All requests of the application not granted herein are denied.

(c) This Order No. 98 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 98 § 2499.1398 shall become effective August 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 6th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14614; Filed, September 6, 1943;
5:00 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 607 Under § 1499.3 (b) GMPR]

THE NORDA ESSENTIAL OIL AND CHEMICAL CO.,
INC.

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

§ 1499.2144 Authorization of maximum prices for sales of "Norda Maid Imitation Cocoa Flavor" by the Norda Essential Oil and Chemical Co., Inc., New York, New York. (a) Norda Essential Oil and Chemical Co., Inc., 601 West 26 Street, New York, New York, may sell and deliver its new product "Norda Maid Imitation Cocoa Flavor" at \$.12 per pound, f. o. b. New York, New York, in bags containing 100 pounds.

(b) The above prices are before discounts. The Norda Essential Oil and Chemical Company, Inc., shall reduce such price by its customary discount of 1% for cash payments within 10 days.

(c) This Order No. 607 may be revoked or amended at any time by the Administrator.

(d) This Order No. 607 shall become effective, September 8, 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14659; Filed, September 7, 1943;
11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 608 Under § 1499.3 (b) of GMPR]

BEECH-NUT PACKING COMPANY

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

§ 1499.2145 Authorization of maximum prices for sales of "Beech-Nut Custard Pudding" by Beech-Nut Packing Company, Canajoharie, New York. (a) Beech-Nut Packing Company Canajoharie, New York, may sell and deliver its baby food product known as "Beech-Nut Custard Pudding" packed in glass jars each containing 4¾ ounces net, in case lots as stated below at the maximum delivered prices which follow:

Prices in cents per
dozen jars delivered
to buyer's station

Packed 3 dozen jars to case:	
4 to 9 case lots	\$.90
10 to 24 case lots	.87
25 or more cases	.85
100 cases and over in pool car	.82
Carload lots to one consignee	.80

(b) The above prices are before discounts. The Beech-Nut Packing Company shall reduce these prices by the customary discount of 2% for payment within 30 days.

(c) Wholesalers and retailers as defined in Maximum Price Regulations 421, 422, and 423 shall determine their maximum price for "Beech-Nut Custard Pudding" by reference to those regulations.

(d) This Order No. 608 may be revoked or amended by the Administrator at any time.

(e) This Order No. 608 shall become effective September 8, 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14660; Filed, September 7, 1943;
11:51 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public
Debt.

[1943 Dept. Circ. 719]

2½ PERCENT TREASURY BONDS OF 1964-69

SEPTEMBER 9, 1943.

I. OFFERING OF BONDS

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 2½ percent Treasury Bonds of 1964-69. These bonds will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits. The amount of the offering is not specifically limited.

II. DESCRIPTION OF BONDS

1. The bonds will be dated September 15, 1943, and will bear interest from that date at the rate of 2½ percent per annum, payable on a semiannual basis on December 15, 1943, and thereafter on June 15 and December 15 in each year until the principal amount becomes payable. They will mature December 15, 1969, but may be redeemed at the option of the United States on and after December 15, 1964, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In

case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will not be acceptable to secure deposits of public moneys before September 15, 1953. They will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury, except that they may not, before September 15, 1953, be transferred to or be held by commercial banks, which are defined for this purpose as banks accepting demand deposits. However, the bonds may be pledged as collateral for loans, including loans by commercial banks, but any such bank acquiring such bonds before September 15, 1953, because of the failure of such loans to be paid at maturity will be required to dispose of them in the same manner as they dispose of other assets not eligible to be owned by banks.

5. Any bonds issued hereunder which upon the death of the owner constitute part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment,¹ *Provided*:

(a) That the bonds were actually owned by the decedent at the time of his death; and

(b) That the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the Collector of Internal Revenue at ----- for credit on Federal estate taxes due from estate of -----". Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closed period, registered bonds received after the closing of the books for payment dur-

¹ An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

ing such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date;² bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months' interest due on the last day of the closed period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form FD 1782,³ properly completed, signed and sworn to, and by a certificate of the appointment of the personal representatives, under seal of the court, dated not more than six months prior to the submission of the bonds, which shall show that at the date thereof the appointment was still in force and effect. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the Collector of Internal Revenue.

6. Except as provided in the preceding paragraphs, the bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Subscriptions must be accompanied by payment in full for the amount of bonds applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. PAYMENT

1. Payment at par and accrued interest, if any, for bonds allotted hereunder must be made on or before September 15, 1943, or on later allotment: *Provided, however,* That bonds allotted to life insurance companies may be paid for, in whole or in part, at par and accrued interest, at any time or times not later than November 1, 1943. One day's accrued interest is \$0.068 per \$1,000. Any qualified depository will be permitted to make payment by credit for bonds allotted to its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

² The transfer books are closed from May 16 to June 15, and from November 16 to December 15 (both dates inclusive) in each year.

³ Copies of Form FD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington, D. C.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated, by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 43-14620; Filed, September 7, 1943;
10:51 a. m.]

[1943 Dept. Circ. 720]

2 PERCENT TREASURY BONDS OF 1951-53

SEPTEMBER 9, 1943.

I. OFFERING OF BONDS

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 2 percent Treasury Bonds of 1951-53. These bonds will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits. The amount of the offering is not specifically limited.

II. DESCRIPTION OF BONDS

1. The bonds will be dated September 15, 1943, and will bear interest from that date at the rate of 2 percent per annum, payable semiannually on March 15 and September 15 in each year until the principal amount becomes payable. They will mature September 15, 1953, but may be redeemed at the option of the United States on and after September 15, 1951, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys. They will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. An offering of securities of identical or similar tenor to those offered by this circular will be made for the exclusive subscription of commercial banks shortly after the conclusion of this offering. Until such offering has been made and the books thereon closed, or until ten days after the subscription books close on this offering, whichever is earlier, commercial banks are requested not to purchase and subscribers are requested not to trade in the securities offered by this circular. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Subscriptions must be accompanied by payment in full for the amount of bonds applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. PAYMENT

1. Payment at par and accrued interest, if any, for bonds allotted hereunder must be made on or before September 15, 1943, or on later allotment: *Provided, however,* That bonds allotted to life insurance companies may be paid for, in whole or in part, at par and accrued interest, at any time or times not later than November 1, 1943. One day's accrued interest is \$0.055 per \$1,000. Any qualified depository will be permitted to make payment by credit for bonds allotted to its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary

of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 43-14621; Filed, September 7, 1943;
10:51 a. m.]

[1943 Dept. Circ. 721]

**7/8 PERCENT TREASURY CERTIFICATES OF
INDEBTEDNESS OF SERIES E-1944**

SEPTEMBER 9, 1943.

I. OFFERING OF CERTIFICATES

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for certificates of indebtedness of the United States, designated 7/8 percent Treasury Certificates of Indebtedness of Series E-1944. These certificates will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits. The amount of the offering is not specifically limited.

