

Washington, Friday, September 10, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter VII—War Food Administration (Agricultural Adjustment)
 [ACP-1943-Insular-2]
PART 702—INSULAR AGRICULTURAL CONSERVATION PROGRAM
TOBACCO IN PUERTO RICO

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17 of the Soil Conservation and Domestic Allotment Act, as amended, (59 Stat. 1148, 1915; 50 Stat. 329; 52 Stat. 31, 204, 205; 53 Stat. 550, 573; 54 Stat. 216, 728; 55 Stat. 257, 860; 16 U.S.C. (1940 Ed.) 590g-590q; 56 Stat. 761), and in the War Food Administration by Executive Order No. 9322 as amended by Executive Order No. 9334, the 1943 Agricultural Conservation Program Bulletin for the Insular Region, issued July 19, 1943, is hereby amended as follows:

Section 702.403¹ is hereby amended as follows:

§ 702.403 *Tobacco*—(a) *State allotment*. The State allotment of tobacco for Puerto Rico is 35,000 acres.

(c) (1) If the average of the normal yields established for all farms (weighted by the tobacco acreage allotments therein) exceeds 672 pounds (farm weight) of tobacco per acre, which is the adjusted average yield (farm weight) per acre for the State during the five crop years 1937-38 to 1941-42, inclusive, the normal yield for these farms shall be reduced pro rata so that the average of all normal yields shall not exceed this figure.

Issued at Washington, D. C. this 8th day of September 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-14740; Filed, September 8, 1943; 4:42 p. m.]

¹8 F.R. 10058.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities in Public Relations

PART II—ASSISTANCE TO RELATIVES AND OTHERS IN CONNECTION WITH DECEASED PERSONNEL

DISPOSITION OF EFFECTS

Section 11.4a relative to disposition of effects of deceased personnel (8 F.R. 11466) is retained in War Department Circular No. 195, 1 September 1943, which supersedes W. D. Memorandum No. W600-61-43, 28 July 1943.

[SEAL] H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 43-14762; Filed, September 9, 1943; 10:18 a. m.]

Chapter II—Aircraft

PART 22—ASSISTANCE TO CIVIL AIRCRAFT EMERGENCY SALES AND SERVICE

Section 22.4 is amended as follows:

§ 22.4 *Emergency sales*. (a) Commanding officers of Army Air Forces stations are authorized to make emergency sales of aircraft fuel, oil, equipment, and supplies, and to furnish mechanical service, temporary shelter, and other assistance for cash in emergencies where such supplies or assistance is required in order that aircraft may continue flight to the nearest airport, on its course, operated by private enterprise.

(b) Commanding officers of Army Air Forces stations are authorized to make emergency sales of aircraft fuel, oil, equipment, and supplies and to furnish mechanical service, temporary shelter, and other assistance required to commercial aircraft being operated at the time in connection with Government contracts or other Government work, in order that aircraft may continue flight, if such aircraft has previously received permission to land at Army Air Forces stations. The aircraft fuel, oil, equipment, and supplies, mechanical service,

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temporary shelter, and other assistance furnished such aircraft will be furnished in the same manner as for Army Air Forces aircraft, except payment therefor must be obtained. Payment may be in the form of cash or collection may be made later on shipping ticket furnished the aircraft owner. (44 Stat. 571; 49-

U.S.C. 175) [Par. 5, AR 95-50, 18 June 1942, as amended by C 1, 30 August 1943]

[SEAL]

H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 43-14763; Filed, September 9, 1943; 11:43 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T.D. 50920]

PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

AUTHORITY TO INCUR EXPENSES

Limitation for purchase of articles or services without obtaining authorization and without soliciting competitive bids increased from \$50 to \$100 during the fiscal year 1944.

Section 204 of Public 90, 78th Congress provides:

Section 3709, Revised Statutes (41 U.S.C. 5), shall not apply to any purchase by or service rendered to any executive department or independent establishment during the fiscal year 1944 when the aggregate amount involved does not exceed \$100, but this section shall not be construed as affecting any provision of law authorizing purchases or services without regard to said section 3709 in amounts greater than \$100.

In view of the above provision of law, the limitation of \$50 on the amount of expenses which may be incurred without the prior authorization of the Bureau, as set forth in paragraphs (b) (2) and (3), (d) (2), and (f) of § 24.31, Customs Regulations of 1943 (19 CFR 24.31 (b) (2) and (3), (d) (2), and (f)), is hereby suspended as to purchases made or services rendered during the fiscal year 1944 and a limitation of \$100 is substituted in lieu thereof during said fiscal year. (R.S. 161, 251, sec. 624, 46 Stat. 759, R.S. 3709, 54 Stat. 1109; 5 U.S.C. 22, 19 U.S.C. 66, 1624; 41 U.S.C. 5, 6. Sec. 204, Public No. 90, 78th Cong.)

[SEAL]

W. R. JOHNSON,
Commissioner of Customs.

Approved: September 6, 1943.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-14761; Filed, September 9, 1943; 11:34 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of Economic Warfare

Subchapter B—Export Control

[Amdt. 101]

PART 804—INDIVIDUAL LICENSES

MISCELLANEOUS AMENDMENTS

Part 804 *Individual Licenses* is hereby amended in the following particulars:

1. Paragraph (f) of § 804.1 *General provisions* is hereby amended to read as follows:

(f) An individual license is valid for a period of one year unless the period

of validity is reduced or extended by the Office of Exports or is otherwise stated on the license.

2. § 804.8 *Certificates of necessity* is hereby deleted.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 47, 8 F.R. 8529; E.O. 9361, 8 F.R. 9861 and Order No. 1, 8 F.R. 9938.)

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

SEPTEMBER 9, 1943.

[F. R. Doc. 43-14760; Filed, September 9, 1943; 11:11 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 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 3, Interpretation 3]

EFFECT OF PREFERENCE RATING CERTIFICATE REFERRING TO PRODUCT OF A PARTICULAR MANUFACTURER

The following interpretation is issued with respect to Priorities Regulation 3:

(a) When a preference rating certificate in assigning a rating to a product describes the product by its trade name or by the manufacturer's name and catalogue number, the rating may ordinarily be used to get the product from any manufacturer if the model actually obtained is substantially identical in size, operation and function with that named in the certificate.

(b) The rule stated in the preceding paragraph is consistent with the statement in paragraph (b) (2) of Priorities Regulation 3 (§ 944.23), that a preference rating may be applied only to the specific quantities and kinds of material authorized. Ordinarily a reference in a preference rating certificate to a particular product of a particular manufacturer is no more than a shorthand way of describing the product. It is safe to assume, unless the certificate clearly states otherwise, that what is being rated is a certain kind and size of product which may be obtained from any manufacturer who makes that kind and size. If it is intended to confine the rating to a particular product of a particular manufacturer, the certificate should say so explicitly.

Issued this 8th day of September 1943.

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

[F. R. Doc. 43-14720; Filed, September 8, 1943; 12:19 p. m.]

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

[Priorities Regulation 18 as Amended Sept. 8, 1943]

FROZEN SCHEDULES

§ 944.39 *Priorities Regulation 18—(a) Definitions.* (1) "Producer" means any

person whose production, delivery or shipping is subject to a "frozen schedule" as defined below. The term includes all divisions, branches, and plants of a corporation, association or other legal entity, but does not include any parent, subsidiary or affiliated company which is itself a separate legal person.

(2) "Frozen schedule" means a production or delivery schedule approved or prescribed pursuant to any order listed in Appendix A of this regulation, or pursuant to any other order of the War Production Board which states expressly that schedules thereunder are to be deemed frozen schedules within the meaning of Priorities Regulation 18. When any such order provides that the filing of a schedule is equivalent to approval or that a filed schedule may not be varied without approval, the term "frozen schedule" means the schedule as filed with any modifications approved or prescribed by the War Production Board. When any such order requires the approval by the War Production Board of every purchase order for a particular type of item before the producer accepts the purchase order or delivers the item, the term "frozen schedule" includes all purchase orders on the producer's books which have been so approved, unless such order expressly states otherwise.

(b) *Protection of frozen schedules.* Notwithstanding any contrary provisions of any other regulation, order or other instrument issued by or under authority of the War Production Board (including AAA's and other preference rating instruments and CMP allotments), no producer shall interfere with any frozen schedule by eliminating, displacing or altering the precedence of any purchase order listed for production, delivery or shipment thereon in favor of any other purchase order unless he is specifically authorized or directed to do so by

(1) An order or direction of the War Production Board which identifies the frozen schedule and states on its face that it is an amendment of that schedule; or

(2) A special direction supplementary to a P-19-h order relating to a synthetic rubber, toluene, high octane gasoline, catalyst or other correlated project which bears an urgency number of 56 or smaller.

(c) *Notice to War Production Board.* The appropriate industry division of the War Production Board in charge of the scheduling of the particular item shall be immediately notified in writing by the producer whenever a special direction of the type referred to in paragraph (b) (2) above is received by the producer, requiring interference with a frozen schedule.

(d) *Automatic scheduling of certain components.* (1) The following definitions shall apply for the purposes of this paragraph (d):

(i) "Product" of a producer means the final product manufactured or assembled by that producer. It may be a complete end product or merely a part or subassembly which some other producer will incorporate into the end product.

(ii) "Component" means any part of a product which is physically incorporated in it except a controlled material as defined in CMP Regulation 1.

(iii) "Principal component" means the component which performs the principal function of the product. In the case of transportation equipment of any kind or equipment which generates electric energy, the principal component is the prime mover. In other types of motive equipment, the main driven component is the principal component.

(iv) "Auxiliary component" means any component which is physically incorporated in the principal component or is attached to the principal component by a shaft, gears, bolt, chain or cable.

(2) When a producer's product is subject to a frozen schedule, all components of that product which are being made by the same producer shall automatically become part of that frozen schedule.

(3) When a producer's product is not subject to a frozen schedule, but the principal component of the product is made by the same producer and is subject to a frozen schedule, then all auxiliary components of that principal component which are being made by the same producer shall automatically become part of that frozen schedule.

(4) When neither the producer's product nor the principal component of the product is subject to a frozen schedule, but some other component, made by the same producer, is subject to a frozen schedule, then all components which are being made by the same producer for physical incorporation into the scheduled component shall automatically become part of that frozen schedule.

(5) This automatic scheduling shall obtain in all cases, whether or not the components which are automatically scheduled would otherwise be subject to scheduling. A schedule which has been automatically frozen shall enjoy the same protection as any other frozen schedule, except that an amendment of the schedule pursuant to paragraph (b) (1) need not identify the frozen schedule if the schedule has not been filed with the War Production Board.

(6) Producers are not excused from including in reports or schedules required to be filed with the War Production Board any information which is required concerning the components which they are producing. When any of the components has been automatically scheduled under this regulation,

a notation to that effect must be made on the report or schedule.

Issued this 8th day of September 1943.

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

APPENDIX A

Production, delivery, and shipping schedules approved pursuant to the following orders are "frozen schedules" within the meaning of Priorities Regulation No. 18.

Orders

E-11	L-112	L-234	M-225
L-97	L-117	L-249	M-233
L-97A	L-163	L-269	M-293
L-97B	L-172	M-50	
L-100	L-192	M-76	
L-101	L-203	M-211	

[F. R. Doc. 43-14716; Filed, September 8, 1943; 12:19 p. m.]

PART 961—CALCIUM SILICON

[Revocation of General Preference Order M-20-a]

It is hereby ordered, That General Preference Order M-20-a (§ 961.2) be and it hereby is revoked effective September 8, 1943.

Issued this 8th day of September 1943.

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

[F. R. Doc. 43-14722; Filed, September 8, 1943; 12:19 p. m.]

PART 1044—CADMIUM

[Conservation Order M-65-a as Amended Sept. 8, 1943]

Whereas, national defense requirements have created a shortage of cadmium for the combined needs of defense, private account, and export; and the supply now is and will be insufficient for defense and essential civilian requirements unless its use in the manufacture of many products where such use is not absolutely necessary for the defense or essential civilian requirements is curtailed or prohibited as hereinafter provided: Now, therefore, it is hereby ordered, That:

• § 1044.2 Conservation Order M-65-a—(a) *Prohibition on use of cadmium in articles appearing on List A.* No person shall use any cadmium in the production of any item on List A.

(b) *Limits on all other uses of cadmium.* No person shall use any cadmium in the production of any articles not covered by paragraph (c) of this order.

(c) *General exception.* Where and to the extent the use of any less scarce material is impracticable, the prohibitions, limitations and restrictions contained in paragraphs (a) and (b) shall not apply to the use of cadmium in the manufacture of any item, or for any of the uses, set forth on List B attached, or which is being produced:

(1) For delivery under a specific contract or subcontract for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, if in any such case the use of cadmium to the extent employed is required by the specifications of the prime contract; or

(2) To comply with underwriters regulations or safety regulations issued under Governmental authority, provided the pertinent provisions of such regulations were, in either case, in effect both on December 1, 1941, and on the date of such use, and specifically and exclusively require the use of cadmium to the extent employed; or

(3) [Revoked July 27, 1943.]

(d) *Prohibitions against sales or deliveries.* No person shall hereafter sell or deliver cadmium to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(e) *Limitation of inventories.* No manufacturer shall receive delivery of cadmium (including scrap) or products thereof, 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 such raw, semi-processed or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of cadmium products by this order.

(f) *Miscellaneous provisions.*—(1) *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 provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of cadmium conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense work to defense work, may appeal to the War Production Board, Washington 25, D. C., 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.

(3) *Addressing of communications.* All applications, statements, or other communications filed pursuant to this order or concerning the subject matter hereof should be addressed to the War Production Board, Ref.: M-65-a, Washington 25, D. C.

(4) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all articles hereafter manufac-

tured irrespective of whether such articles are manufactured pursuant to a contract made prior or subsequent to January 17, 1942, or pursuant to a contract supported by a preference rating. Insofar 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 cadmium in the production of any article, the limitations of such other order shall be observed.

(5) *Violations or false statements.* Any person who violates this order, or who wilfully falsifies any records which he is required to keep by the terms of this order, or by the War Production Board, or who otherwise wilfully furnishes false information to the War Production Board may be deprived of priorities assistance or may be prohibited by the War Production Board from obtaining any further deliveries of materials subject to allocation. The War Production Board may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35A of the Criminal Code (18 U.S.C. 80).

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

(i) "Cadmium" means the following in any forms suitable for industrial use:

(a) Metallic cadmium in such forms as anodes, balls, cakes, discs, foil, ingots, moss, pencils, pigs, plates, powder, rods, sheets, shot, slabs, sticks, strips, wire or other refined shapes; or

(b) Any cadmium-containing chemical compound, salt or mixture, including cadmium-bearing materials such as oxides or other forms available for electro-plating purposes; or

(c) Any scrap, residues, dross; alloys, or other materials containing commercially recognized amounts of cadmium, or metal or compounds produced therefrom.

(ii) "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.

(iii) "Manufacture" means to fabricate, assemble, mix or process in any other way, but does not include installation of a finished product for the ultimate consumer.

(iv) "Item" means any article or any component part thereof.

(v) "Use" means both (1) the act of putting cadmium into process in the manufacture of any item and (2) the act of completing the manufacture of any such item.

(vi) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(7) *Effective date.* This order shall take effect January 17, 1942, and shall continue in effect until revoked by the War Production Board.

Issued this 8th day of September 1943.

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

List A

The use of cadmium in the items listed below and in all component parts thereof is prohibited except to the extent permitted by the foregoing conservation order.

Automotive, trailer, and tractor equipment:

Bearings.
Fasteners.
Fittings and trim.
Hardware.
Lamps, all kinds.
Hub and gas-tank caps.
Mouldings.
Plating for decorative uses.
Building supplies and hardware:
Air conditioning equipment (except where cadmium plating is essential to the proper functioning of the parts).
Builders' finish hardware.
Conduits.
Hardware.
Lighting fixtures.
Ornamental metal work.
Plating for decorative purposes.
Screens and screening.
Springs.
Staples and fasteners.
Window fixtures.

Home furnishings and equipment:
Decorative hardware.
Furniture, all kinds.
Furniture hardware or plating.
Hardware.
Plating for decorative purposes.
Portable heaters.
Stoves and ranges (except valves and controls).
Tableware.
Upholsterers' supplies, including nails and tacks.
Utensils, all kinds.
Washing tubs and machines.

Textile equipment:
Bobbin rings.
Truck fittings, all kinds.
Plating non-essential to fabrication of fabrics.

Pigments, except for use in the following:
Luminescent paints for military use.
Luminescent printing inks for military use.
Luminescent paper for military use.
Luminescent plastics for military use.
Artists' colors.
Signal and illuminating glassware for safety, religious, and industrial use only.
Thermometer tubing.
Thermosetting plastic buttons for military use.
Dental rubber.
Rubber sea buoys.

Miscellaneous:
All plating primarily for decorative purposes.
Beauty parlor equipment and barber shop supplies.
Beverage dispensing units and parts thereof.
Bicycles, motorcycles, and similar vehicles.
Casket handles and trim.
Copper alloy wire for electrical conductors.
Ferrous and non-ferrous parts of electrical devices and apparatus except as permitted in List B.

Fire fighting apparatus (except where cadmium plating is essential to the proper functioning of the parts).
Hardware.
Harness fittings.
Ladders and fittings.
Livestock and poultry equipment.
Luggage fittings.
Metal containers.
Name, identification, and medal plates.
Pole-line hardware.
Radios, commercial sets.
Rubber processing equipment:
Curing trays.
Drier flights.
Reflectors.

Shoe nails.

Slot, game, and vending machines.
Stationery supplies, desk accessories, and office supplies.
Saddlery hardware.

List B

The uses, and the items listed below, and parts thereof, are excepted from the prohibitions and restrictions contained in paragraphs (a) and (c) of the foregoing conservation order, but only to the extent indicated below and only to the extent that the use of any less scarce material is impractical.

Chemicals, except for use as pigments prohibited by List A.

The following parts of electrical devices and apparatus:

- a. Dry type rectifier elements.
- b. Silver alloy contacts for current interruption.
- c. Ferrous metal parts where close tolerances must be maintained for proper functional characteristics.
- d. Resistance welding electrodes.

Electroplating of heddles and pin boards used in textile plants to the extent that corrosive action makes the use of any other material impractical.

Fusible alloys used in fire protection systems and electrical fuses, to the extent that any other material is impractical.

Measuring, recording and control instruments, systems or equipment for use in industrial processes, such as pyrometers, thermometers, flow meters, pressure gauges, gas analyzers and their associated control valves.

Solders containing up to and including 11% by weight of cadmium.

[F. R. Doc. 43-14717; Filed, September 8, 1943; 12:19 p. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-240 as Amended Sept. 6, 1943]¹

Section 3133.6 *Limitation Order L-240* is hereby amended to read as follows:

§ 3133.6 *Limitation Order L-240*—(a) *Definitions.* For the purpose of this order:

(1) "Newspaper" shall include any publication usually recognized as a newspaper in the newspaper industry regardless of the frequency of issuance.

(2) "Printing" means the act or process of impressing or otherwise transferring onto print paper any ink, color, pigment, mark, character or delineation.

(3) "Publisher" shall include, but not by way of limitation, any person issuing a newspaper.

(4) "Print paper" means any grade or quality of paper used in the printing of a newspaper, or used in the printing of material physically incorporated into a newspaper.

(5) "Net paid circulation" means the sales of a publisher's newspapers audited, or otherwise verified, in accordance with the standards of the Audit Bureau of Circulations of January 1, 1942.

¹ This document is a restatement of Amendment 1 to L-240, as amended July 14, 1943, which appeared in the FEDERAL REGISTER of September 7, 1943, page 12295, and reflects the order in its completed form as of September 6, 1943.

(b) *General restrictions.* (1) No publisher, and no person for the account of any publisher, shall purchase, acquire or in any manner accept delivery of print paper except for the printing of the publisher's newspapers.

(2) In each calendar quarter commencing July 1, 1943, no publisher shall use or cause to be used for his account print paper for the publication of his newspapers in excess of his quarterly quota, which shall be determined as follows:

(i) Ascertain the gross weight of print paper which was used in printing the net paid circulation of the publisher's newspapers during the corresponding calendar quarter of 1941.

(ii) Add 3% to compensate for print paper used as wrappers and paper lost through damage in transit or printing spoilage.

(iii) If this figure is 500 tons or more, deduct 5%; if it is less than 500 tons, deduct 5% of the amount in excess of 25 tons.

(c) *Exceptions.* The provisions of paragraph (b) (1) and (2) hereof shall not apply to:

(1) Any newspaper which shall use 25 tons or less of print paper in any calendar quarter. The publisher of any such newspaper is authorized, in addition, to deduct from the tonnage of print paper used by him in any calendar quarter the amount of print paper used in copies of the said newspaper which he shall furnish to the armed services of the United States.

(2) Any newspaper of eight pages or less which is authorized to be admitted to the mails as second class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39 U.S.C. sec. 229), pertaining to the publications of benevolent, fraternal, tradesunion, professional, literary, historical, and scientific organizations or societies.

(d) *Restrictions on deliveries.* (1) On and after August 1, 1943 no publisher, unless specifically authorized by the War Production Board, may accept delivery of print paper in any calendar month in excess of 33 $\frac{1}{3}$ % of his quota for the consumption of print paper (plus 33 $\frac{1}{3}$ % of any additional tonnage allowed on appeal) for the current calendar quarter: *Provided, however,* That deliveries limited by the foregoing to a fraction of one carload may be increased to one full carload in any month.

(2) Notwithstanding the provisions of paragraph (d) (1), on and after August 1, 1943 no publisher, unless specifically authorized by the War Production Board, may accept delivery of print paper if his inventory of such paper on hand, available for use, or in transit is, or by virtue of such acceptance will become, either:

- (i) In excess of two carloads or
- (ii) If in excess of two carloads, more than forty days' supply in the states named in List A below or sixty-five days' supply in the states named in List B below, computed on the basis of his average daily rate of consumption during the first six months of 1943.

LIST A

Connecticut
 District of Columbia
 Delaware
 Illinois
 Indiana
 Iowa
 Kansas
 Kentucky
 Maine
 Maryland
 Massachusetts
 Michigan
 Minnesota
 Missouri
 Nebraska
 New Hampshire
 New Jersey
 New York
 North Dakota
 Ohio
 Pennsylvania
 Rhode Island
 South Dakota
 Vermont
 Virginia
 West Virginia
 Wisconsin

LIST B

Alabama
 Arizona
 Arkansas
 California
 Colorado
 Florida
 Georgia
 Idaho
 Louisiana
 Montana
 Mississippi
 New Mexico
 Nevada
 North Carolina
 Oklahoma
 Oregon
 South Carolina
 Tennessee
 Texas
 Utah
 Washington
 Wyoming

(3) The foregoing restrictions apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(e) *Loans of print paper.* Any loan of print paper made by a publisher shall be reported by addressing a letter in triplicate to the War Production Board on or before the 30th day following the date of the loan. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

(2) *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.

(3) *Communications to the 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, Printing and Publishing Division, Washington, D. C. Ref.: L-240.

(4) *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 proc-

essing or using, material under priority control and may be deprived of priority assistance.

Issued this 6th day of September 1943.

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

[F. R. Doc. 43-14719; Filed, September 8, 1943;
 12:20 p. m.]

PART 3203—MATERIAL ENTERING INTO THE PRODUCTION OF MAINTENANCE EQUIPMENT FOR PASSENGER AUTOMOBILES, LIGHT, MEDIUM AND HEAVY MOTOR TRUCKS, TRUCK TRACTORS, TRUCK TRAILERS, PASSENGER CARRIERS AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Order L-270, Interpretation 1]

MAINTENANCE EQUIPMENT WHICH IS USABLE BOTH FOR AUTOMOTIVE AND OTHER MAINTENANCE PURPOSES

The following interpretation is issued with respect to Order L-270:

Maintenance equipment of the kinds listed in Schedules A, B and C of Order L-270 (§ 3203.1) is considered automotive maintenance equipment if it is customarily used for the maintenance of automotive vehicles, even if it also can be used for maintenance of other equipment such as farm machinery. This is true even if the equipment is advertised specifically for use on farm machinery. However, maintenance equipment which is made only for farm machinery and is not customarily used for maintenance of automotive vehicles is not "automotive maintenance equipment" for the purposes of Order L-270.

Under paragraph (f) (2) and List B of Priorities Regulation No. 3 blanket MRO ratings may not be used for automotive maintenance equipment.

Issued this 8th day of September 1943.

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

[F. R. Doc. 43-14721; Filed, September 8, 1943;
 12:19 p. m.]

PART 3270—CONTAINERS

[Limitation Order L-232 as Amended July 23, 1943, Amdt. 1]

WOODEN SHIPPING CONTAINERS

Section 3270.5 *Limitation Order L-232* is hereby amended as follows:

(1) Change the listing of table grapes in Table II of Schedule B to read as follows:

Table grapes: ²	Percent
Thomson.....	100
Muscat.....	100
Sultana.....	100
Zante currant.....	100
All other varieties.....	110

NOTE 2: In the case of Thomson, Muscat, Sultana and Zante Currant variety of table grapes, the shipping quota is limited to each of these varieties, and in the event that the quantity of each of these varieties is insufficient to fill the quota, no other variety of grape may be shipped as part of that quota.

(2) Change paragraph (b) (5) so that it will be known as paragraph (c)

also change the title "Restrictions on shipping" to "Restrictions on packing and shipping", and change subdivisions (i) and (ii) so that they will be designated (1) and (2). Also change lettering of subsequent paragraphs.

(3) Change paragraph (b) (5) (ii) of the old order, which is to be known as (c) (2) in the amended order, to read as follows:

(2) No person shall commercially pack for shipment in any calendar or seasonal year, whichever is specified, any commodity listed in Table II of Schedule B in wooden shipping containers to an extent greater than the designated percentage of that commodity that he packed for shipment in wooden shipping containers in the specified base period.

(4) Add the following paragraph to be known as (c) (3):

(3) Except as permitted by this paragraph, no person shall ship in wooden shipping containers during any calendar or seasonal year, whichever is specified, any commodity listed in Table II of Schedule B (whether such commodities were packed by himself or received by him from growers or other packers) to an extent greater than the designated percentage of that commodity that he shipped in wooden shipping containers for the same grower or packer during the base period.

Any grower or other packer may change his shipper. Any shipper may increase the amount of any commodity which he may ship for any grower or other packer, to the extent that the excess results from a change of shippers by the grower or packer. However, he may do this only if he reports¹ by letter to the War Production Board, giving the name and address of the former shipper, the commodity, and the amount of the commodity which was shipped through the former shipper in the base period. This report shall be filed within ten (10) days after the transfer of the quota, or if the transfer shall have taken place before September 8, 1943, then within ten (10) days after September 8, 1943. Where a grower or packer does his own shipping he shall not have a separate quota in his capacity as grower and as shipper; and where a grower or packer changes his shipper so that he may do his own shipping, he must file the report called for in this paragraph (c) (3).

(5) Add the following paragraph to be known as (c) (4):

(4) *Exceptions.* The restrictions contained in paragraphs (c) (2) and (3) shall not apply to a person who in any calendar or seasonal year, whichever is specified, does not pack for shipment or ship more than 30,000 lbs. or one carload of a commodity, whichever is the lesser.

¹This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(6) Add the following as paragraph (a) (2):

(2) *Definitions.* "Shipper" means any person to whom a bill of lading or manifest is issued, or, in cases where these are not issued, any person who authorizes the shipment of a commodity.

Issued this 8th day of September 1943.

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

[F. R. Doc. 43-14724; Filed, September 8, 1943;
3:31 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-422]

REUBENS FURNITURE COMPANY

Reuben Komisar, doing business as Reubens Furniture Company, 213 Third Avenue, North, Nashville, Tennessee, is engaged in the retail furniture business. Between June 3, 1942, and April 3, 1943, he sold and delivered new "metal heating equipment", as defined by Limitation Order L-79, with a retail value of \$4,047.80, without preference ratings, certifications, or other authorization, as required by the Order. At the time of these transactions, Reuben Komisar had general knowledge of the orders and regulations of the War Production Board affecting his business but made no effort to ascertain the exact provisions of Limitation Order L-79 which governed his business. The aforesaid violations must therefore be deemed wilful.

These wilful violations of Limitation Order L-79 have diverted scarce material to uses unauthorized by the War Production Board and have hampered and impeded the War Effort of the United States. In view of the foregoing, *It is hereby ordered, That:*

§ 1010.422 *Suspension order No. S-422.*

(a) Reuben Komisar, individually, and doing business as Reubens Furniture Company, his and its successors or assigns; shall not buy, sell, or deal in new "metal heating equipment", as the term is defined in Limitation Order L-79, either as complete units or as parts therefor, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Reuben Komisar, individually or doing business as Reubens Furniture Company, his and its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on September 9, 1943, and shall expire on December 9, 1943.

Issued this 2d day of September 1943.

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

[F. R. Doc. 43-14756; Filed, September 9, 1943;
11:11 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATING AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Interpretation 2 to General Limitation Order L-38]

The following interpretation is issued with respect to Limitation Order L-38:

Subparagraph (c) (2) of § 1071.1 provides that the War Production Board may authorize an order subject to such conditions as it may specify.

Where orders have been authorized on Forms WPB-2448 and WPB-2449 (formerly PD-830 and PD-831) upon the condition that a specified product, such as dichlorodifluoromethane (sometimes also called "F-12" or "freon 12") shall not be used as the refrigerant in the system covered by the authorization, the question has arisen as to whether the purchaser may acquire a system of a slightly different size or type from that applied for, in order to obtain a system which uses some other refrigerant, but has the same refrigerating capacity as that applied for.

In such a case, the purchaser is permitted to purchase a system of substantially the same refrigerating capacity, even though it uses a different type of expansion valve or other parts, or contains a slightly larger compressor, condenser, motor or other parts, in order to obtain the same refrigerating capacity which has been authorized for installation. For example, the use of a machine having a motor of the standard size nearest to that applied for would be permissible, if necessary to obtain the authorized refrigerating capacity. Any incidental additional cost resulting solely from such a change to another refrigerant would also be permissible.

The fact that the applicant states the name of the probable supplier, or the model number, does not require him to purchase from the supplier named, or to get the model mentioned, as long as he gets a machine of substantially the same capacity and designed to perform the same function.

Issued this 9th day of September 1943.

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

[F. R. Doc. 43-14757; Filed, September 9, 1943;
11:11 a. m.]

PART 3286—MISCELLANEOUS MINERALS¹

[Conservation Order M-78 as Amended Sept. 9, 1943]

MERCURY

Whereas, it is found that the present and increasing future demand for mer-

¹ Formerly Part 1063, § 1063.1.

cury in the United States seriously threatens national defense requirements for mercury, and it is further found that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of mercury for defense and private account, and it is further found that this situation imperils the obtaining of priority for deliveries of such materials under present and future Army and Navy contracts and orders and related subcontracts and suborders unless the supply of mercury is conserved and its use in certain products manufactured for civilian use is curtailed; and it is necessary in the public interest, to promote the defense of the United States, to conserve the supply and direct the distribution thereof:

Now, therefore, it is hereby ordered, That:

§ 3286.11¹ *Conservation Order M78—*
(a) *Definitions.* For the purpose of this order:

(1) "Mercury" means:

(i) Metallic mercury (quicksilver) of any quality and from whatever source derived, and

(ii) Any mercury-containing chemical compound, salt, or mixture.

(2) "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.

(3) "Manufacture" means to amalgamate, assemble, mix, compound, redistill, or process in any other way, but does not include installation or sale of a completely finished product for the ultimate consumer.

(4) "Item" means any article or any component part thereof.

(5) "Use" means and includes (i) the act of amalgamating, mixing, compounding, redistilling, or processing mercury,

(ii) the act of putting mercury into any item, and

(iii) the act of manufacturing any item containing mercury.

(Where a person is limited to a percentage of mercury used in a base period, this limitation applies respectively to (i), (ii), and (iii) above. Each limitation must be applied separately.)

(6) "Base period" means at the option of the manufacturer either (i) the corresponding quarterly period in 1940, or (ii) the first calendar quarter in 1941, provided that the same option shall be used throughout the calendar year.

(b) *Prohibition on use of mercury in items and processes appearing on List A.* No mercury shall be used in the manufacture of any item or in any manufacturing process on List A.

(c) *Restriction on use of mercury in items and processes on List B.* Any person using mercury in the manufacture of any item or in any manufacturing

process on List B shall limit his use of mercury in the manufacture of any such item or in any such manufacturing process during each calendar quarter to the percentage of such use in the base period indicated opposite such item or such manufacturing process on List B.

(d) *Limitation on other uses of mercury.* Any person using mercury in the manufacture of any item or in any manufacturing process not covered by paragraph (b), (c), or (e) of this order shall limit his use of mercury in the manufacture of any such item or in any such manufacturing process during each calendar quarter to 80 per cent of his use of mercury in the manufacture of such item or in such manufacturing process in the base period.

(e) *General exception.* The prohibitions and restrictions contained in paragraphs (b), (c), and (d) shall not apply to the use of mercury:

(1) In the manufacturing of any item for delivery under, or in any manufacturing process pursuant to, a specific contract or subcontract for the Army or Navy of the United States, the United States Maritime Commission, War Shipping Administration and its operating or general agents, 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, or for any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States," (Lend-Lease Act) if in any such case the use of mercury to the extent employed is required by the specifications of the prime contract; or

(2) To comply with Underwriters Regulations or Safety Regulations issued under governmental authority, provided that pertinent provisions of such regulations were, in either case, in effect both on December 1, 1941, and on the date of such use, and specifically and exclusively require the use of mercury to the extent employed; or

NOTE: Paragraph (e) (3) amended September 9, 1943.

(3) In the manufacture of any item for delivery under, or in any manufacturing process pursuant to, an order bearing a preference rating of AA-5 or higher; or

(4) In the manufacture of marine anti-fouling paint for use on ships flying the flag of the other American Republics, or on ships flying the flag of any foreign country entitled to the benefits of the said Lend-Lease Act; or

(5) In the manufacture of any item for delivery to any laboratory provided that such item is to be used only for research, educational, analytical, or testing purposes; or

(6) In the maintenance and repair of industrial control equipment; or

(7) In the manufacture of medicinal or pharmaceutical preparations for treatment of livestock or poultry and in the manufacture of disinfectants, insecticides, and fungicides (except turf fungicides) for agricultural use; or

(8) In the manufacture of medicinal chemicals, pharmaceuticals, or dental preparations; or

(9) In the manufacture of safety and technical equipment of the following types:

(i) Medical, surgical and dental equipment, instruments, and supplies;

(ii) X-ray apparatus and tubes;

(iii) Laboratory instruments and equipment;

(iv) Engineering instruments and equipment;

(v) Fire protective equipment, including motorized and auxiliary fire apparatus;

(vi) Protective alarm and signal systems;

(vii) Industrial safety equipment.

(f) *Prohibitions against sales or deliveries.* No person shall hereafter sell or deliver mercury to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(g) *Limitation of inventories.* No manufacturer shall receive delivery of mercury (including scrap) or products thereof, 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 such raw, semi-processed, or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of mercury products by this order.

(h) *Miscellaneous provisions—(1) 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.

(2) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of mercury conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense work to defense work, may appeal to the War Production Board by letter or other written communication, in triplicate, 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.

(3) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all items hereafter manufactured irrespective of whether such items are manufactured pursuant to a contract made prior or subsequent to August 5, 1942, or pursuant to a contract supported by a preference rating. Insofar 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 mercury in the production of any item, the limitations of such other order shall be observed.

(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-78.

(5) *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.

Issued this 9th day of September 1943.

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

LIST A

USE OF MERCURY PROHIBITED

NOTE: Caption and list amended September 9, 1943.

Carrotting of hat fur.
Fireworks.
Turf fungicides.

LIST B

USE OF MERCURY RESTRICTED

NOTE: Caption and list amended September 9, 1943.

	<i>Percent-of-base period use</i>
Cosmetics or any preparation designed for bleaching the skin or removal of freckles.....	30
Fluorescent lamps.....	100
Marine anti-fouling paint.....	100
Mercuric Fulminate for ammunition.....	100
Mercuric Fulminate for commercial blasting caps.....	200
Preparations for film developing.....	100
Thermometers (except industrial and scientific).....	80

LAST B—Continued
USE OF MERCURY RESTRICTED—continued

	Percent-of-base period use
Thermometers (industrial and scientific)	200
Treating of green lumber	100
Vermilion	80
Wall switches for non-industrial use	100
Wood preservation	100

[F. R. Doc. 43-14753; Filed, September 9, 1943;
11:11 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-323]

DISTRIBUTION OF IMPORTED WATCHES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of watches 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:

§ 3291.206 *General Limitation Order L-323*—(a) *Imported watches frozen.* No importer shall sell, transfer or deliver any watch or any watch movement either in a case or out of it, which has been released from customs after January 1st, 1943, unless he receives specific permission from the War Production Board or unless the movement is one of those excluded by paragraph (b) below.

(b) *Certain movements not covered.* This order does not apply to the following movements or watches containing them:

- (1) Pin lever.
- (2) Cylinder.
- (3) Roskopf.
- (4) Lever type smaller than 6¼ Ligne.

(c) *How to get permission.* An importer who wants to get permission for any transfer of a watch or movement should write a letter showing in detail the quantity and kind of watches to be distributed. The letter should be addressed to: War Production Board, Consumers Durable Goods Div., Washington, D. C. Ref: L-323.

(d) *How permission is granted.* The War Production Board will acknowledge in writing each application. Within 60 days of the date of the acknowledgment, the War Production Board will instruct each applicant what distribution may be made. If on the 60th day from date of acknowledgment no instructions have been received by the applicant, he may then assume that his application has been granted, and no further permission is required.

(e) *What is meant by "importer".* For the purposes of this order an "importer" means any person who has a symbol or an identifying mark recorded with the Bureau of Customs, U. S. Treasury Department, for the purpose of importing watches or watch movements.

No. 180—2

(f) *Security transactions exempted.* The prohibitions in paragraph (a) do not apply to transfer of title in a watch or watch movement in order to secure an indebtedness but this does not permit the transfer of physical possession for such purposes.

(g) *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.

(h) *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.

(i) *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, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-323.

Issued this 9th day of September 1943.

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

[F. R. Doc. 43-14754; Filed, September 9, 1943;
11:11 a. m.]

PART 3294—IRON AND STEEL PRODUCTION¹

[General Preference Order M-17, as amended
Sept. 9, 1943]

PIG IRON

Section 947.1 *General Preference Order M-17* is amended to read as follows:

§ 3294.66¹ *General Preference Order M-17*—(a) *Purpose and scope.* This order describes the procedure by which pig iron is distributed. Transactions in pig iron are also subject to the provisions of all other orders and regulations of the War Production Board, except that whenever those provisions may be inconsistent with this order, the provisions of this order shall be controlling.

(b) *Definitions.* For the purposes of this order.

(1) "Pig iron" means iron produced by smelting iron ore in a blast furnace, and containing less than 6 per cent silicon.

(2) "Producer" means any person producing pig iron.

¹ Formerly Part 947, § 947.1.

(c) *Deliveries by persons other than producers.* Persons other than producers must not deliver pig iron except with written authorization of the War Production Board. No particular form is prescribed for applying for this authorization.

(d) *Deliveries by producers and use.* Producers must not use or deliver pig iron except when such use or delivery has been authorized in writing by the War Production Board. The procedure for obtaining this authorization is as follows:

(1) *Customers' orders and reports.* Each person wishing to obtain pig iron from a producer during any month must place his order with the producer on Form WPB-3172 on or before the fifth day of the preceding month. In addition, each user of pig iron, whether or not he wishes to obtain pig iron during the next month, must file a report on Form WPB-3173, but not Form WPB-3172.

(2) *Producers' reports.* Each producer must file with the War Production Board, on or before the tenth day of each month, tentative schedules on Forms WPB-3174 and WPB-3175 showing his orders for and proposed shipments and use of pig iron during the following month.

(3) *Authorization by War Production Board.* The War Production Board will review the Forms WPB-3174 and WPB-3175 submitted by the producer, will make appropriate changes, and will authorize use or shipment in one of the following ways:

(i) By approval on Form GA-430 of the particular deliveries or uses shown on the producers' WPB-3175 schedule as modified by the War Production Board, or

(ii) By supplementary allocation on Form GA-431.

All shipments so authorized must be made unless specifically cancelled in writing by the War Production Board.

(e) *Acceptance of delivery.* No person shall accept a delivery of pig iron which has not been authorized by the War Production Board.

(f) *Communications.* All communications concerning this order shall be addressed to War Production Board, Washington 25, D. C., Ref: M-17.

(g) *Bureau of Budget Approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of September 1943.

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

[F. R. Doc. 43-14755; Filed, September 9, 1943;
11:11 a. m.]

Chapter XI—Office of Price Administration

PART 1347—PAPER, PAPER PRODUCTS AND RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 266,¹ Amdt. 5]

CERTAIN TISSUE PAPER 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.*

Maximum Price Regulation No. 266 is amended in the following respects:

1. Section 1347.510 is hereby revoked.
2. Section 1347.512 (a) (2) is amended to read as follows:

(2) "Manufacturer" means any person who converts tissue for use as toilet tissue or paper towels and includes the agents of such person.

3. § 1347.515 (a) footnote 1 is amended to read as follows:

¹Widths greater than 4½" take a proportionately increased price; widths less than 4½" take a proportionately reduced price, except that in the case of interfolded toilet tissue the maximum price per case for such tissue 4" wide shall be calculated by deducting from the maximum price established by this regulation for a case of 100,000 sheets 4½" wide that differential customarily employed by the manufacturer during the period October 1-15, 1941, or 35¢ per case of 100,000 sheets, whichever is greater.

4. Section 1347.515 (b) (3) is amended to read as follows:

(3) *Manufacturers' maximum price for shipments of other than carload lots to one consignee.* (i) On shipments of other than carload lots (excepting less-than-carload shipments) to one consignee, the manufacturer may add to the maximum carload price established by this regulation the established differentials which he had in effect during the period of October 1 to October 14, 1941.

(ii) On shipments of less-than-carload lots, the manufacturer may add to the maximum carload price established by this regulation the lesser of the following:

(a) That differential between his carload and his less-than-carload price which he employed during the period of October 1 to October 15, 1941, or

(b) 5.05%, plus the difference between the carload and the less-than-carload rate of freight.

5. Section 1347.515 (b) (4) is hereby revoked.

6. Section 1347.515 (c) (1) and (2) are amended to read as follows:

(c) *Distributors' maximum prices.* The distributor's maximum price, which may, in no event, exceed the highest price charged for deliveries during March 1942 or, if no sales were made, the highest offering price during March 1942, is to be computed by multiplying the manufacturer's maximum price by the lesser of the following amounts:

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

¹ 7 F.R. 9335, 10714; 8 F.R. 531, 2431, 4131, 7393.

(1) The highest mark-up which the distributor applied to sales of toilet tissue of a given grade to a purchaser of the same class during March, 1942, or

(2) On sales by

	Paper merchants	Wholesale drug-gists	Wholesale grocers
1. 1 to less than 3 cases.....	145	120½	117½
2. 3 to less than 10 cases.....	127½	120½	117½
3. 10 to less than 25 cases.....	125	120½	117½
4. 25 to less than 100 cases.....	122½	120½	117½
5. 100 to less than C/L.....	117½	120½	117½
6. Carload.....	105	120½	117½

7. Section 1347.515 (c) (2) (ii) is amended to read as follows:

(ii) In the event that the mark-up as determined under paragraph (c) (2) above, (mark-up table), is less than 85% of the mark-up set forth in paragraph (c) (1) above, (March 1942 mark-up), the maximum price shall be computed by multiplying the manufacturer's maximum price by 85% of such mark-up set forth in paragraph (c) (1) above.

8. Section 1347.516 (a) (1) (v) is amended to read as follows:

(v) Continuous roll towels take a proportionate price on an area basis, to household roll towels, except that continuous unsheeted roll towels for use in special controlled-delivery dispensers and containing special cores or ends of metal, wood or both may take a differential of 20¢ a case in excess of the maximum price established by this regulation.

9. Section 1347.516 (b) (2) is amended to read as follows:

(2) *Manufacturers' maximum prices for shipments of other than carload lots to one consignee.* (i) On shipments of other than carload lots (excepting less-than-carload shipments) to one consignee, the manufacturer may add to the maximum carload price established by this regulation the established differentials which he had in effect during the period October 1 to October 15, 1941.

(ii) On shipments of less-than-carload lots, the manufacturer may add to the maximum carload price established by this regulation the lesser of the following:

(a) That differential between his carload and the less-than-carload rate of freight.

(b) 5.05% plus the difference between the carload and the less-than-carload rate of freight.

10. Section 1347.516 (c) (1) and (2) are amended to read as follows:

(c) *Distributors' maximum prices.* The distributor's maximum price, which may, in no event, exceed the highest price charged for deliveries during March 1942 or, if no sales were made, the highest offering price during March 1942, is to be computed by multiplying the manufacturer's maximum price by the lesser of the following amounts:

(1) The highest mark-up which the distributor applied to sales of paper towels of a given grade to a purchaser of the same class during March, 1942, or

(2) On sales by

	Paper merchants	Wholesale drug-gists	Wholesale grocers
1. 2 cases or less.....	155	120½	117½
2. 3 to less than 6 cases.....	140	120½	117½
3. 6 to less than 25 cases.....	127½	120½	117½
4. 25 to less than 100 cases.....	122½	120½	117½
5. 100 cases to less than C/L.....	117½	120½	117½
6. Carload.....	105	120½	117½

11. Section 1347.516 (c) (2) (ii) is amended to read as follows:

(ii) In the event that the mark-up as determined under paragraph (c) (2) above, (mark-up table), is less than 85% of the mark-up set forth in paragraph (c) (1) above, (March 1942 mark-up), the maximum price shall be computed by multiplying the manufacturer's maximum price by 85% of such mark-up set forth in paragraph (c) (1) above.

This amendment shall become effective September 14, 1943.

(Pub. Laws 421 and 729, 77th Cong., Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14733; Filed, September 8, 1943; 3:58 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev MPR 238,¹ Revocation]

FIXED MARK-UP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT RETAIL

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

Revised Maximum Price Regulation No. 238 (§ 1351.601) is hereby revoked subject to the provisions of Supplementary Order 40.*

This order shall be effective September 14, 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 8th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14735; Filed, September 8, 1943; 3:58 p. m.]

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

[MPR 418,² Amdt. 6]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amend-

¹ 8 F.R. 6165, 6424, 7661, 7766, 8681, 9019, 9365.

² 8 F.R. 4325.

³ 8 F.R. 9366, 10086, 10513, 10930, 11734, 11687.