II. DESCRIPTION OF CERTIFICATES

1. The certificates will be dated September 15, 1943, and will bear interest from that date at the rate of 7/8 percent per annum, payable on a semiannual basis on March 1 and September 1, 1944. They will mature September 1, 1944, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches, and at the Treasury Department, Washington. An offering of securities of identical or similar tenor to those offered by this circular will be made for the exclusive subscription of commercial banks shortly after the conclusion of this offering. Until such offering has been made and the books thereon closed, or until ten days after the subscription books close on this offering, whichever is earlier, commercial banks are requested not to purchase and subscribers are requested not to trade in the securities offered by this circular. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Subscriptions must be accompanied by payment in full for the amount of certificates applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. PAYMENT

1. Payment at par and accrued interest, if any, for certificates allotted hereunder must be made on or before September 15, 1943, or on later allotment. One day's accrued interest is \$0.024 per \$1,000. Any qualified depository will be permitted to make payment by credit for certificates allotted to its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definite certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 43-14622; Filed, September 7, 1943;
10:51 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 772]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 28, 1943.

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

Project designation:	Amount
Florida 4014E1 Clay.....	\$146,000
Iowa 4075A2 Montgomery.....	50,000
Minnesota 4015C2 Faribault.....	10,000
Texas 4096C3 Victoria.....	20,000
Texas 4099B2 Jones.....	10,000
Washington 4030B3 Stevens.....	18,000

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 43-14640; Filed, September 7, 1943;
11:12 a. m.]

[Administrative Order 773]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 30, 1943.

I hereby amend: Administrative Order No. 761, dated June 8, 1943, by changing the project designation therein given as "Oklahoma 3028B1 Pawnee" in the amount of \$552,000 to read "Oklahoma 3028B1 Pawnee" in the amount of \$440,000 and "Oklahoma 3028GT1 Pawnee" in the amount of \$112,000.

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 43-14641; Filed, September 7, 1943;
11:12 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 214]

**METAL ORE, COAL, PETROLEUM, AND
NATURAL GAS EXTRACTION INDUSTRIES**

APPOINTMENT OF INDUSTRY COMMITTEE

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor, do hereby appoint and convene for the Metal Ore, Coal, Petroleum, and Natural Gas Extraction Industries (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

FOR THE PUBLIC

Royal E. Montgomery, Chairman, Ithaca, New York.
Harold E. Fey, Chicago, Illinois.
Paul F. Gemmill, Philadelphia, Pennsylvania.

Robert D. Gray, Pasadena, California.
Maurice Merrill, Norman, Oklahoma.
George W. Stocking, Austin, Texas.

FOR THE EMPLOYERS

J. M. Banks, Los Angeles, California.
Max H. Barber, Cleveland, Ohio.
W. C. Broadgate, Prescott, Arizona.
Charles P. McGaha, Wichita Falls, Texas.
M. L. Garvey, McComas, West Virginia.
William W. Inglis, Scranton, Pennsylvania.

FOR THE EMPLOYEES

Charles H. Fell, Washington, D. C.
Joseph E. Kelahan, Alton, Illinois.
Thomas Murray, Anaconda, Montana.
Lester Thomas, Wilkes-Barre, Pennsylvania.
Lloyd A. Thrush, Springfield, Illinois.
Homer Wilson, Strawberry Plains, Tennessee.

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

2. For the purpose of this order the term "Metal Ore, Coal, Petroleum, and Natural Gas Extraction Industries" means:

The production, including mining or other extraction, of metal ores, coal, lignite, peat, crude petroleum, and natural gases.

a. It includes, but without limitations, the dressing, beneficiating, and concentrating of metal ores and the breaking, washing, screening, pulverizing or drying of coal, lignite or peat.

b. *Provided, however,* That the definition shall not include any product or operation included in the Metal, Plastics, Machinery, Instrument, and Allied Industries (as defined in the wage order for that industry); or in the Stone, Clay, Glass, and Allied Industries or the Chemical, Petroleum and Coal Products, and Allied Manufacturing Industries (as defined in Administrative Orders Nos. 192 and 193 respectively).

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

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

through the Administrator or through the chairman of the committee.

5. The industry committee herein created shall meet at 10:00 a. m. on September 28, 1943 in Room 1001, 165 West 46th Street, New York, New York, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who, within the meaning of said Act, are, "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at New York, New York, this 31st day of August 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-14655; Filed, September 7, 1943; 11:54 a. m.]

of 480 hours at 30 cents per hour; effective September 7, 1943, expiring March 7, 1944.

Pate Publishing Company, 102 West Poplar Street, Rogers, Arkansas; Printing & Publishing; 1 learner (T); Linotype Operator for a learning period of 480 hours at 30 cents per hour; effective September 2, 1943, expiring March 2, 1944.

Sentinel, 13 South Main Street, Webb City, Missouri; Printing and Publishing; 1 learner (T); Linotype Operator for a learning period of 480 hours at 30 cents per hour; effective September 6, 1943, expiring March 6, 1944.

Waverly Publishing Company, Waverly, Iowa; Printing and Publishing; 2 learners (T); Printing for a learning period of 480 hours at 30 cents per hour; effective September 2, 1943, expiring March 2, 1944.

Signed at New York, N. Y., this 4th day of September 1943.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 43-14657; Filed, September 7, 1943; 11:54 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 23, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3743), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3932), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 23, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the dates specified in each item listed below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificates. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Carthage Press Publishing Company, 119-123 W. 4th Street, Carthage, Missouri; Printing and Publishing; 1 learner (T); Pressman for a learning period of 480 hours at 30 cents per hour; effective August 26, 1943, expiring February 25, 1944.

The Caxton Printers, Ltd., 312-316 Main Street, Caldwell, Idaho; Printing and Publishing; 2 learners (T); Printer for a learning period of 480 hours at 30 cents per hour; effective September 2, 1943, expiring March 2, 1944.

Nowata Daily Star, 114 North Maple Street, Nowata, Oklahoma; Printing and Publishing; 1 learner (T); Printer for a learning period

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Apparel Industry

Looper's Incorporated, 651 S. McCamy Street, Dalton, Georgia; Cotton chenille robes; 30 learners (E); Chenille Operating (except cutting) for a learning period of 240 hours at 35 cents per hour; effective September 3, 1943, expiring March 2, 1944.

Single Pants, Shirts, and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry.

Beauty Brassiere Company, 227 High Street, Newark, New Jersey; Brassieres; 3 learners (T); effective August 31, 1943, expiring August 30, 1944.

Carbondale Children's Dress Company, Seventh Avenue and Mill Street, Carbondale, Pennsylvania; Children's dresses; 10 percent (T); effective September 2, 1943, expiring September 1, 1944.

Industrial Undergarment Corporation, 340 Mill Street, Poughkeepsie, New York; Ladies' underwear; 10 percent (T); effective August 31, 1943, expiring August 31, 1944.

Levi-Ottenheimer Company, 1409 East Monument Street, Baltimore, Maryland; Misses' play wear, girls' gymnasium and camp apparel; 4 learners (T); effective September 2, 1943, expiring September 1, 1944.

Model Shirt Company, 549 River Street, Troy, New York; Boys' dress shirts and sport shirts; 6 percent (T); effective September 1, 1943, expiring August 31, 1944.

Racine Shirt Company, Incorporated, Greensburg, Indiana; Work shirts, mackinaw coats; 10 percent (T); effective August 31, 1943, expiring August 30, 1944.

Reliance Manufacturing Company, Mobile and Grady Streets, Montgomery, Alabama; Cotton work shirts, Navy chambray shirts; 10 percent (T); effective September 11, 1943, expiring September 10, 1944.

Rocket Manufacturing Company, 1211-13 West Markham Street, Little Rock, Arkansas; Women's, misses', children's dresses, smocks, blouses, overalls, work clothing, etc.; 50 learners (E); effective August 31, 1943, expiring December 31, 1943.

Saul Manufacturing Company, 127 South Market Street, Chicago, Illinois; Ladies' blouses, sportswear, slacks and slack suits, and skirts; 10 learners (T); effective September 1, 1943, expiring September 1, 1944.

Washington Manufacturing Company, Huntington, West Virginia; U. S. Army wool work trousers; 35 learners (E); effective September 3, 1943, expiring March 2, 1944.

Willards Shirt Company, Willards, Maryland; Cotton work shirts; 10 percent (T); effective September 23, 1943, expiring September 22, 1944.

Glove Industry

Hansen Glove Corporation, Plant #3, Kewaunee, Wisconsin; Knit fabric gloves; 50 learners (E); effective September 6, 1943, expiring February 22, 1944. (This certificate

replaces the one previously issued, effective August 23, 1943 and expiring February 22, 1944.)

Hostery Industry

Koonts Hosiery Mill, Route #3, Lexington, North Carolina; Seamless hosiery; 5 learners (T); effective September 3, 1943, expiring September 2, 1944.

Textile Industry

Opp Cotton Mills, Incorporated, Opp, Alabama; Sheetings for bag cloths and food containers; 5 percent (A. T.); effective September 8, 1943, expiring September 7, 1944. (This certificate replaces the one previously issued for three percent, effective September 8, 1943 and expiring September 7, 1944.)

Signed at New York, N. Y., this 4th day of September 1943.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 43-14656; Filed, September 7, 1943; 11:54 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket Nos. 6335, 6539]

PRESS WIRELESS, INC.

NOTICE OF HEARING, ETC.

In the matter of investigation of rates of Press Wireless, Inc.; Docket No. 6335, for ordinary press service between the United States and China.

In the matter of Press Wireless, Inc.; Docket No. 6539, rates and charges for communication services.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 31st day of August, 1943;

The Commission, having under consideration its Proposed Report of June 22, 1943, in Docket No. 6335 (T-28), the exceptions thereto filed by the respondent, Press Wireless, Inc., and the high ratio of operating income to net book cost of plant and equipment based on the current earnings reported to the Commission by Press Wireless, as shown in Table A attached¹ to this order; and

It appearing that in view of such high rate of earnings, the rates and charges of Press Wireless, Inc. may be so high as to be unjust and unreasonable;

It further appearing that the record in Docket No. 6335 should be reopened for the taking of further evidence with respect to the rates and charges for service between the United States and China;

It is ordered, That an investigation be, and the same is hereby, instituted into the rates, charges, classifications, practices and regulations for and in connection with communication services furnished by Press Wireless, Inc.;

It is further ordered, That Press Wireless, Inc. be, and it is hereby, made respondent to this proceeding, and said respondent shall appear and show cause, under oath, why, upon the basis of the data set forth in Table A attached hereto, (1) the Commission should not find that the existing rates and charges of

Press Wireless, Inc. for and in connection with communication services are or will be unjust and unreasonable; and (2) an interim reduction should not be ordered to be made, pending conclusion of the proceedings of investigation;

It is further ordered, That said respondent shall file with this Commission, on or before the 20th day of September, 1943, its answer to the above paragraphs of this order, verified by the person or persons having personal knowledge of the facts alleged therein;

It is further ordered, That the oral argument scheduled in Docket No. 6335 for September 8, 1943, be, and it is hereby, cancelled;

It is further ordered, That the record in Docket No. 6335 be, and it is hereby, reopened for the taking of further evidence concerning the communication service of Press Wireless, Inc. between the United States and China;

It is further ordered, That a hearing with respect to the matters covered by this order, including the taking of further evidence in Docket No. 6335, shall be held beginning at 10:00 a. m. on the 20th day of October, 1943, at the offices of the Commission in Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-14595; Filed, September 6, 1943; 4:09 p. m.]

[Docket No. 6540]

VILLAGE OF WILLOUGHBY, OHIO

NOTICE OF HEARING, ETC.

In re application of Village of Willoughby, Ohio, dated June 14, 1943, for construction permit; class of service, emergency; class of station, municipal police; location, 2 portable-mobile; operating assignment specified: Frequency, 31,500 kc; power, 15 watts; emission, A3; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. Whether or not operation of the proposed stations would serve an essential military need, or a vital public need which cannot otherwise be met; and

2. Whether, in the light of the evidence adduced on the foregoing issue, public interest, convenience or necessity would be served by granting the application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102

¹ Filed as a part of the original document.

of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Village of Willoughby, Ohio, Attention: J. G. Billson, Chief of Police, 9 Second Street, Willoughby, Ohio.

Dated at Washington, D. C., September 3, 1943.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-14596; Filed, September 6, 1943; 4:09 p. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-460 and G-461]

CABOT GAS CORPORATION and GODFREY L. CABOT, INC.

NOTICE OF SUPPLEMENTAL APPLICATION

SEPTEMBER 6, 1943.

On June 14, 1943, Cabot Gas Corporation filed with the Federal Power Commission an application seeking an interim order under section 7 (b) of the Natural Gas Act, immediately authorizing applicant to abandon and remove 19.48 miles of 14-inch pipe line between Perry and the Monroe County line, in the State of New York. This application supplements the application filed by Cabot Gas Corporation April 2, 1943, in the above-entitled matters, seeking authority to abandon service entirely from its 14-inch line to customers in New York State and to abandon the transportation of gas through such line for ultimate redelivery to Godfrey L. Cabot, Inc.

The application states that the only wholesale deliveries made from the 19.48-mile line are to Pavilion Natural Gas Company in the Town of York, and that if the line is removed necessary deliveries to Pavilion Natural Gas Company can be made at Perry Center. Certain deliveries are also made from this line to nine domestic customers located in the towns of Perry and Covington, in Wyoming County, and in the towns of York and Caledonia, in Livingston County. The application further states that the 19.48-mile line is presently serving no useful purpose in the war effort and could be used more efficiently elsewhere by other subsidiaries of Godfrey L. Cabot, Inc.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 20th day of September 1943; file with the Federal Power Commission a petition or protest in accordance with the Rules of Practice and Regulations of the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-14618; Filed, September 7, 1943; 10:33 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Amendment of Vesting Order 278]

Y. I. KATO

Re: Real property in Hominy, Oklahoma, and a bank account in the First National Bank in Hominy, Hominy, Oklahoma, owned by Y. I. Kato.