7. Footnote 15 following Table C in section 20 is amended by inserting after the words "Table A" the words "and Table B".
 8. In section 20, Table D is amended by adding the following items to read as follows:

TABLE D.—MAXIMUM PRICES FOR CASH AND CARRY SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Sizes	Price in cents per pound												
					Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	
51	Whitefish—Selkirk (coregonus clupeiformis) Lake Winnipeg. ²²	1	Round or gutted	1# to 3#	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19
		2	Round or gutted	3# to 4#	.21	.21	.21	.21	.21	.21	.21	.21	.21	.21	.21	.21	.21
		3	Round or gutted	Over 4#	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½
52	Whitefish (coregonus clupeiformis) all other lakes. ^{21 22}	1	Round or gutted	1# to 3#	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19
		2	Round or gutted	3# to 4#	.21	.21	.21	.21	.21	.21	.21	.21	.21	.21	.21	.21	.21
		3	Round or gutted	Over 4#	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½
53	Lake trout (crisitivomer mamaycush). ^{21 22}	1	Round or gutted	All sizes	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19
		2	Gutted	All sizes	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½
		3	Headed & gutted	All sizes	.16½	.16½	.16½	.16½	.16½	.16½	.16½	.16½	.16½	.16½	.16½	.16½	.16½
54	Yellow Pike (Yellows or Wall-Eyed Pike) (Stizostedion vitreum vitreum) Lake Winnipeg & Lake Manitoba. ²²	1	Round	All sizes	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19
		2	Gutted	All sizes	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½
		3	Headed & gutted	All sizes	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16
55	Yellow Pike (Yellows or Wall-Eyed Pike) (Stizostedion vitreum vitreum) Lake Winnipeg & Lake Manitoba. ²²	1	Round	All sizes	.17	.17	.17	.17	.17	.17	.17	.17	.17	.17	.17	.17	.17
		2	Gutted	All sizes	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16
		3	Headed & gutted	All sizes	.20	.20	.20	.20	.20	.20	.20	.20	.20	.20	.20	.20	.20
56	Yellow Pike (Yellows or Wall-eyed Pike) (Stizostedion vitreum vitreum) all other lakes. ^{21 22}	1	Round	All sizes	.17	.17	.17	.17	.17	.17	.17	.17	.17	.17	.17	.17	.17
		2	Gutted	All sizes	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16
		3	Headed & gutted	All sizes	.20	.20	.20	.20	.20	.20	.20	.20	.20	.20	.20	.20	.20
57	Pickeral (Jacks, Great Northern Pike or Grass Pike) (Esox lucius) Lake Winnipeg & Lake Winnipegosis. ²²	1	Round	All sizes	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09
		2	Headed & gutted	All sizes	.11½	.11½	.11½	.11½	.11½	.11½	.11½	.11½	.11½	.11½	.11½	.11½	.11½
		3	Fillets	All sizes	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
58	Pickeral (Jacks, Great Northern Pike or Grass Pike) (Esox lucius) all other lakes. ²¹	1	Round	All sizes	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
		2	Headed & gutted	All sizes	.10½	.10½	.10½	.10½	.10½	.10½	.10½	.10½	.10½	.10½	.10½	.10½	.10½
		3	Fillets	All sizes	.06	.06	.06	.06	.06	.06	.06	.06	.06	.06	.06	.06	.06
59	Sauger (Sand Pike) (Stizostedion canadense). ^{21 22}	1	Round	All sizes	.11	.11	.11	.11	.11	.11	.11	.11	.11	.11	.11	.11	.11
		2	Headed & gutted	All sizes	.14	.14	.14	.14	.14	.14	.14	.14	.14	.14	.14	.14	.14
		3	Fillets	All sizes	.34	.34	.34	.34	.34	.34	.34	.34	.34	.34	.34	.34	.34
60	Yellow Perch (Perca flavescens). ^{21 22}	1	Round	All sizes	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15
		2	Headed & gutted	All sizes	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15
		3	Fillets	All sizes	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15

9. Footnote 16 following Table D in section 20 is amended by inserting after the words "Table A" the words "and Table B".
 10. In section 20, Table E is amended by adding the following items to read as follows:

TABLE E.—MAXIMUM PRICES FOR SERVICE AND DELIVERY SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Sizes	Price in cents per pound												
					Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	
51	Whitefish—Selkirk (Coregonus clupeiformis) Lake Winnipeg. ²²	1	Round or gutted	1# to 3#	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½
		2	Round or gutted	3# to 4#	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½
		3	Round or gutted	Over 4#	.26	.26	.26	.26	.26	.26	.26	.26	.26	.26	.26	.26	.26
52	Whitefish (Coregonus clupeiformis) all other lakes. ^{21 22}	1	Round or gutted	1# to 3#	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½
		2	Round or gutted	3# to 4#	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½
		3	Round or gutted	Over 4#	.26	.26	.26	.26	.26	.26	.26	.26	.26	.26	.26	.26	.26
53	Lake Trout (Cristivomer mamaycush). ^{21 22}	1	Round or gutted	All sizes	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½	.21½
		2	Gutted	All sizes	.20	.20	.20	.20	.20	.20	.20	.20	.20	.20	.20	.20	.20
		3	Headed and gutted	All sizes	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½	.23½
54	Yellow Pike (Yellows or Wall-Eyed Pike) (Stizostedion vitreum vitreum) Lake Winnipegosis. ²²	1	Round	All sizes	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19
		2	Gutted	All sizes	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½
		3	Headed and gutted	All sizes	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½
55	Yellow Pike (Yellows or Wall-Eyed Pike) (Stizostedion vitreum vitreum) Lake Winnipeg & Lake Manitoba. ²²	1	Round	All sizes	.19½	.19½	.19½	.19½	.19½	.19½	.19½	.19½	.19½	.19½	.19½	.19½	.19½
		2	Gutted	All sizes	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½
		3	Headed and gutted	All sizes	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½
56	Yellow Pike (Yellows or Wall-Eyed Pike) (Stizostedion vitreum vitreum) all other lakes. ^{21 22}	1	Round	All sizes	.19½	.19½	.19½	.19½	.19½	.19½	.19½	.19½	.19½	.19½	.19½	.19½	.19½
		2	Gutted	All sizes	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½	.18½
		3	Headed and gutted	All sizes	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½	.22½
57	Pickeral (Jacks, Great Northern Pike or Grass Pike) (Esox lucius) Lake Winnipeg & Lake Winnipegosis. ²²	1	Round	All sizes	.11½	.11½	.11½	.11½	.11½	.11½	.11½	.11½	.11½	.11½	.11½	.11½	.11½
		2	Headed and gutted	All sizes	.14	.14	.14	.14	.14	.14	.14	.14	.14	.14	.14	.14	.14
		3	Fillets	All sizes	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09
58	Pickeral (Jacks, Great Northern Pike or Grass Pike) (Esox lucius) all other lakes. ^{21 22}	1	Round	All sizes	.10½	.10½	.10½	.10½	.10½	.10½	.10½	.10½	.10½	.10½	.10½	.10½	.10½
		2	Headed and gutted	All sizes	.13	.13	.13	.13	.13	.13	.13	.13	.13	.13	.13	.13	.13
		3	Fillets	All sizes	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
59	Sauger (Sand Pike) (Stizostedion canadense). ^{21 22}	1	Round	All sizes	.13½	.13½	.13½	.13½	.13½	.13½	.13½	.13½	.13½	.13½	.13½	.13½	.13½
		2	Headed and gutted	All sizes	.16½	.16½	.16½	.16½	.16½	.16½	.16½	.16½	.16½	.16½	.16½	.16½	.16½
		3	Fillets	All sizes	.36½	.36½	.36½	.36½	.36½	.36½	.36½	.36½	.36½	.36½	.36½	.36½	.36½
60	Yellow Perch (Perca flavescens). ^{21 22}	1	Round	All sizes	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½
		2	Headed and gutted	All sizes	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½
		3	Fillets	All sizes	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½	.17½

11. Footnote 17 following Table E in section 20 is amended by inserting after the words "Table A" the words "and Table B".

This amendment shall become effective September 14, 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 8th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14737; Filed, September 8, 1943; 3:56 p. m.]

PART 1365—HOUSEHOLD FURNITURE

[2d Rev. MPR. 213]

NEW COIL AND FLAT BEDSPRINGS

Revised Maximum Price Regulation No. 213¹ is redesignated as Second Revised Maximum Price Regulation No. 213 and is revised and amended to read as set forth herein.

The purpose of this Second Revised Maximum Price Regulation No. 213 is to set specific maximum prices for standard classes of coil and flat bedsprings at the manufacturing, wholesale and retail

¹ 8 F.R. 150, 4850.

levels. It is necessary to revise Revised Maximum Price Regulation No. 213 to include new classes of coil and flat bedsprings with steel frames which will be made in accordance with War Production Board Order L-49 as amended August 25, 1943.

The Price Administrator has ascertained and given due consideration to the prices and the trade practices prevailing in the industry between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has ad-

vised and consulted with representative members of industry who will be affected by the regulation.

In the judgment of the Price Administrator, the maximum prices established by this Second Revised Maximum Price Regulation No. 213 are generally fair and equitable and effectuate the purposes of the Emergency Price Control Act of 1942 as amended.

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

§ 1365.51 *Maximum prices for new coil and flat bedsprings.* Under the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Order Nos. 9250 and 9328, Second Revised Maximum Price Regulation No. 213 (New Coil and Flat Bedsprings) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1365.51 issued under Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECOND REVISED MAXIMUM PRICE REGULATION
No. 213—NEW COIL AND FLAT BEDSPRINGS

ARTICLE I—PROHIBITIONS AND SCOPE OF THE
REGULATION

Sec.

1. Sales of new coil and flat bedsprings at higher than maximum prices prohibited.
2. Articles, transactions, and persons to whom this regulation applies.
3. Relationship to other regulations.
4. Geographical applicability.

ARTICLE II—MAXIMUM PRICES AND TERMS OF
SALE

5. Manufacturers' maximum prices for bedsprings described in Appendix A and B.
6. Jobbers' maximum prices for bedsprings described in Appendix A and B.
7. Retailers' maximum (ceiling) prices for bedsprings described in Appendix A and B.
8. Credit charges.
9. Maximum prices for bedsprings not listed in Appendix A or B.
10. Maximum prices which cannot be established under any other section of this regulation.

ARTICLE III—MISCELLANEOUS

11. Retail price label.
12. Sales slips, receipts and invoices.
13. Evasion.
14. Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.⁷
15. Enforcement.
16. Petitions for amendment.
17. Appendix A and B.

Article I—Prohibitions and Scope of the
Regulation

SECTION 1. *Sales of new coil and flat bedsprings at higher than maximum prices prohibited.* (a) On or after the effective date of this regulation, regardless of any contract or other obligation, no person shall sell or deliver whether for his own account or the ac-

count of another, and no person shall buy or receive in the course of trade or business, any article covered by this regulation at a price higher than the maximum price fixed by this regulation, and no person shall agree, offer, solicit, or attempt to do any of these things.

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

SEC. 2. *Articles, transactions, and persons to whom this regulation applies.*—

(a) *Articles covered by this regulation.* This regulation covers all kinds of new coil, and flat bedsprings except those mentioned in paragraph (b) of this section. A coil or flat bedspring is an open (non-upholstered) bedspring made of steel or wood or steel and wood or any other material or combination of materials. The term "new coil or flat bedspring" means that none of the materials in the bedspring has been previously used.

(b) *Articles not covered by this regulation.* This regulation does not cover:

- (1) Gatch bedsprings.
- (2) New, used (including reconditioned), upholstered bedsprings.
- (3) Used (including reconditioned) coil and flat bedsprings.

(4) Bedsprings which are made as an integral part of a bed (that is, bedsprings which are made to fit into or onto a set of bed ends and are only sold by the manufacturer with such bed ends or as a replacement for a bedspring previously sold by the manufacturer with such bed ends).

(c) *Transactions covered by this regulation.* This regulation covers all sales of new coil and flat bedsprings by any person to any other person, including sales made at auction.

(d) *Persons covered by this regulation.* Any person who sells, including an auctioneer, and any person who buys in the course of trade or business, any new coil or flat bedspring is subject to this regulation. The term "person" includes: An individual, partnership, corporation, or any other organized group; their legal successors, assignees, or representatives; the United States or any government or any of its political subdivisions; or any agency of the foregoing.

(e) *Terminology used in regulation.* For the sake of simplicity, a new metal coil or flat bedspring is hereafter referred to in this regulation as a "bedspring" and for all purposes of this regulation the term "bedspring" shall be taken to mean new coil or flat bedspring.

SEC. 3. *Relationship to other regulations.*—(a) *Maximum Price Regulation No. 213⁷ and Revised Maximum Price Regulation No. 213.* Revised Maximum Price Regulation No. 213 is revised and amended by this regulation. The provisions of Maximum Price Regulation No. 213⁷ and Revised Maximum Price Regulation No. 213 shall not apply to the sale and delivery of any article covered by this regulation after the effective date of this regulation, except that all orders issued prior to the effective date of this regulation under Maximum Price Regulation No. 213 and Revised Maxi-

imum Price Regulation No. 213 shall be continued in full force and effect.

(b) *The General Maximum Price Regulation.* The provisions of the General Maximum Price Regulation, all amendments and supplementary regulations thereto and orders issued thereunder shall not apply to the sale and delivery of any article covered by this regulation after the effective date of this regulation.

(c) *Maximum Price Regulation No. 188.⁸* The provisions of Maximum Price Regulation No. 188, all amendments and orders issued thereunder shall not apply to the sale and delivery of any article covered by this regulation after the effective date of this regulation.

(d) *Second Revised Maximum Export Price Regulation.⁹* The maximum price at which a person may export any bedspring shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation, or any revisions thereto, issued by the Office of Price Administration.

(e) *War Production Board orders.* Nothing in this regulation shall be construed to authorize the manufacture of any bedspring in violation of a War Production Board order.

SEC. 4. *Geographical applicability.* The provisions of this regulation shall be applicable to sales in the 48 states and the District of Columbia.

Article II—Maximum Prices and Terms
of Sale

SEC. 5. *Manufacturers' maximum prices for bedsprings described in Appendix A and B.* This section establishes manufacturers' maximum prices for the standard classes of bedsprings described in section 17, Appendix A and B of this regulation. Manufacturers' maximum prices for other classes of bedsprings are determined under sections 9 and 10 of this regulation. Section 11 of this regulation sets forth the obligations of the manufacturer in regard to the tagging of each bedspring with the retail maximum (ceiling) price. A manufacturer is a person operating a business which fabricates or assembles a bedspring.

(a) *Manufacturer's FOB factory LCL maximum prices to retailers for bedsprings listed in Appendix A.* Section 17, Appendix A, of this regulation lists certain standard bedsprings which a manufacturer may make after August 25, 1943, under the War Production Board Limitation Order L-49 as amended. The manufacturer's FOB factory LCL maximum price to retailers for each of these bedsprings is the price set opposite the descriptions of the bedspring in section 17, Appendix A of this regulation.

(b) *Manufacturer's FOB factory LCL maximum prices to retailers for bedsprings listed in Appendix B.* Section 17, Appendix B, of this regulation lists the standard bedsprings which were priced under Revised Maximum Price Regulation No. 213. The manufacturer's FOB factory LCL maximum price to retailers

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

⁷ 8 F.R. 3096, 3849, 4397, 4486, 4724, 4978, 4948, 6047, 6962, 8511, 9025, 9991.

⁸ 7 F.R. 6968, 6940, 6948; 8 F.R. 150, 4850.

⁹ 7 F.R. 5372, 7867, 8343, 8348, 10155; 8 F.R. 537, 1816, 1920, 3105, 3783, 3850, 4140, 4931, 5753, 7107, 8751, 8754, 9336, 10433, 10306.

⁸ 8 F.R. 4132, 5987, 7662, 8993.

for each of these bedsprings is the price set opposite the description of the bed-spring in section 17, Appendix B of this regulation.

(c) *Differentials from FOB factory LCL maximum prices to retailers for all sales including those to jobbers and retailers*—(1) *Jobber and quantity discounts.* A manufacturer's FOB factory LCL maximum price to retailers set forth in section 17, Appendix A or Appendix B, of this regulation shall be subject to the same jobber, carload and other quantity discounts which the manufacturer made from his regularly quoted FOB factory LCL price to retailers for the most comparable bedspring during March 1942. "Regular quoted price" to retailers is the highest price at which the manufacturer made a substantial number of his sales.

(2) *Delivered maximum prices and warehouse maximum prices.* To determine a manufacturer's warehouse maximum price or his delivered maximum price for a bedspring listed in section 17, Appendix A or B of this regulation, a manufacturer shall follow the three rules given below:

(i) *First.* The manufacturer shall choose from the bedsprings which he sold during March 1942 the bedspring most comparable to the one being priced.

(ii) *Second.* The manufacturer shall determine the dollar amount by which his delivered or warehouse price for the sale of the most comparable bedspring under the same conditions in March, 1942 exceeded his March, 1942 regularly quoted FOB factory LCL price to retailers.

(iii) *Third.* The manufacturer shall then add the dollar amount determined in (ii) above to the FOB factory LCL maximum price to retailers for the bedspring listed in section 17, Appendix A or B of this regulation. The resulting total is the manufacturer's delivered maximum price or his warehouse maximum price, as the case may be.

(d) *Terms.* A maximum price established for a manufacturer by this regulation shall be a net price for payment within the same period as in the case of the manufacturer's net price for the most comparable bedspring during March 1942, and shall be subject to the same discounts for payment within the same shorter periods.

Sec. 6. *Jobbers' maximum prices for bedsprings described in Appendix A and B.* This section establishes jobbers' maximum prices for the standard classes of bedsprings described in section 17, Appendix A and B of this regulation. Jobbers' maximum prices for other classes of bedsprings are determined under sections 9 and 10 of this regulation. Section 11 of this regulation sets forth the obligations of jobbers in regard to the tagging of each bedspring with the retail maximum (ceiling) price. A jobber is a person who receives delivery of a bedspring and resells it without substantially changing its form to a person other than the ultimate consumer.

(a) *Jobbers who sold the same manufacturer's bedsprings in March 1942.* To

determine a jobber's maximum price for a sale under certain conditions of a particular manufacturer's bedspring listed in section 17, Appendix A or B of the regulation, the jobber shall follow the three rules given below:

(1) *First.* The jobber shall choose the most comparable bedspring made by the same manufacturer which the jobber was selling in March 1942.

(2) *Second.* The jobber shall determine the dollar amount by which his price for the sale of this most comparable bedspring under the same conditions in March 1942 exceeded the manufacturer's March 1942 regularly quoted FOB factory LCL price to retailers for that bedspring. "Regular quoted price" to retailers is the highest price at which the manufacturer made a substantial number of his sales.

(3) *Third.* The jobber shall then add the dollar amount determined in (2) above to the manufacturer's FOB factory LCL maximum price to retailers listed in section 17 Appendix A or B of this regulation. The resulting total is the jobber's maximum price. If the manufacturer did not have a regularly quoted FOB factory LCL price to retailers in March 1942, the jobber shall determine his maximum price under the three rules given above, except that in Rule 2 he shall substitute the manufacturer's "regularly quoted FOB factory carload price to retailers" for the manufacturer's "regularly quoted FOB factory LCL price to retailers" and in Rule 3 he shall substitute the manufacturer's "FOB factory carload maximum price to retailers", for the manufacturer's "FOB factory LCL maximum price to retailers".

(b) *Jobbers who did not sell the same manufacturer's bedsprings in March, 1942.* If a jobber did not sell the same manufacturer's bedspring in March 1942, his warehouse maximum price or his delivered maximum price for a bedspring listed in section 17, Appendix A or B of this regulation shall be the maximum price established below:

(1) *Delivered maximum price.* The jobber's delivered maximum price shall be the manufacturer's delivered maximum price for the same bedspring to the same point of delivery. If the manufacturer does not have such a delivered maximum price the jobber's delivered maximum price shall be determined as follows:

(i) *First.* The jobber shall take the manufacturer's FOB factory LCL maximum price to-retailers set forth in section 17, Appendix A or B of this regulation for the same bedspring, and

(ii) *Second.* The jobber shall add the freight cost actually incurred by him for shipment of the bedspring from the manufacturer's factory to the jobber's point of delivery. The resulting sum is the jobber's delivered maximum price; except that the freight cost which may be added shall not exceed the freight charges for direct shipment of such a bedspring from the manufacturer's factory to the jobber's point of delivery by

the least expensive readily available public carrier.

(2) *Warehouse maximum price.* The jobber's warehouse maximum price shall be the manufacturer's warehouse maximum price for the same bedspring FOB warehouse in the same city. If the manufacturer has no such warehouse maximum price, the jobber's warehouse maximum price shall be determined as follows:

(i) *First.* The jobber shall take the manufacturer's FOB factory LCL maximum price to retailers set forth in section 17, Appendix A or B of this regulation for the same bedspring, and

(ii) *Second.* The jobber shall add the freight costs actually incurred by him for shipment of the bedspring from the manufacturer's factory to the jobber's warehouse. The resulting sum shall be the jobber's warehouse maximum price; except that the freight cost which may be added shall not exceed the freight charges for direct shipment of such a bedspring from the manufacturer's factory to the jobber's warehouse by the least expensive readily available public carrier.

Sec. 7. *Retailer's maximum (ceiling) prices for bedsprings described in Appendix A and B.* This section establishes retailer's maximum (ceiling) prices for the standard classes of bedsprings described in section 17, Appendix A and B of this regulation. Retailer's maximum prices for other classes of bedsprings are determined under section 9 or 10 of this regulation. Section 11 of this regulation sets forth the obligations of retailers in regard to the tagging of each bedspring with the retail maximum (ceiling) price. A retailer is the person who sells the bedspring to an ultimate consumer.

(a) The maximum (ceiling) retail price for a bedspring listed in section 17, Appendix A or B of this regulation is the maximum (ceiling) retail price set opposite the description of that bedspring in section 17, Appendix A or B of this regulation. These maximum retail prices include all services furnished by the retail seller except those which section 8 of this regulation permits to be added as separate charges.

Sec. 8. *Credit charges.* Charges for the extension of credit may be added to the maximum (ceiling) retail prices established by this regulation only to the extent permitted by and subject to the requirements of this section.

(a) Sellers who in March 1942 collected a separately stated additional charge for the extension of credit on sales of bedsprings or similar types of articles may collect a charge for the extension of credit on sales under this regulation, not exceeding such charge in March 1942 on a similar sale on similar terms to the same class of purchaser. Sellers who did not so state and collect an additional charge may collect a charge for the extension of credit only on instalment-plan sales; and the charge shall not exceed the separately stated additional charge collected for the extension of credit on a similar sale on

similar terms to the same class of purchaser in March 1942 by the seller's closest competitor who made such a separately stated charge.

-An instalment-plan sale, as used in the above paragraph, means a sale where the unpaid balance is to be paid in instalments over a period of either (1) six weeks or more from the date of sale in the case of weekly instalments, or (2) eight weeks or more in the case of other than weekly instalments.

(b) All charges for the extension of credit shall be quoted and stated separately. Any charge which is not quoted and stated separately, or which otherwise does not conform to this Section, shall, for the purposes of this Regulation, be considered to be part of the price charged for the article sold.

(c) No seller may require as a condition of sale that the purchaser must buy on credit.

SEC. 9. *Maximum prices for bedsprings not listed in Appendix A or B—(a) Maximum prices previously set by order.* If maximum prices for a bedspring which does not fall into a class listed in section 17, Appendix A or B of this regulation have already been established for manufacturers, jobbers, and retailers by order under Maximum Price Regulation No. 213, or Revised Maximum Price Regulation No. 213 such maximum prices shall continue in full force and effect.

(b) *Maximum prices which have not been set by order.* If maximum prices for a bedspring which does not fall into a class listed in section 17, Appendix A or B of this regulation have not been established by an order mentioned in paragraph (a) of this section the following provisions shall apply:

(1) *Manufacturers.* No manufacturer may sell, offer to sell or deliver any bedspring for which a maximum price is not set in section 17, Appendix A or B of this regulation or by an order mentioned in paragraph (a) of this section until a maximum price has been established by order of the Price Administrator on application filed by the manufacturer with the Office of Price Administration in Washington, D. C. If a sale, offer to sell, or delivery of a bedspring is made prior to the issuance of an order by the Price Administrator in violation of the preceding provision, the maximum price applicable to the sale, offer, or delivery shall be such maximum price as the Price Administrator may establish for such bedspring by subsequent order. The Price Administrator shall, upon application of the manufacturer, or upon his own motion, establish by order maximum prices for a bedspring which does not fall into a class listed in section 17, Appendix A or B and for which a maximum price has not been set by an order mentioned in paragraph (a) of this section. The order shall establish maximum prices for manufacturers, jobbers and retailers in line with the maximum prices set under this regulation for bedsprings listed in Appendix A. On submitting an application, the manufacturer shall provide the following information:

(i) The name and address of the manufacturer.

(ii) Complete specifications and an illustration of the bedspring being priced.

(iii) Comparison of serviceability of the bedspring being priced with the most similar bedspring described in either Appendix A or B.

(iv) Requested maximum price of the bedspring being priced for the seller to each class of purchaser.

(v) A statement of sizes and weights of all of the parts of the bedspring being priced.

(vi) Details of manufacturing and assembly.

(vii) Detailed breakdown of direct labor and material costs on the bedspring being priced.

(viii) Detailed breakdown of direct labor and material costs, illustration and maximum price of the most comparable article which the manufacturer is currently selling.

(2) *Jobbers.* No jobber may sell, offer to sell or deliver any bedspring for which a maximum price is not set in section 17, Appendix A or B of this regulation or by an order mentioned in paragraph (a) of this section until a maximum price has been established by order of the Price Administrator on application filed by the jobber with the Office of Price Administration in Washington, D. C. If a sale, offer to sell or delivery of a bedspring is made prior to the issuance of an order by the Price Administrator in violation of the preceding provision, the maximum price applicable to the sale, offer, or delivery shall be such maximum price as the Price Administrator may establish for such bedspring by subsequent order. The Price Administrator shall, upon application of the jobber, or upon his own motion, establish by order maximum prices for a bedspring which does not fall into a class listed in section 17, Appendix A or B and for which a maximum price has not been set by an order mentioned in paragraph (a) of this section. The order shall establish maximum prices for manufacturers, jobbers and retailers in line with the maximum prices set under this regulation for bedsprings listed in Appendix A. On submitting an application, the jobber shall provide the following information:

(i) The name and address of the manufacturer and jobber.

(ii) Complete specifications and illustrations of the bedspring being priced.

(iii) Comparison of serviceability of the bedspring being priced with the most similar bedspring described in either Appendix A or B.

(iv) Manufacturer's F. O. B. factory L. C. L. price for the bedspring.

(v) The same manufacturer's F. O. B. factory L. C. L. price for the most comparable bedspring sold to the jobber.

(vi) The jobber's maximum price for this bedspring.

(vii) Requested maximum price of the bedspring being priced to each class of purchaser.

(3) *Retailers.* The maximum price for a bedspring in a retailer's stock on the effective date of this regulation which is not covered by section 17, Appendix A or B of this regulation and for which a maximum price has not been established by an order mentioned in paragraph (a) of this section shall be the

price properly determined as the retailer's maximum (ceiling) price under the General Maximum Price Regulation. Retailers should note that the retail maximum (ceiling) price for a bedspring can be based on the General Maximum Price Regulation only where all three of the following conditions exist: (i) The actual bedspring unit being priced is in the retailer's stock on the effective date of this regulation; (ii) the bedspring does not meet the specifications of a class of bedspring listed in section 17, either Appendix A or B of this regulation; (iii) a maximum (ceiling) retail price for the bedspring has not been established by order prior to the effective date of the regulation. All bedsprings of all classes delivered to a retailer after the effective date of this regulation should already have the retailer's maximum (ceiling) price tagged before the retailer receives delivery. If a retailer has any doubt about his retail maximum (ceiling) price of a bedspring, he should consult his nearest local Office of Price Administration office.

SEC. 10. *Maximum prices which cannot be established under any other section.* Any person who cannot determine a maximum price under any other section of this regulation must apply to the Office of Price Administration, Washington, D. C., for the establishment of a maximum price in line with the maximum prices of bedsprings established under this Regulation. No person may sell, offer to sell, or deliver a bedspring for which a maximum price must be established under this section before the issuance of an order by the Price Administrator establishing such maximum price. If a sale, offer to sell, or delivery is made before the issuance of the order by the Price Administrator, the maximum price applicable to the sale, offer, or delivery shall be such maximum price as the Price Administrator may establish by subsequent order.

SEC. 11. *Retail price label.* (a) No person shall sell, offer to sell or deliver, and no person shall receive delivery of a bedspring in the course of trade or business unless there is securely attached to such bedspring a durable tag containing in easily readable lettering the following:

O. P. A. has established a retail ceiling price of \$ (insert correct figure) for this bedspring. Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

Every bedspring delivered to a jobber or a retailer, after the effective date of this regulation must have the tag described above securely attached to it at all times while in his stock (including those in warehouse or storage).

(b) The first person offering a bedspring for sale after the effective date of this regulation shall attach the tag described in paragraph (a) above to the bedspring. In most cases the person who must attach the tag will be the manufacturer but in those cases where bedsprings are in the stocks of jobbers or retailers when this regulation becomes effective they must attach the tag. As

stated in paragraph (a) it shall be the responsibility of each jobber and retailer to see to it that a tag as described in paragraph (a) is attached to every bed-spring in his stock.

SEC. 12. Sales slips, receipts and invoices. (a) Regardless of his former practice, after the effective date of this regulation, every person selling a new bed-spring other than at retail shall furnish the purchaser of each bed-spring with a sales slip, receipt, invoice or other similar written evidence of purchase, showing the class (A, B, C, D, 101, 102, 103, etc.) of the bed-spring, date of sale, price charged for the bed-spring, nature and amount of any additional charges, and the name and address of the purchaser. This sales slip, receipt, or invoice or other written evidence of purchase shall be kept by the purchaser and a carbon copy of it kept by the seller for inspection by the Office of Price Administration.

(b) Any person selling a metal coil or flat bed-spring at retail who has customarily given a purchaser a sales slip, receipt, or similar written evidence of purchase shall continue to do so. Upon a request of a purchaser for a sales slip, any seller regardless of previous custom shall give the purchaser a receipt showing the date, name and address of the seller, class of the bed-spring sold, and the price received for it.

SEC. 13. Prohibited practices. Any practice which is a device to get the effect of a higher than maximum price without actually raising the dollars and cents price is as much a violation of this regulation as an outright charge of more than the maximum price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, bulk or combination sales, or by any other means.

SEC. 14. Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation. The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation continue to be applicable to every person selling at wholesale or retail any commodity for which a maximum price is established by this regulation.

SEC. 15. Enforcement. Persons violating any provisions of this Second Revised Maximum Price Regulation No. 213 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942 as amended, and proceedings for the suspension of licenses.

SEC. 16. Petitions for amendment. Any person seeking a modification of any provisions of this Second Revised Maximum Price Regulation No. 213 may file a petition for amendment in accordance with provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

SEC. 17 Appendix A and B.
SPECIFICATIONS AND MAXIMUM PRICES FOR NEW BEDSPRINGS

APPENDIX A

The general construction specifications for all bed-springs from Classes 101 to 110, inclusive, are set forth in paragraph (a) of this section. The particular and identifying specifications together with the maximum prices of each bed-spring from Classes 101 to 110 inclusive are set forth in paragraph (b) of this section.

All specifications listed are for the full 4' 6" size bed-spring: Other sizes shall be identical as to material specifications and shall be assembled with the same arrangement and spacing of parts as the 4' 6" bed-spring. All weights, sizes and dimensions are minimum only, and may be exceeded providing the resulting bed-spring complies with orders of the War Production Board.

(a) *General construction specification.* A bed-spring, Classes 101 to 110, inclusive, shall be co constructed that:

(1) All coils and helicals shall be high carbon spring steel wire.

(2) All coils in coil bed-springs shall be single deck cone type.

(3) All crimps, wire slats, and cable shall be Bessemer or low carbon steel wire.

(4) All border wire shall be Bessemer steel rod or low carbon steel.

(5) All angles, tubes, risers and flat stock shall be rerolled rail steel or secondary grade billets.

(6) All wood frame members shall be of maple, oak, ash, or wood of equivalent strength and serviceability.

(7) All joints in coil bed-spring wood frames shall be mortise and tenon, or notched and lap joint construction.

(8) Flat bed-spring wood frames shall be adequately braced and assembled with carriage bolts or other suitable fasteners.

(b) *Particular minimum specifications and maximum prices.* The particular minimum specifications of the new bed-springs, Classes 101 to 110 are listed below, with the F. O. B. factory L. C. L. and retail maximum prices set forth opposite each bed-spring.

	FOB fact. LOL max. price ¹	Cash retail max. price ²
Class 101. Steel Frame, Crimp Top, Coil Bed-spring..... Coils—80, 81, 88 or 90, weight 11½ lbs. Top Crimps—#14½ ga. Border Wire—#3 ga. Border Crimps—#14½ ga. Bottom— Continuous Angle or Four Piece Angle Type. Frame—1" x 1" x ¾" angle. Slats—4—1" x #12 ga. flat stock, all others #9 ga. wire, or—2—1" x ¾" x ¾" angle, all others #9 ga. wire. Lengthwise Crimps—#11½ ga. under each row of coils. Band End Type. Frame—Side Rails 1" x 1" x ¾" angle. End Bands 1" x #12 ga. flat stock. Slats—6—1" x #12 ga. flat stock, all others #9 ga. wire. Lengthwise Crimps—#11½ ga. under each row of coils. Finish—Oil Base Paint.	\$4.75	\$9.00
¹ F. O. B. Factory L. C. L. maximum prices in the Far West Zone shall be determined by adding \$.50 per bed-spring to Classes 101 to 105 inclusive and \$.30 to Classes 106 to 110 inclusive. "Far West Zone" for the purpose of this Regulation means the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos, and Reeves.		
² There may be added for sales at retail in the Far West Zone a maximum of \$.85 for Classes 101 to 105 inclusive and \$.50 to classes 106 to 110 inclusive.		

	FOB fact. LOL max. price	Cash retail max. price
Class 102. Steel Frame, Helical Top, Coil Bed-spring..... Coils—80, 81, 88, or 90, weight 11½ lbs. Helicals—#17 ga. Border Wire—#0 ga. Border Crimps—#14½ ga. Bottom— Continuous Angle or Four Piece Angle Type. Frame—1" x 1" x ¾" angle. Slats—4—1" x #12 ga. flat stock, all others #9 ga. wire, or—2—1" x ¾" x ¾" angle, all others #9 ga. wire. Lengthwise Crimps—#11½ ga. under each row of coils. Band End Type. Frame—Side Rails 1" x 1" x ¾" angle. End Rails 1" x #12 ga. flat stock. Slats—6—1" x #12 ga. flat stock, all others #9 ga. wire. Lengthwise Crimps—#11½ ga. under each row of coils. Finish—Oil Base Paint.	\$5.30	\$10.00
Class 103. Steel Frame, Link Wire, Fabric Bed-spring..... Fabric—Standard 2" x 4" link, #14 ga., or an equivalent fabric, attached to frame by helicals. Edge Bands—¾" x .032" Frame— Sleigh Runner Type Side Rails—1¼" O. D. Round tube. End Rails—2" x 1¾" x 1¾" angle. Formed Angle Riser Type Side Rails—1¼" x 1¾" oval tube, or 1¼" round tube. End Rails—2" x 1¾" x 1¾" angle. Risers—Formed angle. One Piece End Rail and Riser Type Side Rails—1¼" round tube. End Rails—2" x 1¾" x 1¾" angle. Finish—Oil Base Paint.	4.40	8.50
Class 104. Steel Frame, Cable Fabric, Flat Bed-spring..... Fabric—21 double lengths of 7 strand #22 ga. cable, or a cable of equivalent weight, assembled by links, attached to end rails by helicals. Edge Bands—¾" x .032" or four lengths of cable close connected. Frame— Sleigh Runner Type Side Rails—1¼" O. D. Round tube. End Rails—2" x 1¾" x 1¾" angle. Formed Angle Riser Type Side Rails—1¼" x 1¾" oval tube, or 1¼" round tube. End Rails—2" x 1¾" x 1¾" angle. Risers—Formed angle. One Piece End Rail and Riser Type Side Rails—1¼" round tube. End Rails—2" x 1¾" x 1¾" angle. Finish—Oil Base Paint.	5.00	11.00
Class 105. Steel Frame, Band Top, Flat Bed-spring..... Fabric—21 bands ¾" x .020", assembled by links or helicals, attached to frame by helicals. Edge Bands—¾" x .032" Frame— Sleigh Runner Type Side Rails—1¼" O. D. Round tube. End Rails—2" x 1¾" x 1¾" angle. Formed Angle Riser Type Side Rails—1¼" x 1¾" oval tube, or 1¼" round tube. End Rails—2" x 1¾" x 1¾" angle. Risers—Formed angle. One Piece End Rail and Riser Type Side Rails—1¼" round tube. End Rails—2" x 1¾" x 1¾" angle. Finish—Oil Base Paint.	6.30	12.00
Class 106. Wood Frame, Crimp Top, Coil Bed-spring..... Coils—80, 81, 88, or 90, weight 11½ lbs. Top Crimps—#14½ ga. Border Wire—#3 ga. Border Crimps—#14½ ga. Wood Frame— Side Rails—1¼" x 1¾" Cross Slats—1¾" x 1¼" under each row of coils. Bottom Crimps—#14½ ga. Frame Finish—Oil Base Paint.	5.45	9.50
Class 107. Wood Frame, Helical Top, Coil Bed-spring..... Coils—80, 81, 88, or 90, weight 11½ lbs. Helicals—#17 ga. Border Wire—#0 ga. Border Crimps—#14½ ga. Wood Frame— Side Rails—1¼" x 1¾"	6.00	10.50

	FOB fact. LCL max. price	Cash retail max. price
Class 107—Continued. Cross Slats— $1\frac{1}{16}$ " x $1\frac{1}{4}$ " under each row of coils. Crimps—Minimum #14 $\frac{1}{2}$ ga. Frame Finish—Oil Base Paint.		
Class 108. Wood Frame, Link Wire Fabric, Flat Bedspring. Fabric—Standard $2\frac{1}{2}$ " x $4\frac{1}{2}$ " link wire, #14 ga., or an equivalent fabric, attached to frame by helicals. Edge Bands— $5\frac{1}{8}$ " x $.632\frac{1}{2}$ ". Frame— Side Rails— $1\frac{3}{8}$ " x $3\frac{1}{2}$ ". End Rails— $1\frac{3}{8}$ " x $3\frac{1}{2}$ ". Elevation Blocks—Of a size to produce a rise of $2\frac{1}{4}$ ". Frame Finish—Oil Base Paint.	\$5.45	\$9.50
Class 109. Wood Frame, Cable Fabric, Flat Spring. Fabric—21 double lengths of 7 strand #22 ga. cable, or a cable of equivalent weight assembled by links, attached to end rails by helicals. Edge Bands— $5\frac{1}{8}$ " x $.632\frac{1}{2}$ " or four lengths of cable close connected. Frame— Side Rails— $1\frac{3}{8}$ " x $3\frac{1}{2}$ ". End Rails— $1\frac{3}{8}$ " x $3\frac{1}{2}$ ". Elevation Blocks—Of a size to produce a rise of $2\frac{1}{4}$ ". Frame Finish—Oil Base Paint.	7.00	12.50
Class 110. Wood Frame, Band Top, Flat Bedspring. Fabric—21 bands $5\frac{1}{8}$ " x $.620\frac{1}{2}$ " assembled by links or helicals, attached to frame by helicals. Edge Bands— $5\frac{1}{8}$ " x $.632\frac{1}{2}$ ". Frame— Side Rails— $1\frac{3}{8}$ " x $3\frac{1}{2}$ ". End Rails— $1\frac{3}{8}$ " x $3\frac{1}{2}$ ". Elevation Blocks—Of a size to produce a rise of $2\frac{1}{4}$ ". Frame Finish—Oil Base Paint.	7.30	13.00

APPENDIX B

Classes A to L inclusive

The general construction specifications for all bedsprings from Classes A to L, inclusive, are set forth below in paragraph (c) of this section. The particular and identifying specifications together with the basic maximum prices of each bedspring from Classes A to L inclusive are set forth in paragraph (d) of this section. Certain additions to these basic maximum prices are set forth in paragraph (e).

The specifications set forth in this Section are for the full size 4'6" bedspring. Other widths are to conform to above specifications except for the number of coils, weight of wire, and number of steel bands which may vary in the same proportions as such specifications of the manufacturer's most comparable bedspring with a steel frame of any other width customarily varied from the specifications of the 4'6" size during the most recent period of production, provided such specifications conform to orders of the War Production Board.

(c) General construction specifications. A bedspring, Classes A to L inclusive, shall be so constructed that:

- (1) All coils and helicals shall be high carbon spring steel wire.
- (2) All border wires, except where otherwise specified, shall be low carbon steel.
- (3) All wood frame members shall be of maple, oak, ash, or wood of equivalent strength and serviceability.

(4) All joints in coil bedspring wood frames shall be mortise and tenon, or notched and lap joint construction.

(5) All frames shall be finished with baked enamel with sealer undercoat or a finish of equivalent quality.

(6) All weights of wire do not include hardware and accessories.

(7) All wood frames shall be suitably braced.

(8) All flat bedspring wood frames shall be assembled with carriage bolts or other suitable fasteners.

(d) Particular specifications and maximum prices. The particular specifications of the new bedsprings, Classes A to L inclusive, are listed below; with the F. O. B. factory L. C. L. and cash retail maximum prices set opposite each bedspring.

	Max. FOB fact. LCL price ¹	Max. cash retail price ²
Class A. Wood Frame, Crimp Top, Single Deck Coil Bedspring. Coils—S0, S1, S3, or S0 single deck, minimum #12 ga. Top Assembly—Crimp wire. Border Wire—#3 ga. Frame— Side Rails $1\frac{3}{16}$ " x $1\frac{3}{4}$ ". Cross Members $1\frac{1}{16}$ " x $1\frac{1}{4}$ " under each row of coils. Weight of Wire—Minimum 20 lbs.	\$5.45	\$9.00
Class B. Wood frame, Helical Top, Single Deck Coil Bedspring. Coils—S0, S1, S3, or S0 single deck, minimum #12 ga. Top Assembly—Cross helicals minimum #17 ga. Border Wire—#3 ga. Frame— Side Rails $1\frac{3}{16}$ " x $1\frac{3}{4}$ ". Cross Members $1\frac{1}{16}$ " x $1\frac{1}{4}$ " under each row of coils. Weight of Wire—Minimum 24 lbs.	6.00	10.50
Class C. Wood Frame, Helical Top, Semi-double Deck Coil Bedspring. Coils—S3 or S0 semi-double deck except border coils, minimum #12 ga. Top Assembly—Cross helicals minimum #17 ga. Border Wire—Minimum #0 ga. Center Wire Tie—Round wire through all semi-double deck coils. Frame— Side Rails $1\frac{3}{16}$ " x $1\frac{3}{4}$ ". Cross Members $1\frac{1}{16}$ " x $1\frac{1}{4}$ " under each row of coils. Weight of Wire—Minimum 27 lbs.	7.00	12.50
Class D. Wood Frame, Helical Top, Double Deck Coil Bedspring. Coils—S3 or S0 close wound center double deck coils, excepting border coils, minimum #12 ga. Top Assembly—Cross helical minimum #17 ga. Border Wire—Minimum #0 ga. Center Wire Tie—Round or flat wire running 2 ways through all double coils. Frame— Side rails $1\frac{3}{16}$ " x $1\frac{3}{4}$ ". Cross Members $1\frac{1}{16}$ " x $1\frac{1}{4}$ " under each row of coils. Weight of Wire—Minimum 20 lbs.	7.30	13.00

¹ FOB factory LCL maximum prices in the Far West Zone shall be determined by adding \$.20 per bedspring to Classes A, B, E, F, G, H, I, J, K, & L bedsprings and \$.40 per bedspring to Classes C & D bedsprings. "Far West Zone" (for the purpose of this Regulation means the States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos, and Reeves.)
² Cash retail maximum prices in the Far West Zone shall be determined by adding \$.60 per bedspring to Classes A, B, E, F, G, H, I, J, K, & L bedsprings and \$.70 to Classes C & D bedsprings.

	Max. FOB fact. LCL price	Max. cash retail price
Class E. Wood Frame, Crimp Top, Single Deck Coil Bedspring. Coils—S0, S1, S3, or S0 single deck, minimum #12 ga. Top Assembly—Crimp Top. Border Wire—Minimum #3. Frame— Side Rails $1\frac{3}{16}$ " x $1\frac{3}{4}$ ". Cross Members $1\frac{1}{16}$ " x $1\frac{1}{4}$ " under each row of coils. Weight of Wire—Minimum 14 lbs.	\$5.20	\$9.25
Class F. Wood Frame, Crimp Top, Single Deck Coil Bedspring with Wood Border. Coils—S0, S1, S3, or S0 single deck, minimum #12 ga. Top Assembly—Crimp Wire. Border—Minimum $3\frac{1}{2}$ " x $3\frac{1}{2}$ " elm, hickory, oak, maple, or other wood and dimensions of equivalent strength and serviceability. Frame— Side Rails $1\frac{3}{16}$ " x $1\frac{3}{4}$ ". Cross Members $1\frac{1}{16}$ " x $1\frac{1}{4}$ " under each row of coils. Weight of Wire—Minimum 14 lbs.	5.85	10.25
Class G. Wood Frame, Helical Top, Single Deck Coil Bedspring. Coils—S0, S1, S3, or S0 single deck, minimum #17 ga. Top Assembly—Cross Helical minimum #17 ga. Border Wire—Minimum #7 high carbon steel wire. Border Frame Bracing—Minimum braced at 2 points on each side and at 1 point on each end. Frame— Side Rails $1\frac{3}{16}$ " x $1\frac{3}{4}$ ". Cross Members $1\frac{1}{16}$ " x $1\frac{1}{4}$ " under each row of coils. Weight of Wire—Minimum 14 $\frac{1}{2}$ lbs.	5.85	10.25
Class H. Wood Frame, Helical Top, Single Deck Coil Bedspring with Wood Border. Coils—S0, S1, S3, or S0 single deck, minimum #12 ga. Top Assembly—Cross Helical minimum #17 ga. Border—Minimum $3\frac{1}{2}$ " x $3\frac{1}{2}$ " elm, hickory, maple, oak, or wood and dimensions of equivalent strength and serviceability. Frame— Side Rails $1\frac{3}{16}$ " x $1\frac{3}{4}$ ". Cross Members $1\frac{1}{16}$ " x $1\frac{1}{4}$ " under each row of coils. Stabilizer—2 pair. Weight of Wire—Minimum 14 lbs.	6.00	11.50
Class I. Wood Frame, Link Fabric, Flat Bedspring. Side Rails minimum $1\frac{3}{8}$ " x $3\frac{1}{2}$ ". End Rails minimum $1\frac{3}{8}$ " x $3\frac{1}{2}$ ". Elevation Blocks—Of a size to result in a minimum rise of $2\frac{1}{4}$ ". Fabric—Standard $2\frac{1}{2}$ " x $4\frac{1}{2}$ " link wire, minimum gauge #14 or a link wire fabric of equivalent strength and serviceability, attached to end rails by means of helicals. Edge Bands—Minimum 1" x $.642\frac{1}{2}$ " steel bands.	5.45	9.50
Class J. Wood Frame, Cable Wire, Flat Bedspring. Side Rails minimum $1\frac{3}{8}$ " x $3\frac{1}{2}$ ". End Rails minimum $1\frac{3}{8}$ " x $3\frac{1}{2}$ ". Elevation Blocks—Of a size to result in a minimum rise of $2\frac{1}{4}$ ". Fabric—Minimum 21 double lengths of 7 strand #22 ga. steel wire cable assembled by means of links, fabric to be attached to end rails by means of helicals. Edge Bands—Minimum 1" x $.642\frac{1}{2}$ " steel bands.	7.00	12.50
Class K. Wood Frame, Narrow Band Top, Flat Bedspring. Side Rails minimum $1\frac{3}{8}$ " x $3\frac{1}{2}$ ". End Rails minimum $1\frac{3}{8}$ " x $3\frac{1}{2}$ ". Elevation Blocks—Of a size to result in a minimum rise of $2\frac{1}{4}$ ". Fabric—Minimum 23 steel bands $5\frac{1}{8}$ " x $.620\frac{1}{2}$ " assembled by means of links or helicals. Fabric to be attached to end rails by means of helicals. Edge Bands—Minimum 1" x $.642\frac{1}{2}$ " steel bands.	7.20	13.00

	Max. FOB fact. LCL price	Max- imum cash retail price
Class L. Wood Frame, Wide Band Top, Flat Bedspring.....	\$7.60	\$13.50
<i>Frame—</i> Slide Rails 1 3/8" x 3" minimum. End Rails 1 3/8" x 3" minimum. Elevation Blocks—Of a size to result in a minimum rise of 2 1/4". Fabric—Minimum 20 steel bands 1 1/4" x .030" assembled by means of links or helicals, fabric to be attached to end rails by means of helicals. Edge Bands—Minimum 1 1/4" x .035" steel bands.		

(e) *Additions to maximum prices.* There may be added to the maximum FOB factory LCL and cash retail price of Classes A, B, C, and D coil bedsprings as set forth in paragraph (d) above, the following:

	FOB factory LCL price	Cash retail price
For a full platform top.....	\$1.05	\$1.75
For a partial platform top.....	.60	1.00
For a pair of stabilizers.....	.15	.25

(f) *Specification Definitions.*
 (1) "Full platform top" means the steel bands on top of a coil spring of the following minimum specifications: Platform top to cover the entire coil area (excepting border coils) and to consist of the following number of 5/8" x .020" steel bands:

	Cross bands	Length bands
80 Coil Bedspring.....	8	6
81 Coil Bedspring.....	7	7
88 Coil Bedspring.....	9	6
90 Coil Bedspring.....	8	7

(2) "Partial platform top" means the steel bands on top of a coil spring of the following minimum specifications: Platform top to extend full length of coil surface (excepting border coils) and to consist of the following number of 5/8" x .020" steel bands:

	Length Bands
80 Coil Bedspring.....	6
81 Coil Bedspring.....	7
88 Coil Bedspring.....	6
90 Coil Bedspring.....	7

or platform top to extend full width of coil surface (excepting border coils) and to consist of the following number of 5/8" x .020" steel bands:

	Cross Bands
80 Coil Bedspring.....	8
81 Coil Bedspring.....	7
88 Coil Bedspring.....	9
90 Coil Bedspring.....	8

or platform top to cover 1/2 of the coil area of the spring and to consist of the following number of 5/8" x .020" steel bands:

	Cross bands	Short length bands
80 Coil Bedspring.....	4	6
81 Coil Bedspring.....	3	7
88 Coil Bedspring.....	5	6
90 Coil Bedspring.....	4	7

(3) "Stabilizer" means a device fastened to and connecting the border frame to the

base frame in a manner adequately to prevent sway.

(4) "Hardware and accessories" means any metal appurtenance attached to or used in the assembly of the bedspring, such as nails, screws, platform top, stabilizers, etc., but does not include wire which is part of the bedspring proper.

(g) *Permitted variations of specifications.*

(1) If a manufacturer is unable to manufacture a bedspring fulfilling all of the requirements of a class of bedspring as set forth in this Appendix, then upon specific authorization in writing by the Office of Price Administration any manufacturer may, at his option, vary the specifications of the classes of bedsprings from those set forth in this Appendix in the following ways by:

(i) Substituting a different gauge of wire which is of equivalent serviceability.

(ii) Substituting a wood frame of different design or construction which is of equivalent strength or serviceability.

(iii) Changing the number of coils without reducing the serviceability of the bedspring.

(iv) Substituting a different type of spring fabric which is of equivalent strength and serviceability.