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

1. That the last known address of Y. I. Kato is Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Y. I. Kato is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. Lot Eighteen (18) in Block Twenty-two (22) in the City of Hominy, Osage County, Oklahoma, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title, interest and claim of any name or nature whatsoever of Y. I. Kato in and to all indebtedness, contingent or otherwise and whether or not matured, owing to him by the First National Bank in Hominy, Hominy, Oklahoma, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to enforce and collect such indebtedness, and including particularly the checking account at the aforesaid First National Bank in Hominy, Hominy, Oklahoma, which is carried in the name of Y. I. Kato,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a above) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such prop-

erty or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 3, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-14625; Filed, September 7, 1943; 10:57 a. m.]

[Amendment of Vesting Order 333]

MARIE STINGL

Re: Real property in Closter, New Jersey, and bank account, owned by Marie Stingl.

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

1. That the last known address of Marie Stingl is Munich, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Marie Stingl is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. Real property situated in Closter, New Jersey, known as 82 Everett Street, particularly described as follows: Beginning at a point in the westerly line of a street fifty feet (50 feet) wide, known as Everett Street, distant four hundred and fifty-four feet and twenty-nine hundredths of a foot (454.29) southerly along the same from the southerly line of Durie Avenue. The westerly line of said Everett Street being parallel with and distant three hundred feet (300) easterly at right angles from the easterly line of Columbus Avenue (otherwise known as Love Lane) and running from thence (1) southerly along said westerly line of Everett Street fifty feet (50); thence (2) westerly at right angles with said street one hundred and fifty feet (150); thence (3) northerly and parallel with the first course fifty feet (50); thence easterly and parallel with the second course one hundred and fifty feet (150) to the point or place of beginning. Being known and designated as lots numbers sixty-six (66) and sixty-seven (67) on a map entitled "Map of Property of Everett Realty Company, Closter Borough, New Jersey," made by H. C. Eckerson, E. M. April 1903, a copy of which map is filed in the office of the North Jersey Title Insurance Company, at Hackensack, New Jersey, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payment arising from the ownership of such property.

b. All right, title, interest and claim of any name or nature whatsoever of said Marie Stingl, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to her by the Prudential Savings Bank, Brooklyn, New York, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to enforce and collect such indebtedness, and including particularly the bank account at the aforesaid Prudential Savings Bank, Brooklyn, New York, which is carried in the name of Marie Stingl and Edward Stingl, as joint tenants,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 3, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-14626; Filed, September 7, 1943; 10:57 a. m.]

[Amendment of Vesting Order 598]

KATHERINE KEIM, ET AL.

Re: Real property in Rochester, New York, certain mortgages covering real property in Rochester, New York, a rent account and certain fire insurance policies owned by certain German nationals.

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

1. That the persons whose names and last known addresses are as set forth in Exhibit A attached hereto and by reference made a part hereof, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the persons whose names and last known addresses are as set forth in Exhibit A attached hereto and by reference made a part hereof, are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

(a) Real property situated in the City of Rochester, County of Monroe, State of New York, known as 43-45 Raines Park and particularly described as follows:

Lot Number One Hundred Eighty-Six (186) and the south half of Lot Number One Hundred Eighty-Four (184) of the Selye Subdivision of a part of Lake View Park Tract, as shown on a map of said subdivision and filed in Monroe County Clerk's Office in Liber 9 of Maps, at page 3; said premises being Sixty (60) feet front on the west side of Raines Park and extending back of equal width One Hundred and Two (102) feet;

together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

(b) A certain mortgage executed by Kazimierz Czepiel and Balbina Czepiel and assigned to the persons whose names are set forth in Exhibit A attached hereto and by reference made a part hereof, on May 26, 1938 and on June 22, 1938, which assignments were recorded in the Office of the Clerk of Monroe County, New York, in Liber 239 of Assignments of Mortgages, Page 391, and in Liber 240 of Assignments of Mortgages, Page 383, respectively, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations and the right to the possession of any and all notes, bonds, or other instruments evidencing such obligations;

(c) A certain mortgage executed by Joseph L. Guzzetta and Mildred A. Guzzetta and assigned to the persons whose names are set forth in Exhibit A attached hereto and by reference made a part hereof, on May 26, 1938 and on June 22, 1938, which assignments were recorded in the Office of the Clerk of Monroe County, New York, in Liber 239 of Assignments of Mortgages, Page 393, and in Liber 240 of Assignments of Mortgages, Page 385, respectively, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to the possession of any and all notes, bonds, or other instruments evidencing such obligations;

(d) All right, title, interest and claim of the persons whose names are set forth in Exhibit A attached hereto and by reference made a part hereof, or any one of them, in and to a certain account of rents due

and owing on the real property situated at 43-45 Raines Park, Rochester, New York, including but not limited to all security rights in and to any and all collateral for all or part of such obligations and the right to enforce and collect the same;

(e) All right, title and interest of the persons whose names are set forth in Exhibit A attached hereto and made a part hereof, or any one of them, in and to the following insurance policies:

(i) A fire insurance policy issued by Home Insurance Company of New York, which provides insurance coverage on the premises known as 584 Hudson Avenue, Rochester, New York;

(ii) A fire insurance policy issued by Pearl Insurance Company, Ltd., which policy provides insurance coverage on the premises known as 598 Seneca Parkway, Rochester, New York;

(iii) A fire insurance policy issued by Law Union & Rock Insurance Company, which policy provides insurance coverage on the premises known as 598 Seneca Parkway, Rochester, New York.

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

Determining that the property described in subparagraphs 3 (d) and 3 (e) hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3 (a), 3 (b) and 3 (c) hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

Hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all of such actions.

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

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on September 3, 1943.

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

EXHIBIT A

Name and Residence

Katherine Keim, Waltersbreuck, near Zimmersell, Germany.

Karl Wassmuth, Dorheim, District of Fritzlar, Germany.

Elise Roese, Grossengils, near Borken, Hessen, Germany.

August Wassmuth, Kassel, Germany.

Hans Wassmuth, Kassel, Germany.

Anna Rosentraeger, Kassel, Germany.

Justus Wassmuth, Friedberg, Hessen, Germany.

Heinz Kolkmann, Muelheim on the Ruhr, Germany.

[F. R. Doc. 43-14627; Filed, September 7, 1943; 10:57 a. m.]

[Amendment of Vesting Order 719]

L. ZULEIKHA VON VIETINGHOFF

Re: Certain real properties in Illinois, together with a bank account, owned by L. Zuleikha von Vietinghoff.

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

1. Finding that the last known address of L. Zuleikha von Vietinghoff is at 10-A Corneliussstrasse, Berlin, Germany, and that she is a national of a designated enemy country (Germany);

2. Finding that said L. Zuleikha von Vietinghoff is the owner of the real and personal property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. Real property, situated in Woodford County, Illinois, particularly described in Exhibit A attached hereto and made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents and refunds, benefits or other payments arising from the ownership of such property;

b. Real property, situated in Vermillion County, Illinois, particularly described in Exhibit B attached hereto and made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property; and

c. All right, title, interest and claim of any name or nature whatsoever of said L. Zuleikha von Vietinghoff in and to all obligations, contingent or otherwise and whether or not matured, owing to her by Continental Illinois National Bank and Trust Company, Chicago, Illinois, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations, and including particularly the account in said Continental Illinois National Bank and Trust Company carried in the name of Karl Gruenwald, Special Account,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-c hereof is necessary for

the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraphs 3-a and 3-b) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

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

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

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., September 3, 1943.

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

EXHIBIT A

The Southwest quarter (SW $\frac{1}{4}$) of section twenty-three (23) in township twenty-eight (28) North, Range two (2) East, excepting therefrom, however, one (1) acre in the southeast corner thereof, and excepting therefrom, also a tract in the northeast corner thereof seventy-five feet wide by six hundred and eighty feet long, and excepting and reserving, also, in the event the same have been severed from the fee of said premises, and in that event only, the underlying coal, minerals and mining rights;

also, the south seventy-seven and seventy-three hundredths acres (S77 $\frac{3}{100}$ A.) of the west one-half of the southeast quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$) of said Section twenty-three (23) aforesaid, excepting and reserving in the

event the same has been severed from the fee of said last mentioned premises, and in that event only, the underlying coal, minerals and mining rights;

all the premises above mentioned, containing 236.56 acres, more or less, situated in the County of Woodford, and State of Illinois.

EXHIBIT B

The East half (E $\frac{1}{2}$) of section Six (6) and the East half (E $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said section Six (6), all in Township Twenty-three (23) North, Range Thirteen (13) West of the Second Principal Meridian, containing Four Hundred Five (405) acres more or less, situated in the County of Vermillion and State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

[F. R. Doc. 43-14623; Filed, September 7, 1943; 10:57 a. m.]

[Amendment of Vesting Order 816]

EMILIE ALTENBACH AND MARGOT
BUCHMULLER

Re: Certain real property in California, together with a bank account, owned by Emilie Altenbach and Margot Buchmuller.

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

1. That the last known addresses of Emilie Altenbach and Margot Buchmuller are 12 and 14 Beethoven Strasse, Dusseldorf, Germany, respectively, and they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Emilie Altenbach and Margot Buchmuller are the owners of the real and personal property described in subparagraph 3 hereof;

3. That the property described as follows:
a. Real property situated at 8613-8615 South Broadway, Los Angeles, California, particularly described as Lot 4, Scovill's Moneta Avenue Tract, as per map, recorded in Book 8, at page 69 of Maps, records of Los Angeles County, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of Emilie Altenbach and Margot Buchmuller, and each of them, in and to a certain bank account in the Security-First National Bank of Los Angeles, Los Angeles, California, which is due and owing to and held for and in the name of T. L. Milburn, agent for Emilie Altenbach and Margot Buchmuller, including but not limited to all security rights in and to any and all claims for such account or portion thereof, and the right to enforce and collect same;

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such nationals are persons not within a

designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 3, 1943.

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

[F. R. Doc. 43-14629; Filed, September 7, 1943;
10:58 a. m.]

[Vesting Order 2056]

ESTATE OF PAUL BOTTENWIESER

In re: Estate of Paul Bottenwieser, deceased; File No. D-28-1874; E. T. sec. 1643.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Fifth Avenue Bank of New York, Jacques Mayer and Joseph S. Buhler, Co-executors, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of

a designated enemy country, Germany, namely,

National and Last Known Address

Lina Graessle, Germany.

And determining that—

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

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

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

All right, title, interest and claim of any kind or character whatsoever of Lina Graessle, in and to the Estate of Paul Bottenwieser, deceased,

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

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

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

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

Dated: September 1, 1943.

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

[F. R. Doc. 43-14630; Filed, September 7, 1943;
10:58 a. m.]

[Vesting Order 2057]

ESTATE OF FLORA BRUCKNER

In re: Estate of Flora Bruckner, deceased; File D-28-2143; E. T. sec. 2598.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Trust Company of Georgia, Administrator, acting under the judicial supervision of the Ordinary Court

in and for the County of Fulton, State of Georgia;

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

Nationals and Last Known Address

Selma Wilhelmine Wolf, Germany.
Martha Augusta Bruckner, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

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

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

All right, title, interest, and claim of any kind or character whatsoever of Selma Wilhelmine Wolf and Martha Augusta Bruckner, and each of them, in and to the Estate of Flora Bruckner, deceased,

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

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

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

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

Dated: September 1, 1943.

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

[F. R. Doc. 43-14631; Filed, September 7, 1943;
10:58 a. m.]

[Vesting Order No. 2058]

ESTATE OF FRANK CARDAMONE

In re: Estate of Frank Cardamone, also known as Francesco Cardamone, deceased; File D-38-1128; E. T. sec. 2640.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Union National Bank, Custodian, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

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

Nationals and Last Known Address

Antonio Cardamone, Italy.
Carmela Cardamone Lundini, Italy.
Petro Cardamone, Italy.
Santo Cardamone, Italy.

And determining that—

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

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

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

All right, title, interest, and claim of any kind or character whatsoever of Antonio Cardamone, Carmela Cardamone Lundini, Petro Cardamone, and Santo Cardamone, and each of them, in and to the Estate of Frank Cardamone, also known as Francesco Cardamone, deceased,

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

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

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

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

Dated: September 1, 1943.

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

[F. R. Doc. 43-14632; Filed, September 7, 1943;
10:58 a. m.]

[Vesting Order 2059]

ESTATE OF MAXIMILIAN HENKEL

In re: Estate of Maximilian Henkel, deceased; File D-28-3470; E. T. sec. 5445.

No. 178—6

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Public Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

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

Nationals and Last Known Address

Marie Henkel and her heirs and devisees (names unknown), Germany.
Herbert Henkel and his heirs and devisees (names unknown), Germany.

The heirs and devisees (names unknown) of Maximilian Henkel, who died a resident of Germany, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

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

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

All right, title, interest and claim of any kind or character whatsoever of Marie Henkel and her heirs and devisees (names unknown), Herbert Henkel and his heirs and devisees (names unknown) and the heirs and devisees (names unknown) of Maximilian Henkel, who died a resident of Germany, and each of them in and to the Estate of Maximilian Henkel, deceased,

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

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

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

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of said Executive Order.

Dated: September 1, 1943.

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

[F. R. Doc. 43-14633; Filed, September 7, 1943;
10:59 a. m.]

[Vesting Order 2060]

ESTATE OF HENRIETTA HENRY

In re: Trust under will of Henrietta Henry, deceased; File No. D-9-100-28-2558; E. T. sec. 4818.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Anna von der Osten, New York City, New York, Executrix and Trustee, acting under the judicial supervision of the Surrogate's Court of the County of Kings, New York;

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

Nationals and Last Known Address

Elizabeth Stueven, Germany.
Claus Rudolph Stueven, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

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

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

All right, title, interest and claim of any kind or character whatsoever of Elizabeth Stueven and Claus Rudolph Stueven, and each of them, in and to a trust created under the will of Henrietta Henry, deceased,

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

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

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

may be allowed by the Alien Property Custodian.