(2) The maximum price for a bedspring manufactured with all of the specifications of a class of bedsprings set forth in this Appendix except for variations in specifications permitted in paragraph (g) shall be the price set forth in this Appendix for that class of bedspring, provided that such altered bedspring does not cost less than a bedspring fulfilling all of the requirements of that class of bedspring as set forth in this Appendix. If such altered bedspring costs less than it shall be priced according to provisions of section 9 or 10 of this regulation.

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

Effective date. This regulation shall become effective the 14th day of September 1943.

Issued this 8th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14738; Filed, September 8, 1943; 3:58 p. m.]

PART 1368—FERROUS AND NON-FERROUS BOLTS, NUTS, SCREWS AND RIVETS

[MPR 147, Amdt. 2]

BOLTS, NUTS, SCREWS AND RIVETS

A statement of 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. 147 is amended in the following respects:

1. Section 1368.12 (d) is amended to read as follows:

(d) *Specials—Bolts, nuts, screws and rivets other than those described in paragraphs (a), (b) and (c)—*(1) *Specials not manufactured complete or in their first operation on hand or automatic screw machines.* The maximum prices for such bolts, nuts, screws and rivets

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

†7 F.R. 3808, 3905, 8948; 8 F.R. 8361.

for each producer shall be the prices such producer would have charged between October 1 and October 15, 1941 for like quantities of the same type, size and specifications determined by the labor rates, material costs and the methods of estimating costs and charges or allowances for delivery, and adjusted for customary discounts and allowances, all as in effect for such producer between October 1 and October 15, 1941: *Provided*, That, (i) where overtime labor is performed at the purchaser's request and is actually required the excess of the overtime labor cost over the labor cost as figured on a straight-time basis may be added provided that it is shown as a separate charge on the invoice and contains no addition for profit or overhead; and (ii) recomputation shall be made as hereinafter provided.

Recomputation. Maximum prices shall be recomputed for every contract. When the recomputed price per unit is higher than the price per unit on the next previous contract and the excess is greater than the increase in the tool and setup charge per unit resulting from using the total charge for tools and setup which was included in the next previous contract, such price shall be the maximum price only if approved in writing by the Office of Price Administration or not disapproved within 30 days after receipt of a report mailed by the producer within 10 days after acceptance of an order at the new price. This report shall contain (a) a full description of the item; (b) the price on the contract prior to the price increase, the date of such contract, the quantity involved, and the name and address of the purchaser; (c) the price charged between October 1 and October 15, 1941 or on the first contract subsequent thereto, the quantity involved and the date of such contract; (d) the recomputed price, the date of producer's acceptance of the order at the recomputed price, the quantity ordered, and the name and address of the purchaser; (e) a complete statement of the cost factors, the method of price computation and the reasons for the increase in price. In lieu of approving or disapproving the recomputed price, the Office of Price Administration may approve such price as it deems fair and equitable on the basis of the report. Pending approval or disapproval, the producer may use the recomputed price subject to adjustment in accordance with the determination of the Office of Price Administration.

(2) *Specials manufactured complete or in their first operation on hand or automatic screw machines.* (i) The maximum prices for such bolts, nuts, screws and rivets for each producer shall be determined in accordance with subparagraph (1) above, substituting "March 31, 1942" for "between October 1 and 15, 1941"; or (ii) the maximum prices shall be determined in accordance with the provisions of Maximum Price Regulation No. 136, as amended, or any revision thereof in which case the sales shall, in every respect, be subject to said Maximum Price Regulation No. 136, as amended, or any revision thereof. Each

producer shall elect either (i) or (ii) on or before September 24, 1943, and whichever is elected must be used exclusively after such date. A producer who, between October 1 and 15, 1941, customarily manufactured by the upset method and sold on a list and discount basis any bolt, nut, screw or rivet contained in Appendix D² shall be presumed to elect (i) unless within 10 days after September 24, 1943, he notifies the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., in writing that he elects (ii). Any other producer shall be presumed to elect (ii) unless within 10 days after September 24, 1943, he notifies the Machinery Branch of the Office of Price Administration, Washington, D. C., in writing that he elects (i) or unless, in the case of a producer first producing and selling after September 24, 1943, he gives such notification within 10 days after his first sale. Failure to notify as above shall constitute an election in accordance with the applicable presumption. Sales or offers of sale made on or before September 14, 1943 shall be deemed to have been made in accordance with Maximum Price Regulation No. 147 if the prices did not exceed the applicable maximum prices for screw machine products as established by Maximum Price Regulation No. 136, as amended, as in effect at the time of sale or offer of sale.

2. Subparagraph (1) of Table III of Appendix D (§ 1368.15) is amended by deleting the "x" opposite hexagon head cap screws $\frac{3}{8}$ " in length and $\frac{1}{4}$ " in diameter.

3. Subparagraph (6) of Table III of Appendix D (§ 1368.15) is amended by deleting the "x" opposite square head set screws $\frac{3}{8}$ " in length and $\frac{1}{4}$ " in diameter.

4. The titles for the cap screw tables in Group II of Appendix E (§ 1368.16) for upset 1035 hexagon head cap screws are amended to read as follows:

Upset 1035 heat treated up to and including $\frac{5}{8}$ " x 6".

Upset 1035 heat treated, $\frac{3}{4}$ ", $\frac{7}{8}$ " and 1" diameter up to and including 6".

This amendment shall become effective September 14, 1943.

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

Issued this 8th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14739; Filed, September 8, 1943; 3:56 p. m.]

PART 1377—WOODEN CONTAINERS

[MPR 434, Amdt. 2]

USED FRUIT AND VEGETABLE CONTAINERS

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.*

*Copies may be obtained from the Office of Price Administration,
48 F.R. 10086, 11382.

² Appendix D contains the simplified list of standard items.

Maximum Price Regulation No. 434 is amended in the following respect:

Section 13, *Licenses*, is amended by deleting from the third sentence the language "within 30 days from the issuance of this regulation."

This amendment shall become effective September 14, 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 8th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14732; Filed, September 8, 1943; 3:59 p. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 392, Amdt. 1]

PACKAGED DRUGS

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 392 is amended in the following respects:

1. Section 5 is amended to read as follows:

Sec. 5. All sellers' maximum prices for packaged drugs priced under the General Maximum Price Regulation—(a) Maximum prices for sales by manufacturers.

(1) The maximum price which a manufacturer may charge to any class of purchasers for any packaged drug priced under the General Maximum Price Regulation shall be the maximum price established under the General Maximum Price Regulation for sales of such packaged drug by him to a purchaser of the same class.

(2) If the manufacturer cannot determine a maximum price for sales to a particular class of purchasers he shall apply in writing to the Office of Price Administration in Washington, D. C., for establishment of a maximum price for sales to that class of purchasers. Such application shall clearly describe such class of purchasers, point out the differences from the most nearly similar class of purchasers for sales to whom a maximum price has been established under subparagraph (1), and state such maximum price.

(3) A manufacturer of a packaged drug priced under the General Maximum Price Regulation may consider such packaged drug as a new packaged drug and apply for determination of maximum prices therefor under the provisions of section 6 (b) (2) if most resellers thereof will be unable to determine a maximum price therefor except under paragraph (b) (2) (iv) of this section 5. Such application shall, in addition to the information specified in section 6 (b) (2), contain an explanation of why most resellers will be unable to determine a maximum price except under paragraph (b) (2) (iv) of

*8 F.R. 6262.

this section 5 and a list of the maximum prices for sales by the manufacturer which have been established under the General Maximum Price Regulation.

(b) Maximum prices for sales by resellers. (1) The maximum price which a reseller may charge to any class of purchasers for any packaged drug priced under the General Maximum Price Regulation by the manufacturer, which the reseller sold and delivered prior to May 12, 1943, shall be the maximum price established under the General Maximum Price Regulation for sales by him to a purchaser of the same class.

(2) The maximum price which a reseller may charge to any class of purchasers for any packaged drug priced under the General Maximum Price Regulation by the manufacturer, which the reseller has not sold and delivered prior to May 12, 1943, shall be:

(i) The maximum price established under the provisions of any order issued under the General Maximum Price Regulation for sales of such packaged drug by him to a purchaser of the same class or,

(ii) If there is no order applicable, the maximum price for sales of such packaged drug by him to a purchaser of the same class as determined under the provisions of § 1499.2 (b) (1) of the General Maximum Price Regulation, or

(iii) If there is no order applicable and a maximum price cannot be determined under § 1499.2 (b) (1), or the maximum price so determined exceeds the manufacturer's suggested price for sales of such packaged drug to a purchaser of the same class, the manufacturer's suggested price for sales of such packaged drug to a purchaser of the same class.

(iv) If the reseller's maximum price cannot be determined under the provisions of subdivisions (i), (ii), or (iii), the reseller shall determine a maximum price under the provisions of § 1499.3 (2) of the General Maximum Price Regulation and file the report required by that section. The comparable commodity used in this determination may be a commodity for which the reseller's maximum price is established under this regulation.

(c) The provisions of paragraphs (a) and (b) of this section shall apply to drugs packaged by or for a retailer or wholesaler under his own brand name in a package of a size or type customarily sold to individual ultimate consumers, or in a package of a size or type customarily sold to retailers or institutional users, for which maximum prices for sales by him have been established under the General Maximum Price Regulation after May 11, 1943 and prior to the end of the first calendar year in which his gross sales of all such packaged drugs exceeds \$5,000.

2. Section 12 (c) (1) is amended by adding a sentence to read as follows:

Such wholesaler may, before such inspection, remove from such notification any reference to the maximum price for sales to him.

3. Section 12 (c) (2) is amended by adding a sentence to read as follows:

Such retailer may, before such inspection, remove from such notification any reference to the maximum price for sales to him.

This amendment shall become effective September 14, 1943.

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

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Pub. Law 151, 78th Cong.)

Issued this 8th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14731; Filed, September 8, 1943; 3:55 p. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 393, Amdt. 1]

PACKAGED COSMETICS

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 393 is amended in the following respects:

1. Section 5 is amended to read as follows:

SEC. 5. All sellers' maximum prices for packaged cosmetics priced under the General Maximum Price Regulation—

(a) Maximum prices for sales by manufacturers. (1) The maximum price which a manufacturer may charge to any class of purchasers for any packaged cosmetic priced under the General Maximum Price Regulation shall be the maximum price established under the General Maximum Price Regulation for sales of such packaged cosmetic by him to a purchaser of the same class.

(2) If the manufacturer cannot determine a maximum price for sales to a particular class of purchasers he shall apply in writing to the Office of Price Administration in Washington, D. C., for establishment of a maximum price for sales to that class of purchasers. Such application shall clearly describe such class of purchasers, point out the differences from the most nearly similar class of purchasers for sales to whom a maximum price has been established under subparagraph (1), and state such maximum price.

(3) A manufacturer of a packaged cosmetic priced under the General Maximum Price Regulation may consider such packaged cosmetic as a new packaged cosmetic and apply for determination of maximum prices therefor under the provisions of section 6 (b) (2) if most resellers thereof will be unable to determine a maximum price therefor except under paragraph (b) (2) (iv) of this section 5. Such application shall, in ad-

dition to the information specified by section 6 (b) (2), contain an explanation of why most resellers will be unable to determine a maximum price except under paragraph (b) (2) (iv) of this section 5 and a list of all maximum prices for sales by the manufacturer which have been established under the General Maximum Price Regulation.

(b) Maximum prices for sales by resellers. (1) The maximum price which a reseller may charge to any class of purchasers for any packaged cosmetic priced under the General Maximum Price Regulation by the manufacturer, which the reseller sold and delivered prior to May 12, 1943, shall be the maximum price established under the General Maximum Price Regulation for sales by him to a purchaser of the same class.

(2) The maximum price which a reseller may charge to any class of purchasers for any packaged cosmetic priced under the General Maximum Price Regulation by the manufacturer, which the reseller has not sold and delivered prior to May 12, 1943, shall be:

(i) The maximum price established under the provisions of any order issued under the General Maximum Price Regulation for sales of such packaged cosmetic by him to a purchaser of the same class or,

(ii) If there is no order applicable, the maximum price for sales of such packaged cosmetic by him to a purchaser of the same class as determined under the provisions of § 1499.2 (b) (1) of the General Maximum Price Regulation, or

(iii) If there is no order applicable and a maximum price cannot be determined under § 1499.2 (b) (1), or the maximum price so determined exceeds the manufacturer's suggested price for sales of such packaged cosmetic to a purchaser of the same class, the manufacturer's suggested price for sales of such packaged cosmetic to a purchaser of the same class.

(iv) If the reseller's maximum price cannot be determined under the provisions of subdivisions (i), (ii), or (iii), the reseller shall determine a maximum price under the provisions of § 1499.3 (a) of the General Maximum Price Regulation and file the report required by that section. The comparable commodity used in this determination may be a commodity for which the reseller's maximum price is established under this regulation.

(c) The provisions of paragraphs (a) and (b) of this section shall apply to cosmetics packaged by or for a retailer or wholesaler under his own brand name in a retail or professional size package for which maximum prices for sales by him have been established under the General Maximum Price Regulation after May 11, 1943 and prior to the end of the first calendar year in which his gross sales of all such packaged cosmetics exceed \$2,500.

2. Section 13 (b) (2) is amended by adding a sentence to read as follows:

Such wholesaler may, before such inspection, remove from such notification

any reference to the maximum price for sales to him.

This amendment shall become effective September 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Pub. Law 151, 78th Cong.)

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

Issued this 8th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14730; Filed, September 8, 1943; 3:53 p. m.]

PART 1429—POULTRY AND EGGS

[MPR 333, Amdt. 14]

EGGS AND EGG 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.*

Maximum Price Regulation 333 is amended in the following respects:

1. Section 1429.71 (b) is amended to read as follows:

(b) Table G: Maximum permitted increases for sales of liquid and frozen egg products in less than carlot quantities. Users whose total purchases f. o. b. and deliveries of all frozen and liquid egg products from the particular seller for the period of the contract covering such purchases and deliveries average a number of pounds weekly within a range of pounds indicated below may be charged in the particular sale the increase in cents per pound shown opposite thereto below:

Quantity sales	Maximum increase in cents per lb. above base price at warehousing point	
	F. O. B. ware-house	Delivered within 25 miles
Users whose weekly purchases average:		
3,001 to 30,000 lbs., inclusive....	1 1/2	1 3/4
1,501 to 3,000 lbs.....	1	1 1/4
501 to 1,500 lbs.....	2	2 1/4
500 lbs. or less.....	3	3 1/4

Where there are two or more contracts covering the purchase or delivery of one or more of such frozen or liquid egg products which cover the same period of time in whole or in part they shall be considered as one contract for the period in which they run concurrently. Sales and deliveries of such products made to the purchaser in addition to those made under a contract with him shall be considered as having been made under the contract. If any contract for the sale or

* 18 F.R. 2488, 3002, 3070, 3735, 5342, 5830, 6182, 6476, 6626, 7457, 9027, 9300, 9870, 9300, 11381.

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

18 F.R. 6266.

delivery of one or more of such egg products extends over a period of one week or less, or if sales or deliveries of one or more of such egg products are made otherwise than under contract, the purchaser may be charged the increase in cents per pound for the total purchases f. o. b. and deliveries of all frozen and liquid egg products from the particular seller for the week in which the particular sale occurs within the range of pounds above indicated.

2. A new § 1429.71 (e) is added to read as follows:

(e) *Permitted increase for sale of frozen egg products in containers of 20 pounds or less.* Where frozen egg products are sold in containers of the capacity of 20 pounds or less there may be added to the maximum price determined as provided in this section an increase of ½¢ per pound.

3. The head-note of § 1429.74 is amended to read as follows:

§ 1329.74 *Maximum prices for dried whole eggs and dried egg yolks sold to civilian purchasers in quantities of more than 3,000 pounds and to the United States or any agency thereof in any quantity, and maximum prices for dried albumen sold to civilian purchasers in quantities of more than 250 pounds and to the United States or any agency thereof in any quantity.*

4. Section 1429.74 (a) is amended to read as follows:

(a) *Maximum prices in the Cities of New York and Seattle.* The maximum prices for dried whole eggs and dried egg yolks sold and delivered to any civilian purchaser in quantities of more than 3,000 pounds and to the United States or any agency thereof, in any amount, and the maximum prices for flake dried albumen and spray dried or powdered albumen sold and delivered to any civilian purchaser in quantities of more than 250 pounds, and to the United States or any agency thereof, in any amount in the cities of New York and Seattle shall be the prices per pound for each dried egg product set forth for the particular city in Table H of this section and for the month in which delivered.

5. The head-note of § 1429.74a is amended to read as follows:

§ 1429.74a *Permitted increases in maximum prices for dried whole eggs and dried egg yolks for sales of quantities of 3,000 pounds or less and for dried albumen for sales of quantities of 250 pounds or less, sold and delivered to purchasers other than the United States, or any agency thereof.*

6. Section 1429.74a (a) is amended to read as follows:

(a) *When delivered from a warehouse or the premises of a manufacturer.* Where dried whole eggs or dried egg yolks are sold and delivered from a warehouse or from the premises of a manufacturer in quantities of 3,000 pounds or less, and where flake dried albumen and spray dried or powdered albumen are sold and delivered from such warehouse

or premises of a manufacturer in quantities of 250 pounds or less, there may be added to the maximum price of the particular product in larger quantities provided by § 1429.74 hereof the amount per pound set forth in Table I below.

In calculating the maximum prices for dried whole eggs and dried egg yolks in more than 3,000 pound quantities, and the maximum prices for flake dried albumen and spray dried or powdered albumen in more than 250 pound quantities (to be used as a base for quantities of dried whole eggs and dried egg yolks of 3,000 pounds or less, and for flake dried albumen and spray dried or powdered albumen in quantities of 250 pounds or less in the paragraph immediately above), the price in Table H in § 1429.74 for the month in which the delivery of the less quantity is made shall be used.

7. Section 1429.74a (b) is amended to read as follows:

(b) *Table I: Maximum permitted increases for sales of dried whole eggs and dried egg yolks in quantities of 3,000 pounds or less and for dried albumen in quantities of 250 pounds or less to purchasers other than the United States or any agency thereof.* Users other than the United States or any agency thereof whose total purchases and deliveries of all dried egg products from the particular seller for the period of the contract covering such purchases and deliveries average a number of pounds weekly within a range of pounds indicated below may be charged in the particular sale the increase in cents per pound shown opposite thereto below:

Maximum increase in cents per lb. above base price at warehousing point

Quantity sales:	<i>Dried whole eggs and dried egg yolks</i>	
Users whose weekly purchases average:		
1,001 to 3,000 lbs., inclusive.....		3
101 to 1,000 lbs., inclusive.....		6
100 lbs. or less, inclusive.....		10
	<i>Flaked dried albumen and spray dried or powdered albumen</i>	
51 to 250 pounds, inclusive.....		8
50 pounds or less.....		12

Where there are two or more contracts covering the purchase or delivery of one or more of such dried egg products which cover the same period of time in whole or in part they shall be considered as one contract for the period in which they run concurrently. Sales and deliveries of such products made to the purchaser in addition to those made under a contract with him shall be considered as having been made under the contract. If any contract for the sale or delivery of one or more of such egg products extends over a period of one week or less, or if sales or deliveries of one or more of such egg products are made otherwise than under contract, the purchaser may be charged the increase in cents per pound for the total purchases and deliveries of all dried egg products from the particular seller for the week in which the particular sale occurs within the range of pounds above indicated.

This amendment shall become effective September 14, 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 8th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14729; Filed, September 8, 1943; 3:55 p. m.]

PART 1499—COMMODITIES AND SERVICES
[MPR 183; Amdt. 21]

BEDSPRINGS

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 respects:

1. Section 1499.166 (b) (1) is amended so that the second item "Bedsprings, including boxsprings . . . with non-steel frames", shall read: "Boxsprings, gatch bedsprings, and flat and coil bedsprings which are made as an integral part of a bed".

This amendment shall become effective September 14, 1943.

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

Issued this 8th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14728; Filed, September 8, 1943; 3:53 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND FUELISHING

[Rev. MPR 257; Amdt. 1]

PULPWOOD PRODUCED IN THE STATES OF MINNESOTA, MICHIGAN AND WISCONSIN

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

Subparagraph (14) of section 3 (a) is amended to read as follows:

(14) "A cord of pulpwood" means an amount of pulpwood (whether peeled, rossed or rough) which, when properly prepared and stacked contains not less than 128 cubic feet, plus a four inch allowance for trim on each stick; thus a cord is not more than 133 cubic feet including a four inch trimming allowance.

This amendment shall become effective September 8, 1943.

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

*7 F.R. 8372, 7867, 8343, 10155; 8 F.R. 537, 1815, 1959, 3105, 3783, 3250, 4140, 4931, 5759, 7107, 8751, 8754, 9336, 10433, 10907, 11037.

*8 F.R. 11037.

(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 8th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14734; Filed, September 8, 1943;
3:57 p. m.]

PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH PRODUCTS
[MRR 336, Amdt. 8]

RETAIL CEILING PRICES FOR PORK CUTS AND
PROCESSED MEAT PRODUCTS

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

Maximum Price Regulation No. 336 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *What this regulation does.* This regulation fixes dollar-and-cents ceiling prices on all retail sales of fresh and processed pork cuts made on and after June 21, 1943, and on all retail sales of the following processed products made on and after June 21, 1943: Fresh sausage, smoked sausage, frankfurters, bologna, all beef knackwurst and all beef salami. The ceiling prices of all other processed meat products remain as fixed under the General Maximum Price Regulation. The United States is divided into zones by this regulation and different ceiling prices are fixed for sales made in each zone and for sales made by different groups of retail stores. Your ceiling prices depend on the zone where your store is and its group, and on the type and the casing of the sausage, frankfurters, bologna and knackwurst you are selling. A store includes any place where pork cuts or processed meat products subject to this regulation are sold at retail.

2. Section 3 (b) is amended to read as follows:

(b) *Processed meat products.* On June 21, 1943, the dollar-and-cents ceiling prices fixed by this regulation take the place of all previous ceiling prices fixed by the Office of Price Administration upon retail sales of the following processed meat products: Fresh sausage, smoked sausage, frankfurters, bologna, all beef knackwurst and all beef salami. On and after June 21, 1943, you must not sell any processed meat product covered by this regulation at a price higher than the ceiling price fixed by this regulation. The ceiling prices for sales at retail of all other processed meat products, including all other sausage products, will remain as fixed by the General Maximum Price Regulation, except canned meat, which

is priced under Maximum Price Regulations Nos. 422 and 423.

3. Section 4 is amended to read as follows:

SEC. 4. *What pork and processed meat products you may sell.* (a) On and after June 21, 1943, the only pork products you may sell, other than those listed in paragraph (b) of this section, are (1) those fresh or frozen and processed pork cuts which are given dollar-and-cents prices under this regulation; (2) canned pork products for which your ceiling prices are fixed by Maximum Price Regulations Nos. 422 and 423; (3) pork variety meats or offal (including cutlets, brains, chitterlings, livers, kidneys, tongues, lips, snouts, ears, hearts, cheek and head meat, weasand meat and heads) for which your ceiling prices are fixed by Maximum Price Regulation No. 355; (4) the following pork products for which your ceiling prices are to remain as fixed under the General Maximum Price Regulation; namely, sausage not in cans or glass containers and not covered by this regulation, and quick frozen cuts which are sold and delivered to you in the individual packages in which you sell them.

The pork cuts listed in the OPA list of ceiling prices for pork cuts are defined in Revised Maximum Price Regulation No. 148—Dressed Hogs and Wholesale Pork Cuts. If the Office of Price Administration allows any person to make a different cut, you will receive notice when you buy that cut of the ceiling price you may charge for it at retail.

(b) On and after June 21, 1943, the only fresh sausage, smoked sausage, frankfurters, bologna, all beef knackwurst and all beef salami you may sell are those which meet the requirements for the types of fresh sausage, smoked sausage, frankfurters, bologna, all beef knackwurst and all beef salami for which ceiling prices are established by this regulation. The sausage products listed in this OPA list of ceiling prices for processed meat products covered by Maximum Price Regulation No. 336 are defined in Maximum Price Regulation No. 389—Ceiling Prices for Certain Sausage Items at Wholesale. If you make your own sausage, you must comply with the quality and labeling requirements imposed in sections 4 and 13 of Maximum Price Regulation No. 389.

You may continue to sell all other sausage products and all processed meat products not covered by this regulation under the ceiling prices fixed by the General Maximum Price Regulation, except canned meat, which is priced under Maximum Price Regulations Nos. 422 and 423.

4. Section 5 is amended to read as follows:

SEC. 5. *Sales to eating places.* Your ceiling prices for sales to hotels, restaurants, institutions and other eating places selling or furnishing meals are the ceiling prices fixed by Revised Maximum Price Regulation No. 148, for pork cuts, by Maximum Price Regulation No. 389, for fresh sausage, smoked sausage;

frankfurters, bologna, all beef knackwurst and all beef salami, by Revised Maximum Price Regulation No. 160 for all other sausage containing any beef or veal, and by the General Maximum Price Regulation for all other sausage. Nevertheless, you may, during any month, use the ceiling prices fixed by this regulation in selling to eating places if 80 percent or more of your total dollar sales of meat during the previous calendar month were retail sales to consumers, that is, to persons who buy the pork cuts or processed meat products to be eaten by themselves or their families off your premises.

5. Section 6 is amended to read as follows:

SEC. 6. *Post your ceiling prices.* Not later than June 21, 1943, you must post at your store your official OPA list of retail meat prices, showing ceiling prices for pork cuts and processed meat products, including sausage. You may use an exact copy of the OPA list as long as the printing is just as legible and at least as large. Put it on, or at, the counter of the meat department in your store in one or more places where your customers can easily see and read it. You must have at least one list posted for each 20 feet of meat counter space. You must get your official copies of the price lists for posting or copying from your war price and rationing board or from your district OPA office. You may, if you wish, underline on the lists you post, those cuts and processed meat products which you carry. If you display any pork cut, fresh sausage, smoked sausage, frankfurters, bologna, all beef knackwurst and all beef salami, as in your show case, you must post on it your selling price for that cut or that sausage item.

6. Section 6a is amended to read as follows:

SEC. 6a. *Descriptive labeling and manufacturing requirements.* (a) After June 20, 1943, all sausage subject to this regulation must bear a descriptive label in accordance with the provisions of this section. A label satisfying the requirements of this section shall appear on each one-half pounds of frankfurters and pork or breakfast sausage other than bulk, and once on each piece of bologna or other sausage of similar form or pork or breakfast sausage stuffed in artificial casings or cloth bags. The label may be a band or tag securely affixed to the sausage or printed or stamped upon the casing. A similar label shall also be stamped upon the carton or other immediate container in which the sausage is placed. Enamel display cases or trays are not immediate containers.

You may not have in your store refrigerator or cooler any fresh sausage, smoked sausage, frankfurters, bologna, all beef knackwurst or all beef salami which have not been properly labeled.

(b) Each label shall contain prominently and in easily legible form: (1) The name of the kind of sausage as used in Maximum Price Regulation No. 389—Ceiling Prices for Certain Sausage Items at Wholesale; (2) The word "Ingredients"

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

18 F.R. 2855, 4253, 5317, 5634, 6212, 7682, 8944, 9386.

followed by a list of the ingredients when the product is fabricated from two or more ingredients, not counting curing materials, condiments, spices and water. If there is only one ingredient, not counting curing materials, condiments, spices and water, and if the name of the kind of sausage includes the name of the ingredient, the ingredient need not be separately stated. The list of ingredients shall state the common or usual names of the ingredients in the order of their predominance by weight, except that curing materials, spices, condiments and water need not be shown, unless required by some other federal, state, or local regulation. The name of the ingredient shall be a specific name, not a general name such as, but not limited to, "pork", "beef", "pork head meat", "beef cheek meat", "hearts", "livers", "tripe", "cereal", "dried skimmed milk", etc. The word "pork", "beef", "veal", "mutton", "goat", shall be used in connection with all skeletal meat ingredients. If more than 3 1/2 percent of extender is used, the label shall so state; (3) Whatever of the following letters or words are appropriate to show the kind of casing used: H. C. for hog casing; S. C. for sheep casing; A. C. for printed artificial casing; skinless, where artificial casings have been removed by the manufacturer. Where the same price applies to the sausage in more than one kind of natural casings, the letters N. C., indicating natural casing may be used.

Words used in this section which appear in Maximum Price Regulation No. 389—Ceiling Prices for Certain Sausage Items at Wholesale—shall be given the meaning given to such words by that regulation.

(c) Fresh sausage, smoked sausage, frankfurters, bologna, all beef knockwurst, or all beef salami manufactured by a retailer must meet the requirements for one or more of the kinds and types described in section 13 of Maximum Price Regulation No. 389—Ceiling Prices for Certain Sausage Items at Wholesale.

(d) The label must be left on the sausage. Sausages which are alike except for the type or, where the casing affects the price, except for the casing, must not be put together in the show case. Each type of sausage and each kind of casing which you have separated in your show case as required by this paragraph must be marked with the appropriate type description, as "Type 1", and casing identification, as "H. C.", so that your customers can see and read the type description and casing identification.

(e) Until November 1, 1943, you may, if you so desire, use labels which properly show the type of sausage by letters, and the kind of casing by numbers, as required by this regulation prior to September 8, 1943, instead of the labeling required by paragraph (b) of this section.

7. Section 7 is amended to read as follows:

SEC. 7. *Records, sales slips and receipts.* After June 21, 1943, you shall keep the same kind of records you have customarily kept, showing the prices you

charge for pork cuts and processed meat products. You shall show the records to any representative of the Office of Price Administration upon request. If you have customarily given a customer a sales slip, receipt or similar evidence of purchase, you shall continue to do so. Furthermore, regardless of your previous custom, you shall, upon request by any customer, give a receipt showing the date, your name and address, the name and weight of each pork cut sold, the name and weight of each processed meat product sold, and, also, the type and casing identification of all fresh sausage, smoked sausage, frankfurters, bologna, all beef knockwurst or all beef salami sold, and the price you received for the pork cut or processed meat product.

8. The description of Zone 8-South in section 17a is amended to read as follows:

Zone 8-South. All that portion of West Virginia east of and including the counties of Monongalia, Marion, Harrison, Lewis, Braxton, Clay, Nicholas, Fayette, Raleigh, Wyoming and McDowell; but excluding the counties of Berkeley and Jefferson.

All that portion of Virginia west of and including the counties of Highland, Bath, Alleghany, Craig, Montgomery, Floyd and Carroll.

All that portion of Tennessee east of and including the counties of Claiborne, Union, Anderson, Morgan, Cumberland, Blount, Van Buren, Sequatchie and Hamilton.

All that portion of North Carolina west and southwest of and including the counties of Alleghany, Wilkes, Alexander, Caldwell, Burke and Cleveland.

All that portion of South Carolina west and northwest of and including the coun-

ties of Cherokee, Union, Newberry, Saluda and Edgefield.

All that portion of Georgia west and north-west of and including the counties of Columbia, McDuffie, Warren, Glascock, Washington, Johnston, Laurens, Dodge, Wilcox, Ben Hill, Irwin, Tift, Colquitt and Thomas.

All that portion of Alabama south of and including the counties of DeKalb, Marshall, Blount, Jefferson, Tuscaloosa and Pickens.

All that portion of Mississippi south of and including the counties of Noxubee, Winston, Leake, Scott, Rankin, Hinds and Warren.

All that portion of Louisiana east of and including the parishes of West Feliciana, Pointe Coupee, Iberville, Assumption and Saint Mary.

All that portion of Florida west of and including the counties of Leon and Wakulla.

9. The price table in section 19 for group 3-4 stores is amended by substituting in the column headed "Zone 8 and 9 south, group 3-4" the figure 37 for the figure 27 opposite subitem "4. Skinned, bone in" of item "2B. Ready to eat hams, shank end".

10. The price table in section 19 for group 1-2 stores is amended by substituting in the column headed "Zone 1, group 1-2" the figure 33 for the figure 23 opposite subitem "1. Bone-in" of item "4C. Smoked picnic, round or butt end".

11. The price table in section 19 for group 1-2 stores is amended by substituting in the column headed "Zone 10, group 1-2" the figure 37 for the figure 31 opposite subitem "4. Smoked, derined" of item "9A. Bellies or slab bacon, whole or piece".

12. Item 20H in the price table in section 19 for group 1-2 stores is amended to read as follows:

	Zone 1, group 1, 2	Zone 2, group 1, 2	Zones 3 and 4, group 1, 2	Zone 4, group 1, 2	Zone 5, group 1, 2	Zones 6 and 7, group 1, 2	Zones 8 and 9, north group 1, 2	Zones 8 and 9, south group 1, 2	Zone 10, group 1, 2
20H. Neck bones:									
1. Fresh, frozen or cured.....	9	8	8	7	7	9	10	9	8
2. Smoked.....	13	12	11	11	11	13	14	13	12

13. Item 20H in the price table in section 19 for group 3-4 stores is amended to read as follows:

	Zone 1, group 3, 4	Zone 2, group 3, 4	Zones 3 and 4, group 3, 4	Zone 4, group 3, 4	Zone 5, group 3, 4	Zones 6 and 7, group 3, 4	Zones 8 and 9, north group 3, 4	Zones 8 and 9, south group 3, 4	Zone 10, group 3, 4
20H. Neck bones:									
1. Fresh, frozen or cured.....	9	8	7	7	7	9	10	9	8
2. Smoked.....	12	12	11	10	11	12	13	12	12

14. The product name headings of items 1B, 1C, 2B, 2C, 15A, 15B, 18B, 18C, 24A, 24B, 25A, 25B, 26A, 26B and 29 in the price tables in section 19 for both group 1-2 and group 3-4 stores are amended to read as follows:

- 1B. Smoked ham, shank half or end:
- 1C. Smoked ham, round half or end:
- 2B. Ready to eat hams, shank half or end:
- 2C. Ready to eat hams, round half or end:
- 15A. Boneless loins and Canadian bacon, whole or piece:
- 15B. Boneless loins and Canadian bacon, store sliced:
- 18B. Pork loins, rib half or end:
- 18C. Pork loins, loin half or end:
- 24A. Cooked or boiled ham, shoulder, picnic, boneless and fattened (whole or piece):
- 24B. Cooked or boiled ham, picnic, boneless and fattened (sliced):

- 25A. Cooked or boiled and smoked ham and picnic, boneless and fattened (whole):
- 25B. Cooked or boiled and smoked ham and picnic, boneless and fattened (sliced):
- 26A. Baked and barbecued ham, shoulder and picnic, boneless and fattened (whole):
- 26B. Baked and barbecued ham, shoulder and picnic, boneless and fattened (sliced):
- 29. Dressed hogs (whole or side):

15. The product names of subitem 6 of item 11, subitem 6 of item 12, subitem 2 of item 15A, subitem 2 of item 15B, and subitem 1 of item 28 in the price tables in section 19 for both group 1-2 and group 3-4 stores are amended to read as follows:

- 11.
- 6. Rough neck bone out.
- 12.
- 6. Rough neck bone cut.

GROUP 3 AND 4 STORES

(Price per pound)

	Zone 1 group 3, 4	Zone 2 group 3, 4	Zone 3 group 3, 4	Zone 4 group 3, 4	Zone 4A group 3, 4	Zone 5 group 3, 4	Zone 6 group 3, 4	Zone 7 group 3, 4	Zone 8 North and South group 3, 4	Zone 9 North and South group 3, 4	Zone 10 group 3, 4
1. Frankfurters, S. O.:											
All beef:	\$0.49	\$0.48	\$0.46	\$0.46	\$0.44	\$0.44	\$0.45	\$0.45	\$0.46	\$0.46	\$0.46
Type 1:	.41	.40	.40	.40	.39	.39	.40	.40	.41	.41	.41
Type 2:	.37	.36	.36	.36	.35	.35	.36	.36	.37	.37	.37
Type 3:	.37	.36	.36	.36	.35	.35	.36	.36	.37	.37	.37
Type 4:	.33	.32	.32	.32	.31	.31	.31	.31	.32	.32	.32
2. Frankfurters, H. O., A. O., or skinless:											
All beef:	.44	.43	.41	.41	.40	.40	.40	.40	.41	.41	.41
Type 1:	.37	.36	.36	.36	.35	.35	.36	.36	.37	.37	.37
Type 2:	.37	.36	.36	.36	.35	.35	.36	.36	.37	.37	.37
Type 3:	.33	.32	.32	.32	.31	.31	.31	.31	.32	.32	.32
Type 4:	.29	.28	.27	.27	.26	.26	.27	.27	.28	.28	.28
3. Bologna, N. O.:											
All beef:	.42	.41	.39	.39	.38	.38	.38	.38	.39	.39	.39
Type 1:	.35	.33	.33	.33	.32	.32	.33	.33	.34	.34	.34
Type 2:	.33	.33	.33	.33	.32	.32	.33	.33	.34	.34	.34
Type 3:	.29	.29	.29	.29	.28	.28	.29	.29	.30	.30	.30
Type 4:	.20	.20	.20	.20	.19	.19	.20	.20	.21	.21	.21
4. Bologna, A. O.:											
All beef:	.41	.40	.38	.38	.37	.37	.37	.37	.38	.38	.38
Type 1:	.34	.32	.32	.32	.31	.31	.32	.32	.33	.33	.33
Type 2:	.34	.32	.32	.32	.31	.31	.32	.32	.33	.33	.33
Type 3:	.30	.28	.28	.28	.27	.27	.28	.28	.29	.29	.29
Type 4:	.25	.24	.23	.23	.22	.22	.23	.23	.24	.24	.24
5. Knackwurst, N. O.:											
All beef:	.42	.41	.39	.39	.38	.38	.38	.38	.39	.39	.39
6. Knackwurst, A. O.:											
All beef:	.41	.40	.38	.38	.37	.37	.37	.37	.38	.38	.38
7. Salami, A. O.:											
All beef:	.47	.46	.45	.45	.44	.44	.44	.45	.46	.46	.46
8. Fresh Sausage, S. O.:											
Type 1:	.61	.58	.56	.56	.52	.52	.53	.52	.54	.54	.54
Type 2:	.47	.46	.46	.46	.45	.45	.46	.46	.47	.47	.47
Type 3:	.40	.40	.40	.40	.39	.39	.40	.40	.41	.41	.41
Type 4:	.34	.32	.32	.32	.31	.31	.31	.31	.32	.32	.32
9. Fresh Sausage, H. O.:											
Type 1:	.44	.42	.42	.42	.41	.41	.41	.41	.42	.42	.42
Type 2:	.33	.33	.33	.33	.32	.32	.33	.33	.34	.34	.34
Type 3:	.30	.28	.28	.28	.27	.27	.28	.28	.29	.29	.29
Type 4:	.23	.22	.21	.21	.20	.20	.21	.21	.22	.22	.22
10. Fresh Sausage, A. O., or cloth bags:											
Type 1:	.42	.40	.40	.40	.39	.39	.39	.39	.40	.40	.40
Type 2:	.30	.30	.30	.30	.29	.29	.30	.30	.31	.31	.31
Type 3:	.28	.28	.28	.28	.27	.27	.28	.28	.29	.29	.29
Type 4:	.23	.22	.21	.21	.20	.20	.21	.21	.22	.22	.22
11. Fresh Sausage, Bulk:											
Type 1:	.62	.60	.47	.43	.43	.43	.44	.43	.45	.46	.47
Type 2:	.39	.38	.37	.37	.36	.36	.37	.37	.38	.38	.38
Type 3:	.23	.22	.21	.21	.20	.20	.21	.21	.22	.22	.22
12. Smoked Sausage, H. O., A. O., or skinless:											
Type 1:	.48	.47	.47	.47	.46	.46	.46	.47	.47	.47	.48
Type 2:	.45	.43	.43	.43	.42	.42	.42	.43	.43	.43	.44
Type 3:	.34	.32	.32	.32	.31	.31	.31	.32	.32	.32	.33
Type 4:	.23	.22	.21	.21	.20	.20	.21	.21	.22	.22	.23

PART 1300—PROCEDURE

(Procedural Reg. 9, Amdt. 10)

UNIFORM APPEAL PROCEDURE UNDER RATION ORDERS

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

*Copies may be obtained from the Office of Price Administration, 17 F.R. 8796; 8 F.R. 856, 1838, 2030, 2694, 2941, 4350, 4929, 7381, 11806, 11480.

This amendment shall become effective September 8, 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 8TH DAY OF SEPTEMBER 1943. CHESTER BOWLES, Acting Administrator.

[F. R. Doc. 43-14736; Filed, September 8, 1943; 3:57 P. m.]

price table for group 3-4 stores in section 19 are added to read as follows:

NOTE 4: Shank and round or butt halves and ends of fresh, smoked and ready to eat hams and picnic may be split lengthwise once and the pieces so produced may be sold at or below the applicable ceiling prices listed for shank and round or butt halves and ends.

18. Section 20 is amended to read as follows:

Sec. 20. O. P. A. list of retail ceiling prices for processed meat products covered by MPR 336.

GROUP 1 AND 2 STORES

(Price per pound)

	Zone 1 group 1, 2	Zone 2 group 1, 2	Zone 3 group 1, 2	Zone 4 group 1, 2	Zone 4A group 1, 2	Zone 5 group 1, 2	Zone 6 group 1, 2	Zone 7 group 1, 2	Zone 8 North and South group 1, 2	Zone 9 North and South group 1, 2	Zone 10 group 1, 2
1. Frankfurters, S. O.:											
All beef:	\$0.51	\$0.49	\$0.48	\$0.47	\$0.46	\$0.46	\$0.46	\$0.47	\$0.47	\$0.47	\$0.48
Type 1:	.44	.42	.42	.42	.42	.42	.42	.43	.43	.43	.43
Type 2:	.44	.42	.42	.42	.42	.42	.42	.43	.43	.43	.43
Type 3:	.39	.38	.38	.38	.38	.38	.38	.39	.39	.39	.39
Type 4:	.35	.33	.33	.33	.33	.33	.33	.34	.34	.34	.35
2. Frankfurters, H. O., A. O., or skinless:											
All beef:	.46	.45	.43	.42	.41	.41	.41	.42	.42	.43	.43
Type 1:	.39	.38	.38	.38	.37	.37	.37	.38	.38	.39	.39
Type 2:	.39	.38	.38	.38	.37	.37	.37	.38	.38	.39	.39
Type 3:	.35	.34	.33	.33	.33	.33	.33	.34	.34	.35	.35
Type 4:	.31	.29	.29	.29	.28	.28	.29	.30	.30	.30	.30
3. Bologna, N. O.:											
All beef:	.44	.42	.40	.40	.39	.39	.39	.40	.40	.41	.41
Type 1:	.37	.35	.35	.35	.34	.34	.35	.35	.36	.36	.36
Type 2:	.37	.35	.35	.35	.34	.34	.35	.35	.36	.36	.36
Type 3:	.32	.31	.31	.31	.30	.30	.31	.31	.32	.32	.32
Type 4:	.28	.26	.26	.26	.25	.25	.26	.27	.27	.27	.27
4. Bologna, A. O.:											
All beef:	.43	.41	.39	.39	.38	.38	.38	.39	.39	.39	.40
Type 1:	.36	.34	.34	.34	.33	.33	.33	.34	.34	.35	.35
Type 2:	.36	.34	.34	.34	.33	.33	.33	.34	.34	.35	.35
Type 3:	.31	.30	.30	.30	.29	.29	.30	.30	.31	.31	.31
Type 4:	.27	.25	.25	.25	.24	.24	.25	.26	.26	.26	.26
5. Knackwurst, N. O.:											
All beef:	.44	.42	.40	.40	.39	.39	.39	.40	.40	.41	.41
6. Knackwurst, A. O.:											
All beef:	.43	.41	.39	.39	.38	.38	.38	.39	.39	.39	.40
7. Salami, A. O.:											
All beef:	.49	.48	.47	.46	.46	.46	.46	.46	.47	.47	.48
8. Fresh Sausage, S. O.:											
Type 1:	.64	.61	.59	.58	.54	.54	.54	.56	.56	.56	.59
Type 2:	.47	.46	.46	.46	.45	.45	.45	.46	.46	.46	.46
Type 3:	.41	.41	.41	.41	.41	.41	.41	.42	.42	.42	.43
Type 4:	.35	.34	.34	.33	.32	.32	.33	.33	.33	.34	.34
9. Fresh Sausage, H. O.:											
Type 1:	.46	.45	.44	.44	.43	.43	.43	.44	.44	.44	.45
Type 2:	.40	.38	.38	.37	.37	.37	.37	.37	.38	.38	.38
Type 3:	.30	.29	.29	.29	.28	.28	.29	.29	.30	.30	.30
Type 4:	.23	.22	.21	.21	.20	.20	.21	.21	.22	.22	.22
10. Fresh Sausage, A. O., or cloth bags:											
Type 1:	.44	.43	.42	.42	.41	.41	.41	.42	.42	.42	.43
Type 2:	.33	.33	.33	.33	.32	.32	.32	.33	.33	.33	.33
Type 3:	.29	.28	.27	.27	.26	.26	.27	.27	.27	.27	.28
Type 4:	.21	.20	.19	.19	.18	.18	.19	.19	.20	.20	.20
11. Fresh Sausage, Bulk:											
Type 1:	.65	.62	.49	.45	.44	.44	.44	.45	.47	.47	.49
Type 2:	.41	.40	.39	.38	.38	.38	.38	.39	.39	.39	.39
Type 3:	.24	.23	.22	.22	.21	.21	.22	.22	.22	.22	.23
12. Smoked Sausage, H. O., A. O., or skinless:											
Type 1:	.51	.49	.48	.48	.48	.48	.48	.49	.49	.50	.50
Type 2:	.47	.45	.45	.45	.44	.44	.44	.45	.45	.45	.46
Type 3:	.43	.41	.41	.41	.40	.40	.41	.41	.41	.41	.41
Type 4:	.35	.34	.33	.33	.32	.32	.33	.33	.34	.34	.35

- 15A. * * *
- 15B. * * *
- 2. Smoked (Canadian bacon)
- 2. Smoked (Canadian bacon)
- 28. * * *
- 1. Fresh or frozen.

16. Note 4 preceding the price table in section 19 for group 1-2 stores is redesignated Note 5 and Note 4 preceding the price table in section 19 for group 3-4 stores is redesignated Note 5.

Procedural Regulation No. 9 is amended in the following respects:

1. Every reference in Procedural Regulation No. 9 to "State Director" is amended to read "District Director".

2. Section 1300.602 (d) is amended to read as follows:

(d) "District Director" means the person holding the office of District Director in a District Office.

3. Section 1300.603 is amended to read as follows:

§ 1300.603 *Time within which appeal must be brought.* A Board, District Office or Regional Office shall give notice of its action, except as otherwise provided in a ration order or regulation, to the person who has the right of appeal or to his agent, at its office or by mail. The appeal must be brought within 30 days after such mailing or the giving of such other notice.

4. Section 1300.604 is amended by amending the language preceding (a) to read as follows:

§ 1300.604 *Appeals to District Director: how brought.* Appeals from the action of a Board shall be to the District Director who has been designated by the Regional Administrator to decide appeals from the decisions of that Board, and shall be brought by the person entitled to bring such appeal, in the following manner:

This amendment shall become effective September 14, 1943.

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

Issued this 9th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14769; Filed, September 9, 1943;
11:51 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 35]

FOOD RATIONING FOR INSTITUTIONAL USERS

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

General Ration Order No. 5 is amended in the following respects:

1. The title of Article XXI is changed to read as follows:

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

†8 F.R. 10502, 11676, 11480, 11479.

No. 180—4

Article XXI—Special Provisions Governing Certain Persons and Agencies

2. Section 21.1 (a) is amended to read as follows:

Sec. 21.1 *To whom this order does not apply.* (a) This order does not apply to the Army, Navy, Marine Corps, Coast Guard or War Shipping Administration of the United States. (Those users obtain rationed foods in accordance with the ration orders governing such foods.)

3. Sections 21.2, 21.3, 21.4 and 21.5 are added to read as follows:

Sec. 21.2 *Ships' stores for ocean-going vessels*—(a) *The owner of the vessel must get a statement from the Collector of the Customs.* Any person who operates an ocean-going vessel engaged in the transportation of cargo or passengers in foreign, coastwise, or intercoastal trade, and who needs a rationed food as ships' stores, must get a statement signed by the Collector of the Customs (or his deputy) authorizing the operator of the vessel (or his agent) to acquire a specified amount of such food as ships' stores. He is not required to register such operation with a Board under this order.

(b) *Acquisition of the rationed food by the owner of the vessel.* The operator of the vessel (or his agent) may, without giving up stamps, certificates or ration checks, acquire a rationed food up to the amount shown on the Customs Collector's statement, by giving the statement to the person from whom he acquires the food.

Sec. 21.3 *Planes' stores for certain airplanes.* (a) Any person who operates an airplane engaged in the transportation of cargo or passengers on flights to places outside the United States and who needs a rationed food as planes' stores may acquire such food in the same manner as ships' stores may be acquired under section 21.2. However, if no Customs Collector or deputy is stationed at the field from which the airplane departs, the Army, Navy, Marine Corps, or Coast Guard officer in charge of the field may issue the statement described in section 21.2 (a). The operator is not required to register this operation with a Board under this order.

Sec. 21.4 *Operating inventory for planes' stores.* (a) A person operating an airplane engaged in the transportation of cargo or passengers on flights to places outside the United States, who needs to keep a stock of rationed foods for planes' stores because he cannot conveniently acquire rationed foods each time he receives a statement pursuant to section 21.3 may apply to the Washington Office for an operating inventory of such foods. The application shall state the amount of each rationed food (in points for foods rationed under the point system and in pounds for other rationed foods) used by him as planes' stores on such flights during the calendar month preceding the month in which he makes the application. It shall also

state his inventory of that rationed food (including all he has on hand or in transit to him, and the value of any unused certificates issued to him) for planes' stores.