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

Dated: September 1, 1943.

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

[F. R. Doc. 43-14634; Filed, September 7, 1943;
10:59 a. m.]

[Vesting Order 2061]

ESTATE OF GEORGE JAEGER

In re: Estate of George Jaeger, deceased; File D-28-4049; E. T. sec. 6945.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Friedrich Jaeger, Executor, acting under the judicial supervision of the District Court of the United States for the District of Columbia;

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

Nationals and last known addresses

Ernst J. Jaeger, Germany.
Adolph Jaeger, Germany.
Dora Krause, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

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

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

All right, title, interest, and claim of any kind or character whatsoever of Ernst J. Jaeger, Adolph Jaeger and Dora Krause, and each of them, in and to the Estate of George Jaeger, deceased,

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

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with

a request for a hearing thereon, on Form APC-1; within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

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

Dated: September 1, 1943.

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

[F. R. Doc. 43-14635; Filed, September 7, 1943;
10:59 a. m.]

[Vesting Order 2062]

ESTATE OF FRIEDERICKE JUNG

In re: Estate of Friedericke Jung, also known as Friedericka Jung, also known as Friederike Jung, deceased; File F-28-11552; E. T. sec. 6259.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by H. A. Gebhardt, Administrator with the Will Annexed, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

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

Nationals and last known addresses

Friedrich Jung, Germany.
Ernst Jung, Germany.
Marta Jung, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

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

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

All right, title, interest and claim of any kind or character whatsoever of Friedrich Jung, Ernst Jung and Marta Jung, and each of them, in and to the estate of Friedericke Jung, also known as Friedericka Jung, also known as Friederike Jung, deceased.

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

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

be made or such compensation should be paid.

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

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

Dated: September 1, 1943.

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

[F. R. Doc. 43-14636; Filed, September 7, 1943;
10:59 a. m.]

[Vesting Order 2063]

ESTATE OF ELSIE MARIE KIESEWETTER

In re: Estate of Elsie Marie Kiesewetter deceased; File D-28-4152; E. T. sec. 7153.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frank Kiesewetter, Executor, acting under the judicial supervision of the Orphans' Court of Blair County, Pennsylvania;

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

National and last known address

Louise Bradtke, Germany.

And determining that—

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

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

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

All right, title, interest, and claim of any kind or character whatsoever of Louise Bradtke in and to the estate of Elsie Marie Kiesewetter, deceased.

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

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

should be determined that such return should be made or such compensation should be paid.

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

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

Dated: September 1, 1943.

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

[F. R. Doc. 43-14637; Filed, September 7, 1943;
10:59 a. m.]

[Vesting Order 2064]

**MORTGAGE PARTICIPATION CERTIFICATES FOR
ANNA WERPUPP LINGEN**

In re: Mortgage Participation Certificates for Anna Werpupp Lingen; File F-28-12996; E. T. sec. 3992.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Fidelity Union Trust Company, Trustee, acting under the judicial supervision of the Court of Chancery of New Jersey, Trenton, New Jersey;

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

National and Last Known Address

Anna Werpupp Lingen, Bismark Street, Weida Thuringe, Germany.

And determining that—

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

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

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

All right, title, interest and claim of any kind or character whatsoever of Anna Werpupp Lingen in and to Mortgage Trust Participation Certificates Nos. 76467, 64759 and 82774, issued by the Fidelity Union Title and Mortgage Guaranty Company, a corporation of the State of New Jersey, in liquidation under the Mortgage Guaranty Corporations Rehabilitation Act,

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

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts,

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

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

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

Dated: September 1, 1943.

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

[F. R. Doc. 43-14638; Filed, September 7, 1943;
11:00 a. m.]

[Vesting Order 2065]

ESTATE OF MATHILDE PADTKE LONG

In re: Estate of Mathilde Padtke Long, deceased; File D-28-2539; E. T. sec. 4688.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Helen J. Eads, Clerk, acting under the judicial supervision of the Superior Court of the State of Washington for Jefferson County;

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

National and last known address

Emil Padtke, Germany.

And determining that—

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

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

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

All right, title, interest, and claim of any kind or character whatsoever of Emil Padtke in and to the Estate of Mathilde Padtke Long, deceased,

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

Such property, and any or all of the proceeds thereof, shall be held in an ap-

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

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

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

Dated: September 1, 1943.

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

[F. R. Doc. 43-14639; Filed, September 7, 1943;
11:00 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev.-63]

GLENDENNING MOTORWAYS, INC. AND RAYMOND BROS. MOTOR TRANSPORTATION, INC.

COORDINATED OPERATIONS BETWEEN MINNEAPOLIS AND ST. PAUL, MINNESOTA, AND FARGO, NORTH DAKOTA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Glendenning Motorways, Inc., and Raymond Bros. Motor Transportation, Inc., pursuant to § 501.9 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6639, 7694; 8 F.R. 4660), a copy of which plan is attached hereto as Appendix 1² and

It appearing that the carriers propose by the plan to coordinate their operations as common carriers of property by motor vehicle between Minneapolis and St. Paul, Minnesota, and Fargo, North Dakota, by suspending the transportation of certain shipments and by diverting traffic in such way as to produce increased lading and more efficient utilization of motor vehicles, and

It further appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That*

1. The plan for joint action above referred to is hereby approved, and the car-

² Filed as part of the original document.

riers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Shipments diverted in execution of the plan shall be transported pursuant to the lawfully applicable rates, charges, rules, and regulations of the diverting carrier.

4. The provisions of this order shall not be so construed or applied as to require either carrier named herein to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit either carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier named herein, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-63" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective September 11, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as

the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 7th day of September 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-14654; Filed, September 7, 1943;
11:31 a. m.]

[Supp. Order ODT 3, Rev. 62]

LOGUE TRUCK LINES AND VINCENT TRUCK LINES

COORDINATED OPERATIONS BETWEEN MEDICINE LODGE AND SUN CITY, KANSAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Carl Logue, doing business as Logue Truck Lines, and Edwin L. Vincent, doing business as The Vincent Truck Lines, both of Wichita, Kansas, pursuant to § 501.9 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660), a copy of which plan is attached hereto as Appendix 1¹ and

It appearing that the carriers propose by the plan to coordinate their operations as common carriers of property by motor vehicle between Medicine Lodge and Sun City, Kansas, and the intermediate point of Lake City, Kansas, by suspending the transportation of certain shipments and by diverting traffic in such way as to produce increased lading and more efficient utilization of motor vehicles, and

It further appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

¹ Filed as part of the original document.

3. Shipments diverted in execution of the plan shall be transported pursuant to the lawfully applicable rates, charges, rules, and regulations of the diverting carrier.

4. The provisions of this order shall not be so construed or applied as to require either carrier named herein to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit either carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier named herein, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carrier pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-62" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective September 11, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 7th day of September 1943.

JOSEPH B. EASTMAN,
Director.

[F.R. Doc. 43-14653; Filed, September 7, 1943;
11:31 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 306, Order 4]

CALIFORNIA TOMATO JUICE CANNERS

ADJUSTMENT OF PRICES

Order No. 4 under MPR 306—Certain Packed Food Products.

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1341.566, *It is ordered*:

(a) Canners located in the state of California are authorized to sell and de-

liver canned tomato juice of the 1943 pack to government procurement agencies under an agreement with the buyer in each case to adjust the selling price to conform with maximum prices to be established in Maximum Price Regulation No. 306 after delivery thereof.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 4, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of September 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-14545; Filed, September 4, 1943; 4:38 p. m.]

[Order 630 Under MPR 188]

BAILEY LUMBER CO., ET AL.

APPROVAL OF MAXIMUM PRICES

Order No. 630 under § 1499.158 of Maximum Price Regulation No. 188—

Manufacturer	Model designation	Manufacturer's ceiling price	Wholesale ceiling price	Retail price to consumers
Bailey Lumber Co., Bluefield, W. Va.	B-1-S	\$24.07	\$31.22	\$42.95
Peirce Phelps, Inc., Philadelphia, Pa.	PD-24	31.33	33.34	62.95
Tenn. Valley Associates, Nashville, Tenn.	Top line	23.07	37.47	49.95
Stewart-Warner Corp., Chicago, Ill.	443-A	44.07	49.22	89.95
General Electric Co., Chicago, Ill.	FM8D11	22.04	28.09	44.95
Houston Ready-Cut House, Houston, Texas.	D-43	24.07	31.22	49.95
Climax Machinery Co., Indianapolis, Ind.	Sears	33.09	Sold to Sears only	49.50
Metropolitan Device Corp., Brooklyn, New York.	Murray	20.25	32.81	62.50

(1) The price listed for each manufacturer in the above table is the ceiling price for all sales by the named manufacturer. That price is f. o. b. factory.

(2) The price listed under "Wholesale ceiling price" is the ceiling price for all sales at wholesale. That price is f. o. b. the wholesaler's city.

(3) The price listed under "Retail price to consumers" is the ceiling price for sales at retail. No amount may be added to the ceiling price if the retailer delivers the dehydrator, but the retailer may arrange for delivery by a common carrier at the customer's expense, or the customer himself may arrange for delivery.

(b) To every dehydrator shipped to a purchaser the manufacturer shall attach a tag or label on the main door which plainly states the retail ceiling price and the model number together with the words "selling price" followed by a blank space. A tag in the following form on a dehydrator sold by the Bailey Lumber Company would be sufficient:

Model B-1-S
Retail Ceiling Price..... \$49.95
Selling Price.....

The tag or label shall not be detached until the dehydrator has been delivered to the consumer.

(c) Credit charges for the extension of credit may be added to the retail ceiling prices established by this order only to the extent permitted by this paragraph.

Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales of mechanical domestic food dehydrators by manufacturers, by jobbers, and by retailers.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250, and 9328; *It is hereby ordered:*

(a) This Order No. 630 fixes ceiling prices for sales by the manufacturer, by wholesalers, and by retailers of certain mechanical domestic food dehydrators. It applies only to the dehydrators which have been described in applications submitted by the several manufacturers to the Office of Price Administration. Listed below are the ceiling prices for sales by the manufacturers, for sales at wholesale, and for retail sales to consumers:

(d) At or before the time of the first delivery after the effective date of this order, each manufacturer shall notify in writing each wholesaler who buys from him of the maximum price fixed by this order for the resale of the dehydrator by the wholesaler to the retailer. This written notice may be given in any convenient form; for example, it may be shown on or attached to the invoice.

(e) At or before the time of the first delivery after the effective date of this order, each wholesaler shall notify in writing each retailer who buys from him of the maximum price fixed by this order for retail sales of the dehydrator, together with the retail delivery provisions of this order. This written notice may be given in any convenient form; for example, it may be written on or attached to the invoice. A notice in the following form would be sufficient.

The Office of Price Administration has fixed the retail ceiling price of the _____ dehydrator at \$_____, by Order No. _____ under Maximum Price Regulation No. 188. You may not add any charge if you deliver the dehydrator, but you may arrange for delivery by common carrier at the customer's expense, or the customer himself may arrange for delivery.

(f) No person shall sell or offer to sell any model of dehydrator covered by this order to a consumer unless a tag is attached which states the model number, the ceiling price and the selling price.

(g) The definitions of "sale at wholesale" and "sale at retail" contained in § 1499.20 of the General Maximum Price Regulation¹ are applicable to this order.

This Order No. 630 shall become effective September 4, 1943.

Issued this 4th day of September 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-14539; Filed, September 4, 1943; 4:32 p. m.]

[Order 29 Under MPR 53¹]

REFINED COTTONSEED OILS
ORDER GRANTING ADJUSTMENT

Requests for a change in the applicable maximum prices governing sales of refined cottonseed oils (Maximum Price Regulation No. 53, section 3.1 (b)) having been made, and it appearing that it is necessary, in order to promote distribution and production of refined cottonseed oils, that authorization be granted to use adjustable pricing pending action on these requests, and it further appearing that the granting of such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

Now therefore under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and in accordance with section 1.7

¹ 8 F.R. 3036, 3849, 4347, 4486, 4724, 4978, 4843, 6347, 6372, 8511, 8025, 8331, 11955.

² 8 F.R. 11150, 11503, 11236, 11739.

of Maximum Price Regulation No. 53: *It is hereby ordered:*

(a) All persons may sell, deliver, or agree to sell or deliver, and may buy, purchase, accept, and pay for, or agree to buy, purchase or accept, and pay for, refined cottonseed oils, maximum prices for which are established by section 3.1 (b) of Maximum Price Regulation No. 53, at prices that may be adjusted to the maximum prices to be established by the Office of Price Administration.

(b) Any charges made or collected, in the interval, in excess of the prices finally established by the Office of Price Administration, must be refunded within 30 days from the effective date of the establishment of such prices. If a change in such maximum prices is denied, any charges made or collected in excess of the present maximum prices must be refunded within 30 days of the date of denial.

(c) This order shall be revoked, and shall be of no further force and effect, upon final action by the Office of Price Administration establishing or denying the establishment of such changed maximum prices for refined cottonseed oils.

This order shall become effective September 8, 1943.

Issued this 7th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14658; Filed, September 7, 1943; 11:51 a. m.]

WAR FOOD ADMINISTRATION.

ADMINISTRATOR OR ALTERNATE ADMINISTRATOR OF FOOD DISTRIBUTION ORDER No. 72

DESIGNATION OF AUTHORITY WITH RESPECT TO IMPORTED SALTED FISH

Pursuant to the authority vested in me by Food Distribution Order No. 72, as amended (hereinafter referred to as the "order"), issued by the War Food Administrator on August 5, 1943 (8 F.R. 10970, 12256), and to effectuate the purposes of said order, the Administrator of said order or, in the absence of the Administrator or on account of the inability of the Administrator to act, the Alternate Administrator of said order is hereby authorized, subject to the supervision of the Chief of the Special Commodities Branch, Food Distribution Administration, War Food Administration:

(a) To determine, in accordance with the procedure and provisions set out in § 1465.23 (b) (2) and § 1465.23 (b) (3) of said order, each importer's quota for the importation of 1943 pack of the salted fish and to notify, in writing, each importer with respect to such importer's quota.