(b) If it finds that the applicant needs such a stock of rationed foods, the Washington Office will allow him an operating inventory of each rationed food equal to three (3) times the amount used by him as planes' stores during the calendar month preceding the month in which he made his application, and will issue certificates for the amount of such operating inventories granted less the amount of his inventory.

(c) A person to whom an operating inventory of a rationed food has been granted may use that inventory only up to the amount of the statements he receives for that food pursuant to section 21.3. (He may use those statements to replenish his inventory.)

Sec. 21.5 *Change of registration to exclude food service on flights outside the United States.* (a) Any institutional user who included in his registration under this order, dollar revenue, December use, or number of persons served, with respect to food consumed from planes' stores aboard planes on flights to places outside the United States, shall change his registration to exclude such service. His base for each rationed food shall be recomputed on the basis of the changed registration and the allotments granted thereafter shall be calculated on the recomputed base. In applying for allotments, food served to persons aboard planes on such flights shall not be included in the report of dollar revenue or number of persons served.

This amendment shall become effective September 14, 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, and 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 9th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14770; Filed, September 9, 1943;
11:52 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 6, Amdt. 2]

WAR RATION BOOK TWO

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

General Ration Order 6 is amended in the following respects:

*8 F.R. 2190, 7257.

1. The text of paragraph (a) of section 1.2 is amended by inserting after the phrase "every person" the phrase "residing in the United States for a period of 60 days or more".

Section 1.2 (a) (2) is amended to read as follows:

(2) He is a member of the armed forces of the United States or of United Nations and is subsisted or authorized to be subsisted in kind or is a member of a mess where the rationed foods used are acquired by the use of ration checks issued by the Army, Navy, Marine Corps or Coast Guard, or by an officer authorized to issue such checks or, although not subsisted in kind and not a member of such a mess, eats at least 14 meals a week at a mess of that type.

3. Section 1.14 (c) (1) is amended to read as follows:

(1) He leaves the United States for a period of more than thirty days. This provision does not apply to members of the Merchant Marine who leave the United States temporarily, while on voyages. (A War Ration Book Two issued to a member of the Merchant Marine may, however, be used only to acquire rationed foods for consumption at a common table with him when he is in the United States.) The stamps in his War Ration Book Two which expire while he is out of the United States for a thirty day period or more shall be surrendered to the local board for cancellation.

4. Section 1.14 (c) (2) is amended to read as follows:

(2) He becomes a member of the armed forces of the United States and will receive or be authorized to receive subsistence in kind or becomes a member of a mess where the rationed foods used are acquired by the use of ration checks issued by the Army, Navy, Marine Corps or Coast Guard, or by an officer authorized to issue such checks or, although not subsisted in kind and not a member of such a mess, eats at least 14 meals a week at a mess of that type.

5. Section 1.14 (d) is added to read as follows:

(d) Any person who has surrendered his War Ration Book Two to a Board, pursuant to paragraph (c) of this section, may apply, in accordance with the procedure prescribed by section 1.12, for reissuance of War Ration Book Two if his status changes so that the conditions which required the surrender of such book no longer exist.

6. Section 1.19 (a) (4) is added to read as follows:

(4) "Members of the Merchant Marine" means all masters, officers and crew members employed aboard vessels flying the flag of the United States or of a United Nation.

This amendment shall become effective September 14, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280,

7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471; Food Dir. 8, 8 F.R. 7093)

Issued this 9th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14771; Filed, September 9, 1943;
11:50 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3, Amdt. 86]

SUGAR RATIONING REGULATIONS

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

Rationing Order No. 3 is amended in the following respects:

1. Section 1407.182a is added to read as follows:

§ 1407.182a *Ships' and planes' stores.*
(a) Sugar may be acquired for use as ships' and planes' stores under the provisions of General Ration Order 5.

(b) An operator of a vessel or plane to whom a statement has been issued by a Collector of Customs (or military officer) under the provisions of General Ration Order 5 may acquire sugar up to the amount authorized thereon without the surrender of stamps or certificates. A registering unit may, in exchange for the statement, deliver sugar to such operator up to the amount specified on the statement without receiving stamps or certificates therefor.

(c) A registering unit may exchange such statement for a certificate at its board. It must attach to the statement a signed receipt, invoice, bills of lading, or such other evidence as substantiates the delivery of the sugar. If the board is satisfied that the sugar was delivered for ships' or planes' stores it shall issue a certificate to the registering unit equal in weight value to the amount so delivered.

(d) An airplane operator who has been allowed an operating inventory under General Ration Order 5 may exchange a statement issued by a Collector of Customs (or military officer) under the provisions of General Ration Order 5 for a certificate at a board having jurisdiction over any area where the operator maintains an office.

2. Section 1407.183 (a) is amended to read as follows:

(a) A registering unit which at any time after registration delivers sugar to any of the persons or agencies enumerated in paragraph (b) or (c) of this section except those agencies which are also listed in § 1407.182 (a) as exempt agencies, or delivers sugar to and for con-

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

18 F.R. 5909, 5846, 6135, 6442, 6626, 6961, 7351, 7380, 8010, 8184, 8678, 8811, 9304, 9458, 10304, 10512, 10937, 11382, 11291, 11292, 11252.

sumption in any territory or possession of the United States other than the District of Columbia may deliver such sugar without receiving stamps or certificates therefor. If certificates, stamps, or emergency acknowledgments were not received, the registering unit may apply to the board for a certificate in weight value equal to the amount of sugar delivered. The application shall be made on OPA Form No. R-315 which shall be accompanied by receipts, bills of lading, and such other detailed evidence including affidavits as substantiates such deliveries. In a proper case the board shall grant the application.

3. Section 1407.183b is added to read as follows:

§ 1407.183b *Ration banking by certain airplane operators.* An airplane operator who has been allowed an operating inventory under General Ration Order 5 may open an account for each of his offices at which he regularly purchases sugar for use as planes' stores.

This amendment shall become effective September 14, 1943.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 9th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14773; Filed, September 9, 1943;
11:51 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3, Amdt. 87]

SUGAR RATIONING REGULATIONS

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

Rationing Order No. 3 is amended in the following respect:

Section 1407.87 (g) is added to read as follows:

(g) A registering unit which, pursuant to paragraph (b) of this section and Table VI of Schedule A, § 1407.241, obtains a provisional allowance of sugar for feeding bees, may in each calendar year obtain an additional provisional allowance for such purpose. Application for such additional provisional allowance shall be made to the Board on OPA Form R-315 and shall state:

(1) The amount of the additional provisional allowance requested;

(2) The number of colonies of bees for which the additional provisional allowance is requested;

(3) That the registering unit has obtained and used its full provisional allowance for the calendar year for feeding bees; and

(4) That the additional sugar requested is required in order to prevent the loss of the registering unit's bees.

The application shall also contain the certification of the local United States Department of Agriculture War Board that the additional sugar requested is required in order to prevent the loss of the registering unit's bees. If the Board finds that the facts stated in the application are true, it shall grant the application. The additional provisional allowance granted to the registering unit pursuant to this paragraph must not exceed 15 pounds per colony of bees per calendar year. For the purposes of this paragraph, the period from September 14 to December 31, 1943, shall be deemed to be a full calendar year.

This amendment shall become effective September 14, 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 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 9th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14772; Filed, September 9, 1943; 11:51 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13, Amdt. 61]

PROCESSED FOODS

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

Ration Order 13 is amended in the following respects:

1. Section 8.2 (h) is added to read as follows:

(h) An airplane operator who has been allowed an operating inventory under section 21.4 of General Ration Order 5 may open one ration bank account for each of his offices at which he regularly purchases processed foods for use as planes' stores.

2. Section 23.7 is amended to read as follows:

SEC. 23.7 *Ships' and planes' stores.*

(a) Processed foods may be acquired for use as ships' and planes' stores under the provisions of General Ration Order 5.

(b) Any operator of a vessel or plane to whom a statement has been issued by a Collector of Customs (or Military Officer) under section 21.2 or 21.3 of General Ration Order 5 may acquire processed foods up to the amount authorized thereon without surrendering points.

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

¹ 8 F.R. 1840, 2288, 2681, 2684, 2943, 3179, 3949, 4342, 4525, 4726, 4784, 4921, 5318, 5342, 5480, 5568, 5757, 5758, 5818, 5819, 5847, 6046, 6137, 6138, 6181, 6338, 6849, 7353, 7490, 7589, 8357, 8705, 9024, 11048, 11383, 11483, 11563, 11513, 11753.

Any retailer, wholesaler or processor may, in exchange for the statement, transfer to the operator of the vessel or plane, without getting points, processed foods up to the amount specified on the statement.

(c) A retailer or wholesaler may exchange such statement for a certificate, at his board. He must attach to the statement a signed receipt, invoice, or other evidence to prove the transfer of the processed foods. If the board is satisfied that the processed foods were transferred as ships' or planes' stores, it shall issue a certificate to the retailer or wholesaler for the number of points needed to replace the processed foods transferred. A processor must send the Customs Collector's (or Military Officer's) statement and the attached receipt or other evidence with his periodic report (on OPA Form R-1305) to the Office of Price Administration, care of the Bureau of Census, Washington, D. C.

(d) An airplane operator who has been allowed an operating inventory under section 21.4 of General Ration Order 5 may exchange for a certificate a statement issued by a Collector of Customs (or Military Officer) under section 21.3 of that order at a board covering any area where the operator maintains an office.

This amendment shall become effective September 14, 1943.

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

Issued this 9th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14778; Filed, September 9, 1943; 11:52 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13, Amdt. 62]

PROCESSED FOODS

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

Ration Order 13 is amended in the following respects:

1. Section 26.1 (a) (2) is amended to read as follows:

(2) The term "kitchen" means a place used principally for the preparation of meals. It includes a place used principally to teach consumers how to prepare food.

2. The first sentence of section 26.4 (a) is amended to read as follows:

A person may produce processed foods in a place not used principally either for the preparation of meals or for teaching consumers how to prepare food (and

¹ 8 F.R. 11048, 11383, 11463, 11563, 11513, 11753.

hence not a kitchen as defined in section 26.1 (a) (2)).

This amendment shall become effective September 14, 1943.

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

Issued this 9th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14774; Filed, September 9, 1943; 11:50 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16, Amdt. 62]

MEATS, 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.*

Ration Order 16 is amended in the following respects:

1. Section 9.2 (i) is added to read as follows:

(i) An airplane operator who has been allowed an operating inventory under section 21.4 of General Ration Order 5 may open one ration bank account for each of his offices at which he regularly purchases foods covered by this order for use as planes' stores.

2. Section 22.7 is amended to read as follows:

Sec. 22.7 *Ships' and planes' stores.*
(a) Foods covered by this order may be acquired for use as ships' and planes' stores under the provisions of General Ration Order 5.

(b) Any operator of a vessel or plane to whom a statement has been issued by a Collector of Customs (or Military Officer) under section 21.2 or 21.3 of General Ration Order 5 may acquire foods covered by this order up to the amount authorized thereon without surrendering points. Any retailer, wholesaler or primary distributor may, in exchange for the statement, transfer to the operator of the vessel or plane, without getting points, foods covered by this order up to the amount specified on the statement.

(c) A retailer or wholesaler may exchange such statement for a certificate, at his board. He must attach to the statement a signed receipt, invoice, or other evidence to prove the transfer of the foods covered by this order. If the board is satisfied that the foods were transferred as ships' or planes' stores, it shall issue a certificate to the retailer or wholesaler for the number of points

¹ 8 F.R. 6914, 6620, 6637, 6340, 6360, 6361, 7115, 7283, 7281, 7455, 7492, 8357, 8540, 8614, 8844, 8363, 6514, 6520, 6337, 6340, 6360, 6361, 7115, 7283, 7381, 7281, 7533, 7455, 7491, 8357, 8540, 8614, 8363, 8344, 9025, 9014, 9024, 9217, 8305, 8828, 10035, 10432, 10511, 10665, 10763, 11563, 11513, 11754.

needed to replace the foods transferred. A primary distributor must send the Customs Collector's (or Military Officer's) statement and the attached receipt or other evidence to the board or district office to which he reports, along with his report (on OPA Form R-1606 or OPA Form R-1609) for the reporting period in which he made the transfer.

(d) An airplane operator who has been allowed an operating inventory under section 21.4 of General Ration Order 5 may exchange for a certificate a statement issued by a Collector of Customs (or Military Officer) under section 21.3 of that order at a board covering any area where the operator maintains an office.

This amendment shall become effective September 14, 1943.

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

Issued this 9th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14777; Filed, September 9, 1943;
11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 80 Under SR 15, Amdt. 1]

WHITE STAR TRUCKING LINES

Amendment No. 1 to Order No. 80 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3-1636.

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

The heading and paragraph (a) of § 1499.1380 is amended to read as follows:

(a) *Adjustment of maximum prices for contract carrier services by John S. Daniels, doing business as White Star Trucking Lines, of Buffalo, New York.* John S. Daniels, doing business as White Star Trucking Lines of 111 Westminster Avenue, Buffalo, New York, may sell and deliver contract carrier services to the National Biscuit Company of New York, New York, at rates not to exceed those set forth in his Tariffs MF-ICC No. 5, issued March 29, 1943, effective May 3, 1943, filed with the Interstate Commerce Commission, and FCC-NY-MT-No. 3, issued March 29, 1943, effective May 3, 1943, filed with the New York Public Service Commission, a copy of each of which is annexed to his application for adjustment.

This amendment shall become effective the 10th day of September, 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 9th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14779; Filed, September 9, 1943;
11:52 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 204—DANGER ZONE REGULATIONS

ATLANTIC OCEAN FIRING SECTORS BETWEEN BOGUE INLET, N. C. AND LITTLE RIVER INLET, S. C.

Pursuant to the provisions of section 7 of the River and Harbor Act approved August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), the danger zone defined in § 204.55, comprising firing ranges of the Anti-Aircraft Artillery Training Center, Camp Davis, North Carolina, and the Marine Base, New River, North Carolina, is hereby redefined to include an additional sector, and the title and regulations are hereby amended as follows:

§ 204.55 *Waters of the Atlantic Ocean; firing sectors between Bogue Inlet, N. C., and Little River Inlet, S. C.—*

(a) *The danger zones.* The firing ranges include the waters within five sectors, described as follows:

Sector No. 1. The center of this sector is located on Hurst Beach, Onslow County, North Carolina, at Latitude 34°34'15" North, Longitude 77°16'10" West. The sector extends over an arc of 135°, with a radius of 25,000 yards, bounded by limiting lines bearing North 85° East and South 40° West, respectively, from the center.

Sector No. 2. The center of this sector is located on the outer bank opposite Sears Landing near Beacon No. 70 of the Intra-coastal Waterway at Latitude 34°25'40" North, Longitude 77°32'30" West. The sector extends over an arc of 136°, with a radius of 25,000 yards, bounded by limiting lines bearing North 84° East and South 40° West, respectively, from the center.

Sector No. 3. The center of this sector is located near the center of old Fort Fisher, near Federal Point, North Carolina, at Latitude 33°58'08" North, Longitude 77°55'10" West. The sector extends over an arc of 160°, with a radius of 25,000 yards, bounded by limiting lines bearing North 30° East and South 10° West, respectively, from the center.

Sector No. 4. This sector includes the area between Sectors Nos. 2 and 3, and is bounded on the seaward side by a line tangent to the arcs of the adjacent sectors.

Sector No. 5. This sector is bounded on the north by the shore line, on the east by a line bearing South 15° East, 25,000 yards, from a point on the shore line one-half mile west of Fort Caswell, on the west by a line bearing South 55° West, 25,000 yards, from the west end of Holdens Island at Latitude 33°54'00" North, Longitude 78°22'30" West, and on the south by the arc of a circle, having a radius of 60,000 yards and a center at approximately Latitude 34°10'20" North, Longitude 78°11'45" West, connecting the southern extremities of the east and west limits.

(b) *The regulations.* (1) Sailing vessels or any watercraft having a speed of less than 5 miles per hour shall keep clear of the danger zones at all times after notices of firing have been given. Any vessel or other water craft propelled by mechanical power at a speed greater than 5 miles per hour may enter the danger zones without restriction except when the signals enumerated in subparagraphs (4) and (5) below are being displayed. When these signals are displayed all vessels in the danger zones shall clear immediately and no vessel shall enter the danger zones until the signals indicate that firing has ceased.

(2) Firing over the ranges will take place during both daylight and nighttime hours, at irregular periods throughout the year.

(3) Two days in advance of the day when firing in any sector is scheduled to begin the Commanding General at Camp Davis or the Commanding General of the Marine Base at New River will warn the public of the contemplated firing through the public press, the Coast Guard, the Cape Fear Pilots Association at Southport, North Carolina, and the Pilots Association at Morehead City, North Carolina.

(4) A tower will be erected near the shore in each sector, at least 50 feet in height. On days when there is firing in a sector, a red flag will be displayed on the respective tower. This flag will be displayed before 8:00 a. m. and will be removed when firing ceases for the day.

(5) During night firing red lights will be displayed on the respective tower and searchlights will be employed as barrier lights to enable safety observers to detect vessels which may attempt to enter the danger zones.

(6) These regulations will be enforced by the Commanding General, Anti-Aircraft Artillery Training Center, Camp Davis, North Carolina, the Commanding General, Marine Base, New River, North Carolina, and such responsible agent or agents as they may designate. (Sec. 7, River and Harbor Act, 8 August 1917, 40 Stat. 226; U.S.C. 1) [Regs. 31 August 1943 (CE 800.2121 (Atlantic Ocean—North Carolina)—SPEKH)]

[SEAL]

H. B. LEWIS,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 43-14764; Filed September 9, 1943;
11:43 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

PART 179—TRANSFERS OF OPERATING RIGHTS

TRANSFERS OF RIGHTS TO OPERATE AS A MOTOR CARRIER IN INTERSTATE OR FOREIGN COMMERCE

At a session of the Interstate Commerce Commission, Division 5, held at

its office in Washington, D. C., on the 7th day of August, A. D. 1943.

The matter of transfers, under sections 206, 209, and 212 (b) Interstate Commerce Act, of rights to operate as a motor carrier, in interstate or foreign commerce, and rules governing such transfers prescribed July 1, 1938, as amended, being under consideration, and good cause appearing:

It is ordered, That effective December 1, 1943, rules 6 and 7 of the rules and regulations prescribed July 1, 1938 (§§ 179.6 and 179.7, 49 CFR 1938 Sup.), be, and they are hereby revoked and canceled, and rules 1 to 5, inclusive, of said rules and regulations (§§ 179.1 to 179.5, inclusive, 49 CFR 1938 Sup.), as amended, be, and they are hereby, amended to read as follows:

Sec.

- 179.1 General.
- 179.2 Applications to transfer.
- 179.3 Operations by fiduciaries.
- 179.4 Leases and contracts to operate.
- 179.5 Orders of court.

AUTHORITY: §§ 179.1 to 179.5, inclusive, issued under sec. 206, 49 Stat. L. 551, 52 Stat. L. 1238, 54 Stat. L. 923, sec. 209, 49 Stat. L. 552, sec. 212, 49 Stat. L. 555, 54 Stat. L. 924; 49 U.S.C. 306, 309, and 312.

§ 179.1 *General.* (a) As used herein, the term "transfer" shall include all transactions, not included within sections 5¹ and 210a (b) of the Interstate Commerce Act, whether by purchase, lease, contract to operate, or otherwise, whereby an operating right as a motor carrier arising out of the Interstate Commerce Act is acquired by one person from another.

(b) The term "operating right" as used herein includes the right to operate as a motor carrier in interstate or foreign commerce over a route or routes or within a specified territory, as authorized by a certificate of public convenience and necessity or a permit issued by this Commission under the provisions of the Interstate Commerce Act, or as authorized by those provisions of said act under which a motor carrier may continue operations pending considerations of its application to the Commission for a certificate or permit. The term "operating right" as used herein does not include the right to operate under the second proviso of section 206 (a).²

¹Section 5 (10) provides as follows:

"Nothing in this section shall be construed to require the approval or authorization of the Commission in the case of a transaction within the scope of paragraph (2) where the only parties to the transaction are motor carriers subject to part II (but not including a motor carrier controlled by or affiliated with a carrier as defined in section 1 (3)), and where the aggregate number of motor vehicles owned, leased, controlled, or operated by such parties, for purposes of transportation subject to part II, does not exceed twenty."

²A transferee of a State certificate of public convenience and necessity who engages in operations in interstate or foreign commerce under the second proviso of section 206 (a) is required to file properly executed Form B. M. C. 75, regardless of whether the transferor of such State certificate previously engaged in operations under said proviso.

(c) An operating right may be divided as to routes or territories, and part thereof transferred, provided such routes or territories are clearly severable and the division thereof does not permit the creation of duplicate operating rights. No division of operating rights based upon the class or classes of property authorized to be transported will be approved, unless it appears to the satisfaction of the Commission that the part of the operating rights sought to be transferred is, because of a difference in the nature or type of the service rendered, clearly distinguishable and severable from the remaining operating rights.

(d) No attempted transfer of any operating right shall be effective except upon full compliance with these rules and regulations and until after the Interstate Commerce Commission has approved such transfer as herein provided. A transfer of operating rights by means of a pledge of such rights, or by the foreclosure of a pledge upon or lien against such rights, or by a levy of execution in satisfaction of any judgment of claim against the holder thereof, shall not be effective without compliance with these rules and regulations and the prior approval of the Commission.

§ 179.2 *Applications to transfer.* (a) Applications for approval of the transfer of operating rights shall be made in writing to the Commission and shall be in such form and contain such information as the Commission shall prescribe.

(b) A verified original copy of such application and two additional copies thereof shall be filed with the Commission at Washington, D. C., one copy thereof shall be delivered, in person or by mail, to each District Director in each district of the Bureau of Motor Carriers in which headquarters of the parties signing such application are located, and one copy thereof shall be delivered, in person or by mail, to the board, commission, or official (or to the Governor where there is no board, commission, or official) having authority to regulate the business of transportation by motor vehicle, of each State in which either of the applicants operates. Proof of delivery of copies of the application to each of such persons shall be made as a part of the original verified application filed with the Commission.

(c) Except as provided in rule 1 (c) the proposed transfer described in any such application shall be approved if it appears that the proposed transaction is one which is not subject to the provisions of section 5, Interstate Commerce Act, that the proposed transfer, if approved, will not result in unlawful ownership or control of a motor carrier, and that the proposed transferee is fit, willing, and able properly to perform the service authorized by the operating rights sought to be transferred, and to conform to the provisions of the Interstate Commerce Act and the requirements, rules, and regulations of the Commission thereunder. Otherwise the application shall be denied.

§ 179.3 *Operations by fiduciaries.* (a) Unless or until otherwise ordered by the

Commission, administrators and executors of the estates of deceased holders of operating rights, guardians of incapacitated holders of operating rights, persons having custody of the business of dissolved partnerships the members of which held operating rights as partners, and trustees, receivers, conservators, assignees, or other persons authorized by law to collect and preserve property of financially disabled, bankrupt, or deceased holders of operating rights may continue the operations authorized by such operating rights without approval by the Commission of a transfer thereof but shall, within 30 days after assuming control of such operations, give notice thereof by a letter, properly enclosed in a stamped envelope addressed to the Secretary of the Commission, Washington, D. C., describing such operations, identifying the operating rights under authority of which they are conducted, stating the full name and address of the person or persons who are continuing the operations, and stating the date on which and the circumstances under which such person or persons assumed control of such operations.

(b) Operations referred to in paragraph (a) of this section shall be continued in the name or names of the record holder of the certificate, permit, or other operating rights, followed also by the name or names of the person or persons conducting the operations and a designation of his or their capacity.³ Compliance with this rule with respect to all tariffs, schedules, reports, or other documents filed in accordance with the Interstate Commerce Act or the rules and regulations prescribed thereunder, shall be sufficient compliance with any requirement, rule, or regulation that such tariffs, schedules, reports, or documents be filed in the name of the holder of the operating rights.

§ 179.4 *Leases and contracts to operate.* Applicants who seek approval of a transfer of operating rights for a limited period, whether by lease, operating contract, or otherwise, shall state in their application the specific period for which such transfer is sought, the consideration for such transfer and the time and method of payment thereof, and that the applicants have agreed in writing that all operating rights involved in the transaction shall revert to the transferor at the expiration of said term, or upon a discontinuance of operations thereunder by the transferee at any time prior to the expiration of said term. In case of reversion, the transferor shall give immediate notice thereof to the Commission.