(b) To reallocate, as provided in § 1465.23 (c) of said order, the unused portion of any importer's quota not under contract on September 15, 1943, among other importers or other persons including, but not being limited to, the Food Distribution Administration or the Federal Surplus Commodities Corporation.

(c) To issue, in accordance with the provisions of § 1465.23 (d) of said order, certificates as agent of the Director.

Issued this 7th day of September 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-14652; Filed, September 7, 1943; 11:12 a. m.]

[Certificate A2]

WEST COAST CANE SUGAR PROGRAM OF COMMODITY CREDIT CORPORATION

SEPTEMBER 3, 1943.

The ATTORNEY GENERAL:

Pursuant to section 12 of Public Law 603, approved June 11, 1942, section 8 (f) of Executive Order 9280 of December 5, 1942, and Executive Order 9334 of April 19, 1943, I submit to you a West Coast Cane Sugar Program, to be carried out by Commodity Credit Corporation. This program and the Agreement offered in implementation thereof are more fully described in the annexed memorandum of Mr. J. B. Hutson, President, Commodity Credit Corporation, dated Sept. 3, 1943.

I hereby approve this program for the purposes of section 12 of Public Law 603, approved June 11, 1942, and, after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such program, is requisite to the prosecution of the war.

MARVIN JONES,
War Food Administrator.

1943 WEST COAST CANE SUGAR PROGRAM

War conditions have disrupted the orderly marine shipment of raw sugar originating in the Island Territories of the United States in the Pacific Ocean so that quantities which under peacetime conditions would have been transported by water to Gulf and Atlantic Coast points for refining and distribution in consuming areas adjacent thereto are now required to be refined by West Coast refiners. Ceiling prices on refined sugar at interior consuming markets are determined by reference to the ceiling price at the refining center nearest freightwise to the consuming market, plus freight to that market. Since some refiners are currently unable to serve particular markets normally served by them at the minimum of freight cost and since the West Coast cane sugar refiners are currently in a supply position to serve certain of these markets but only by absorbing the excess of freight cost involved, the War Food Administration has announced and will carry out through the Commodity Credit Corporation (hereinafter called "Commodity") a West Coast Cane Sugar Program, designed to enable West Coast refiners to distribute sugar, without incurring undue freight losses, to consumers in territories normally relying in large part on other refiners for supplies. This program has thus far involved the preparation and submission to the two West Coast cane sugar refiners of a West Coast Cane Refiner Agreement. Copies of this agreement are on file in and available for public inspection at the offices of Commodity.

The principal provisions of this agreement may be summarized as follows: Commodity agrees to purchase from the refiner at \$3 per

hundredweight all raw cane sugar on hand on the effective date of the agreement and, subject to a minor exclusion of foreign and tolled sugar, all raw cane sugar subsequently acquired by the refiner not later than December 31, 1944. The refiner agrees, immediately after the sale of such raw cane sugar to Commodity, to repurchase such sugar at the same price, subject to (1) a deduction of the amount by which the refiner's net return from the sale of refined sugar during the period of the agreement is less than the base net return specified in the agreement, and (2) the deduction or addition of an amount determined by changes, during the period of the agreement, in the New York market price for raw cane sugar. The determination of the refiner's net return will take into account the increased cost to the refiner of distributing sugar in areas not normally served by him from the West Coast, and of distributing additional quantities at increased cost in certain so-called high freight absorption markets. The deduction made from the purchase price of raw cane sugar upon the basis of the refiner's net return, therefore, affords a flexible means of permitting Commodity to absorb the increased transportation and other costs incident to such a movement of sugar and of protecting the refiner against declines in the market price of refined sugar. The adjustment in the purchase price of raw cane sugar made upon the basis of the New York market price of raw cane sugar will protect the refiner against advances in the cost of his raw material and, to the extent that declines in the cost of the refiner's raw material offset the amount by which the refiner fails to realize his base net return, will minimize the financial outlay of Commodity. The agreement provides, in addition, that upon termination of the agreement Commodity will purchase the refiner's excess inventory of sugar at a price calculated to yield to the refiner a net return equal to the base net return specified in the agreement.

Since, as indicated above, the refiners are protected against market declines and abnormal transportation costs by a reduction in the purchase price payable to Commodity for raw cane sugar, they agree to market sugar in a manner which will minimize losses to Commodity. It is worth noting in this connection that, during part of 1942, sugar transported at Government expense was sold competitively at levels significantly below the ceiling price. Consequently, the agreement requires the refiners to sell sugar at the applicable ceiling price and to eliminate sales concessions. However, it permits refiners to sell at lower prices to meet competition of particular sellers, to sell at the prevailing market price if such price is lower than the ceiling price, and to sell at specified differentials over the prevailing market price for beet sugar. Liquidated damages are provided in the event of sales of sugar at less than the permitted prices.

The provisions of the West Coast Cane Refiner Agreement which require the refiners to sell sugar at applicable ceiling prices and to eliminate sales concessions are necessitated, in part, by agreements which Commodity has already entered into with processors of beet sugar. Under these agreements with beet sugar processors, Commodity will be obligated to pay to such processors the amount by which their net return from the sale of refined beet sugar falls, because of market declines and excessive transportation costs, to equal a specified base net return. As was indicated in connection with the issuance, pursuant to section 12 of Public Law 603, approved June 11, 1942, of Certificate A1 (8 Fed. Reg. 3331) such processors agreed, in order to minimize losses to Commodity, to sell refined beet sugar at the applicable ceiling prices and to eliminate sales concessions,

but are permitted by the agreements to sell at lower prices to meet competition of particular sellers, to sell at the prevailing market price if such price is lower than the ceiling price, and to sell at specified differentials under the prevailing market price for cane sugar. It is necessary, therefore, in order to hold Commodity's losses under its agreements with beet sugar processors to a minimum, that the two West Coast cane refiners, who market substantial quantities of sugar in competition with beet sugar processors,

comply with comparable marketing requirements.

The West Coast Cane Refiner Agreement referred to, in my opinion, will have the effect of obtaining the necessary distribution of West Coast cane sugar in accordance with war needs. It will likewise serve to minimize the possible financial losses of Commodity without injury to the consumer and within the limits of legally established ceiling prices. I believe that the program described is essential to the war effort and that

certification pursuant to section 12 of Public Law 693, approved June 11, 1942, is necessary in order to secure participation in the program.

J. B. HURSON,
President,

Commodity Credit Corporation.

SEPTEMBER 3, 1943.

[F. R. Doc. 43-14661; Filed, September 7, 1943;
11:34 a. m.]