§ 179.5 *Orders of court.* If any proposed transfer presented to the Commission for approval shall also require the authority or approval of any court, ap-

³For example:

John Jones, Richard Smith, administrator; John Jones, Richard Smith, executor; John Jones and Richard Smith, dba Jones & Smith, R. Roe, trustee; John Jones, Richard Smith, guardian; John Jones, Richard Smith, trustee; John Jones, Richard Smith, receiver; John Jones, Richard Smith, conservator; and John Jones, Richard Smith, assignee.

plicants shall file with the Commission, at the time of filing their application, a certified copy of the order of the court authorizing the transfer of the operating rights involved, or applicants shall file with the Commission, within 30 days after such transfer has been approved by the Commission, a certified copy of the order of Court approving such transfer.

By the Commission, Division 5.
[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-14765; Filed, September 9, 1943; 11:17 a. m.]

PART 179—TRANSFERS OF OPERATING RIGHTS.

APPLICATIONS FOR SUBSTITUTION OF PARTIES

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 7th day of August, A. D. 1943.

In the matter of applications under Interstate Commerce Act, other than under sections 5 and 210a (b) thereof, (1) for substitution of prospective purchasers in lieu of applicants, or to transfer certificates of public convenience and necessity, or permits, or (2) to contract to operate, or to lease operating rights, certificates of public convenience and necessity, or permits.

The matter of applications under the above title being under consideration; It is ordered, That,

§ 179.6 Applications for substitution of parties. (a) Applications under sections 206, 209, or 212 (b) of the Interstate Commerce Act, for substitution of prospective purchasers in lieu of applicants; or to transfer certificates of public convenience and necessity, or permits; or to contract to operate or to lease operating rights, certificates of public convenience and necessity, or permits, shall be in the form of and contain the information called for in the form of application designated Form B. M. C. 76, attached hereto and made a part hereof.

(b) Verified original application and two copies thereof shall be filed with the Interstate Commerce Commission, Washington, D. C., and that concurrently applicants or their representative shall deliver one copy thereof, in person or by registered mail, to the Director or Directors of the District or Districts of the Bureau of Motor Carriers in which headquarters of each of the applicants is located and to the Board, Commission, or Official having authority to regulate the business of transportation by motor vehicle in each State in which either of the applicants operates (or to the Governor where there is no Board, Commission, or Official).

(c) Proof of service of copies of the application as provided in the next preceding paragraph shall be made in connection with and as part of the original verified application filed with this Commission.

It is further ordered, That orders of July 1, 1938, relating to Forms B. M. C. 41 and 42, be, and they are hereby, vacated.

And it is further ordered, That this order shall become effective on the 1st day of December, A. D. 1943.

(Secs. 206, 209, and 212 (b), 49 Stat. L. 551, 552, 52 Stat. L. 1238, 54 Stat. L. 923, 924; 49 U.S.C. 306, 309, 312 (b))

By the Commission, Division 5.
[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-14767; Filed, September 9, 1943; 11:17 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.
Grazing Service.

WAGE RATES FOR CERTAIN EMPLOYEES IN OREGON

RECOMMENDATIONS OF THE GRAZING SERVICE WAGE BOARD TO THE SECRETARY OF THE INTERIOR

Pursuant to the Order of the Secretary of the Interior dated June 15, 1943, and entitled "Wage Fixing Procedures, Field Employees, Grazing Service, Department of the Interior," the Grazing Service Wage Board has determined prevailing wage rates for field employees of the Grazing Service who are not allocated to grade under the Classification Act of 1923, as amended, and who are engaged in construction in Wage Zones 1 and 2 of Region 4 of the Grazing Service. Wage Zones 1 and 2 are composed of the southeastern counties of the State of Oregon. The Board has considered rates currently being paid by private employers, predeterminations by the Secretary of Labor under the Davis-Bacon Act, rates paid by other Government agencies, and rates established by collective agreement.

The Grazing Service Wage Board finds that the hourly wage rates listed below are prevailing for construction work in Wage Zone 1 of the State of Oregon and recommends them for your adoption:

Construction job title	Prevailing hourly rate on private work	Recommended basic hourly rate for GRS field employees
Blacksmith	\$1.50	\$1.50
Blacksmith helper	.82½	.82½
Carpenter	1.35	1.35
Compressor operator (portable)	1.25	1.25
Compressor operator (stationary)	1.37½	1.37½
Concrete finisher	1.35	1.35
Concrete mixer operator (less than 5 bags)	1.37½	1.37½
Concrete mixer operator (5 bags and over)	1.50	1.50
Construction laborer	.82½	.82½
Construction laborer leadman	.92½	.92½
Electrician	1.50	1.50
Electrician helper	.95	.95
Grader operator (road or blade)	1.50	1.50
Heavy duty mechanic	1.50	1.50
Iron worker, reinforcing	1.35	1.35
Iron worker, structural	1.63	1.63
Jackhammer operator	1.02½	1.02½
Labor foreman	1.25	1.25
Mixed gang foreman	1.62½	1.62½
Apprentice engineer and oiler	1.10	1.10
Painter	1.32	1.32
Pile driver operator	1.65	1.65

Construction job title	Prevailing hourly rate on private work	Recommended basic hourly rate for GRS field employees
Plasterer	\$1.60	\$1.60
Plumber	1.62½	1.62½
Powderman	1.17½	1.17½
Powderman helper	.80	.80
Rock crusher operator	1.37½	1.37½
Shovel or dragline operator (under 1 yd.)	1.65	1.65
Shovel or dragline operator (1 yd. and over)	1.75	1.75
Stone mason	1.62½	1.62½
Teamster, 2 up	.82	.82
Teamster, 3 up	.87	.87
Teamster, 4 up	.92	.92
Tractor operator (under 50 hp.)	1.40	1.40
Tractor operator (50 hp. and over)	1.60	1.60
Truck driver	1.60	1.60
Truck driver, special	1.25	1.25
Well driller	1.25	1.25
Well driller helper	.82½	.82½

Wage Zone 1 consists of Klamath, Lake, Deschutes, Crook, and Jefferson Counties.

The Grazing Service Wage Board finds that the hourly wage rates listed below are prevailing for construction work in Wage Zone 2 of the State of Oregon and recommends them for your adoption:

Construction job title	Prevailing hourly rate on private work	Recommended basic hourly rate for GRS field employees
Blacksmith	\$1.37½	\$1.37½
Blacksmith helper	.87½	.87½
Carpenter	1.25	1.25
Compressor operator (under 500 c. p. m.)	1.12½	1.12½
Compressor operator (500 c. p. m. and over)	1.30	1.30
Concrete finisher	1.25	1.25
Concrete mixer operator (less than 5 bags)	1.00	1.00
Concrete mixer operator (5 bags and over)	1.12½	1.12½
Construction laborer	.75	.75
Construction laborer leadman	.85	.85
Electrician	1.50	1.50
Electrician helper	1.00	1.00
Grader operator (road or blade)	1.50	1.50
Heavy duty mechanic	1.37½	1.37½
Iron worker, reinforcing	1.25	1.25
Iron worker, structural	1.50	1.50
Jackhammer operator	1.02½	1.02½
Labor foreman	1.25	1.25
Mixed gang foreman	1.50	1.50
Apprentice engineer and oiler	.95	.95
Painter	1.12½	1.12½
Pile driver operator	1.65	1.65
Plasterer	1.37½	1.37½
Plumber	1.50	1.50
Powderman	1.17½	1.17½
Powderman helper	.75	.75
Rock crusher operator	1.12½	1.12½
Shovel or dragline operator (under 1 yd.)	1.45	1.45
Shovel or dragline operator (1 yd. and over)	1.75	1.75
Stone mason	1.62½	1.62½
Teamster, 2 up	.75	.75
Teamster, 3 up	.80	.80
Teamster, 4 up	.85	.85
Tractor operator (under 50 hp.)	1.25	1.25
Tractor operator (50 hp. and over)	1.45	1.45
Truck driver	.87½	.87½
Truck driver, special	1.25	1.25
Well driller	1.00	1.00
Well driller helper	.75	.75

Wage Zone 2 consists of Baker, Harney, Malheur, Wheeler, and Grant Counties.

It is the understanding of the Wage Board that the Grazing Service employees paid in connection with this schedule will receive overtime pay on a basis of one and one-half times the basic hourly rate for all time worked in excess of forty hours in any one week. Refer to forty-hour week Act (Sec. 23, Act of March 28, 1934; 48 Stat., 522).

The Wage Board recommends that all field employees of the Grazing Service in Wage Zones 1 and 2 of Region 4 not allocated to grade and engaged in construction be classified or reclassified in accordance with the foregoing schedule, effective as of the beginning of business on May 1, 1943. The Board further recommends that all positions not allocated to grade and for which job titles are not listed above be abolished.

The Wage Board further recommends that no person employed by the Grazing Service on or after May 1, 1943, shall receive a reduction in basic wage rate due to promulgation of the recommended rates listed above.

The foregoing recommendations approved and adopted by the Grazing Service Wage Board this 14th day of August 1943.

DUNCAN CAMPBELL,
Chairman.
ARCHIE D. RYAN,
Member.
GUY W. NUMBERS,
Member.

Approved: August 27, 1943.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 43-14681; Filed, September 8, 1943;
9:31 a. m.]

Office of the Secretary.

[Order No. 1870]

VIRGIN ISLANDS

DUTIES OF EXECUTIVE ASSISTANT TO GOVERNOR

Pursuant to authority conferred by section 23 of the Organic Act of the Virgin Islands (act of June 22, 1936, 49 Stat. 1813, 25 U. S. C. sec. 1405v), the Executive Assistant to the Governor of the Virgin Islands is designated as the official charged with the performance of the following duties:

(1) He shall serve as chairman of the Police Commission, of the Board of Review and Equalization of Taxes, and of the Liquor Control Board.

(2) He shall serve as a member of the Harbor Pollution Board, the Labor Policies Board and the Lottery Board.

(3) He shall register patents, copyrights, and trademarks in the Virgin Islands.

(4) He shall participate in the supervision of programs relating to public welfare, health, and social security, of the juvenile school and of the Virgin Islands cooperatives.

(5) He shall serve as certifying officer.

(6) Whenever the position of Government Secretary of the Virgin Islands shall be vacant, he shall record and preserve the laws enacted by the legislative authorities of the Virgin Islands.

(7) Whenever the position of Government Secretary of the Virgin Islands shall be vacant, he shall promulgate all proclamations and orders of the Governor and all laws enacted by the legislative authorities of the Virgin Islands.

(8) Whenever the position of Government Secretary of the Virgin Islands shall be vacant, he shall have custody of the seal of the Virgin Islands and shall countersign and affix the seal to all executive proclamations and all other executive documents.

(9) He shall perform such other duties as may be assigned to him by the Governor of the Virgin Islands.

This order shall take effect immediately.

HAROLD L. ICKES,
Secretary of the Interior.

SEPTEMBER 6, 1943.

[F. R. Doc. 43-14725; Filed, September 8, 1943;
3:46 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5851]

GRANVILLE ELECTRIC COMPANY

NOTICE OF APPLICATION

SEPTEMBER 6, 1943.

Notice is hereby given that on September 3, 1943, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Granville Electric Company, a corporation organized under the laws of the State of Delaware and doing business in the State of Vermont, with its principal business office at Dover, Delaware, seeking an order authorizing the sale and transfer of the whole of its electric facilities located in the State of Vermont to Central Vermont Public Service Corporation, a corporation organized under the laws of the State of Vermont and doing business in said State with its principal business office at Rutland, Vermont, for a consideration stated in the application to be the base price of \$24,500; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 24th day of September 1943, file with the Federal Power Commission a petition or protest in accordance with the Commission's Rules of Practice and Regulations.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-14723; Filed, September 8, 1943;
3:28 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1658]

DIEDRICH BURGDORFF AND ANNA BURGDORFF

Re: Three first mortgages on real properties, a claim and interest in insurance policies owned by Diedrich Burgdorff and Anna Burgdorff, his wife;

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 Diedrich Burgdorff and Anna Burgdorff, his wife, are residents of Germany, whose last known address is 97 Roman Strasse, Munich, Bavaria, Germany, and are nationals of a designated enemy country (Germany);

2. Finding that Diedrich Burgdorff and Anna Burgdorff, his wife, are owners of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title and interest of Diedrich Burgdorff and Anna Burgdorff, his wife, and each of them, and of every other national of a designated enemy country, in and to the following obligations, including but not limited to all security rights in and to any and all collateral (including the mortgages hereinafter mentioned) for any or all such obligations and the right to sue for and collect such obligations and the right to the possession of all instruments evidencing such obligations:

(i) Obligations secured by a first mortgage executed on December 24, 1924, by Antonio Cannella and Sons, Inc., a New York corporation, and recorded December 26, 1924 in the Register's Office of Kings County, New York, in Liber 5306 of Mortgages, page 351 and assigned to Diedrich Burgdorff and Anna Burgdorff by assignment recorded in the Register's Office of Kings County, New York, in Liber 7840 of Mortgages, page 393.

(ii) Obligations secured by a first mortgage executed on September 18, 1929, by James Carbonaro and Francesca Carbonaro, and recorded in the Register's Office of Kings County, New York, in Liber 7367 of Mortgages, page 194 and assigned to Diedrich Burgdorff and Anna Burgdorff by assignment recorded in the Register's Office of Kings County, New York, in Liber 7878 of Mortgages, page 65.

(iii) Obligations secured by a first mortgage executed on April 17, 1924 by Blattmachr Brothers, Inc., and recorded in the Register's Office of Queens County, New York, in Liber 2393 of Mortgages, page 160 and assigned to Diedrich Burgdorff and Anna Burgdorff by assignment recorded in the Register's Office of Queens County, New York, in Liber 4065 of Mortgages, page 123.

b. All right, title, interest and claim of any name or nature whatsoever of Diedrich Burgdorff and Anna Burgdorff, his wife, and each of them, and of every other national of a designated enemy country, in and to any and all obligations, contingent or otherwise, and whether or not matured, owing to either or both of them by Richter & Kaiser, Inc., 186 Remsen St., Brooklyn, New York, 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 any and all claims against Richter & Kaiser, Inc., arising out of the management of the mortgages described in subparagraph 3-a, hereof;

c. All right, interest and claim of Diedrich Burgdorff and Anna Burgdorff, his wife, and each of them, and of every other national of a designated enemy country, in and to fire insurance policy No. 631464, issued by the New Hampshire Fire Insurance Co. of Manchester, New Hampshire, to Mary Kennedy; War Damage Corporation Certificate No. 593-54-6431, issued to Diedrich Burgdorff and Anna Burgdorff, Pacific Fire Insurance Company, fiduciary agent; fire insurance policy No. 13631, issued by the Firemans Insurance Company of Newark, New Jersey, to James Carbonaro and Francesca Carbonaro; War Damage Corporation Certificate No. 596-54-6331, issued to James Carbonaro and Francesca Carbonaro, Pacific Fire Insurance Company, fiduciary agent; fire insurance policy

No. 42100, issued by the Niagara Fire Insurance Company of New York to William Kahres and Emma Kahres; and War Damage Corporation Certificate No. 596-54-4377, issued to William Kahres and Emma Kahres, Pacific Fire Insurance Company, fiduciary agent.

is property within the United States owned or controlled by nationals of a designated enemy country (Germany):

4. Determining that the property described in subparagraphs 3-b and 3-c is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) 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;

5. 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 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, 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 future time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

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

Executed at Washington, D. C. on June 16, 1943.

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

[F. R. Doc. 43-14746; Filed, September 9, 1943; 11:00 a. m.]

OFFICE OF PRICE ADMINISTRATION.

LIST OF INDIVIDUAL ORDERS GRANTING ADJUSTMENT, ETC., UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on September 7, 1943.

Order Number and Name

MPR 120, Order 240, Clarinda Coal Co. et al.
MPR 221, Order 3, Kain-Murphey Corp.
MPR 445, Order 1, Seaboard Liquor Co.

Copies of these orders may be obtained from the Office of Price Administration.

ERVIN H. POLLACK,

Head, Editorial and Reference Section.

[F. R. Doc. 43-14726; Filed, September 8, 1943; 3:59 p. m.]

[Revocation of Order 6 Under Rev. MPR 97]

SALES OF SOUTHERN HARDWOOD LUMBER

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1382.105 (f) of Revised Maximum Price Regulation No. 97; *It is ordered:*

Order No. 6 under § 1382.105 (f) of Revised Maximum Price Regulation No. 97 is hereby revoked.

This revocation becomes effective as of August 21, 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 8th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14727; Filed, September 8, 1943; 3:55 p. m.]

[RMPR 161, Revocation of Order 13]

CONSOLIDATED TIMBER CO.

ADJUSTMENT OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act, as amended, and in accordance with Procedural Regulation No. 6, Order No. 13 was issued on November 21, 1942. This order granted special authorization to Consolidated Timber Company, Glenwood, Oregon, to sell certain types of special logs to Alfred A. Loeb, Portland, Oregon. All sales under this authorization have been completed. Accordingly, *It is ordered:*

That Order No. 13 be, and it is hereby, revoked. This order of revocation shall become effective September 15, 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 9th day of September, 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14775; Filed, September 9, 1943; 11:52 a. m.]

LIST OF INDIVIDUAL ORDERS GRANTING ADJUSTMENTS UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on September 8, 1943.

Order Number and Name

MPR 134, Order 12, Alban Tractor Co., Inc.
MPR 134, Order 13, William H. Ziegler Co.

MPR 134, Order 14, Michigan Tractor & Machinery Co.

MPR 136, as amended, Order 84, Amendment 1, National Jet Co.

MPR 189, Order 3, Revocation, Logan Supply Co.

MPR 189, Order 6, Logan Supply Co.

MPR 246, Order 6, Amendment 1, Duplex Manufacturing Co.

MPR 246, Order 10, Amendment 1, Red Cross Manufacturing Co.

MPR 246, Order 15, King Plow Co.

Copies of these orders may be obtained from the Office of Price Administration.

ERVIN H. POLLACK,

Head, Editorial and Reference Section.

[F. R. Doc. 43-14776; Filed, September 9, 1943; 11:50 a. m.]

Regional, State, and District Office Orders.

[Region III Order G-1 Under MPR 426]

LETTUCE AND CABBAGE IN SOUTH BEND DISTRICT

Order No. G-1 under Maximum Price Regulation 426. Adjustment of secondary wholesaler prices of lettuce and cabbage in the South Bend District of Region III (3-SB-426-2b-22).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the South Bend District Office of the Office of Price Administration by virtue of section 2b of Maximum Price Regulation No. 426 and by virtue of Delegation Order No. 1A issued by the Cleveland Regional Office of the Office of Price Administration on August 9, 1943: *It is hereby ordered:*

(a) Any secondary wholesaler may charge and receive not to exceed the full terminal wholesale price plus the actual less than carlot and/or trucklot freight from the terminal point to the secondary wholesaler's place of business plus 40¢ per LA crate of 60-pound minimum net weight of lettuce.

(b) Any secondary wholesaler may charge and receive not to exceed 4¢ per pound for cabbage.

(c) Notwithstanding the provisions of section (a) above, the ceiling price of any secondary wholesaler shall not exceed \$6.00 per LA crate of 60-pound minimum net weight of lettuce.

(d) Less than the crate sales of lettuce shall be figured at the fractional price of \$6.00 per crate of 60-pound minimum net weight.

(e) Secondary wholesalers are defined as those who purchase less than carlot and/or trucklot from terminal wholesalers.

(f) This order shall apply to all secondary wholesalers located within the South Bend District Area of the Office of Price Administration and comprising the following counties: St. Joseph, LaPorte, Starke, Marshall, Fulton, Elkhart, Kosciusko, Allen, DeKalb, LaGrange, Noble, Steuben, Whitley, Porter, Newton, Jasper and Pulaski.

(g) This order shall terminate 30 days after the date of issuance and may be amended, modified or revoked at any time prior to the date of termination by the Office of Price Administration.

This order shall become effective August 18, 1943.

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

Date of issuance: August 18, 1943.

FRANK H. SIBLEY,
District Director.

[F. R. Doc. 43-14707; Filed, September 8, 1943; 11:50 a. m.]

[Region III Order G-12 Under 18 (c), Amdt. 3]

FLUID MILK IN INDIANA

Amendment No. 3 to Order No. G-12 under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Adjustment of the maximum prices of fluid whole milk sold at retail and wholesale in the State of Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280; *It is hereby ordered*, That Order No. G-12 under § 1499.18 (c) of the General Maximum Price Regulation, as amended (formerly Order No. III-1499.18 (c)-15) be amended by including in paragraph II thereof new sub-paragraphs H and I, as set forth below:

Order No. G-12 under § 1499.18 (c) of the General Maximum Price Regulation, is further amended by the deletion of the County of Clinton from subparagraph B of paragraph II.

II. * * *

H. Any person making sales or deliveries of approved fluid milk at wholesale in the State of Indiana at the per quart prices appearing in Column A below is hereby granted the adjusted maximum per gallon prices set forth in Column B for the sale at wholesale of approved fluid milk in quantities of one to ten gallons and the adjusted maximum per gallon prices set forth in Column C for sales at wholesale of approved fluid milk in quantities of more than ten gallons.

Column A	Column B	Column C
14¢	54¢	52¢
13½¢	52¢	50¢
13¢	50¢	48¢
12½¢	48¢	46¢
12¢	46¢	44¢
11½¢	44¢	42¢
11¢	42¢	40¢
10½¢	40¢	38¢
10¢	38¢	36¢

Any person making sales or deliveries of approved fluid milk at retail in the State of Indiana at the per quart prices appearing in Column A below is hereby granted the adjusted maximum per gallon prices set forth in Column B for the sale at retail of approved fluid milk in one gallon containers.

Column A	Column B
16¢	60¢
15½¢	58¢
15¢	56¢
14½¢	54¢
14¢	52¢
13½¢	50¢
13¢	48¢
12½¢	46¢
12¢	44¢

The above adjusted maximum prices are optional only. Present maximum

Type of delivery	Container	Size	Adjusted maximum prices
Retail	Glass or paper	One quart or multiples thereof	13½¢ per quart.
Retail	Glass or paper	One pint	8¢ per pint.
Retail	Glass or paper	One-half pint	6¢ per one-half pint.
Wholesale	Glass or paper	One quart or multiples thereof	11½¢ per quart.
Wholesale	Glass or paper	One pint	6½¢ per pint.
Wholesale	Glass or paper	One-half pint	3½¢ per one-half pint.

This amendment to Order No. G-12 under § 1499.18 (c) of the General Maximum Price Regulation shall become effective July 1, 1943.

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

Issued this 30th day of June 1943.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 43-14708; Filed, September 8, 1943; 11:49 a. m.]

[Region III Rev. Order G-22 Under 18 (c)]
FLUID MILK IN DESIGNATED COUNTIES IN KENTUCKY AND INDIANA

Revised Order No. G-22 under § 1499.18 (c), as amended, of the General Maximum Price Regulation, Adjusting the Maximum prices of approved fluid milk and special milk sold at retail and wholesale in the County of Jefferson in the State of Kentucky and the Counties of Floyd and Clark in the State of Indiana; (Formerly Order No. III-1499.18 (c)-34).

For the reasons set forth in the opinion issued simultaneously herewith Order No. III-1499.18 (c)-34 (redesignated as Order No. G-22) as amended is hereby, revoked and a new Revised Order No. G-22 as hereinafter set forth, is substituted therefor. This revised order is issued pursuant to the authority vested in the Regional Administrator of Region III under the provisions of § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280.

I. *Sales of approved fluid milk and certain other milks.* Any person may sell or deliver approved fluid milk and certain other milks known as Vitamin D Homogenized milk, Buttermilk and Skim milk at retail or wholesale or to independent milk distributors in the County of Jefferson in the State of Kentucky or in the Counties of Floyd and Clark in the State of Indiana at (1) the maximum prices established for him under § 1499.2 of the General Maximum Price Regula-

tion or (2) the maximum prices set forth in Schedule A of this Revised Order, whichever are greater.

per gallon prices for sales and deliveries of approved fluid milk at wholesale or retail may be continued.

I. Notwithstanding the provisions of paragraph I and Schedule A hereof, the prices set forth in the following schedule shall be the only maximum prices for all sales and deliveries of approved fluid milk at wholesale and retail in the County of Clinton in the State of Indiana.

tion or (2) the maximum prices set forth in Schedule A of this Revised Order, whichever are greater.

II. *Sales of special milks.* A. Except as hereinafter provided in paragraph B of this section II, any person selling special milk, as hereinafter defined, at retail or wholesale in the County of Jefferson in the State of Kentucky or in the Counties of Floyd and Clark in the State of Indiana, who is permitted under the provisions of section I of this Revised Order to increase the price of approved fluid milk (raw or pasteurized regular, standard milk) sold by him, may add an amount equal to such increase to the retail and wholesale prices of special milk established for him under the provisions of § 1499.2 of the General Maximum Price Regulation.

B. The adjusted maximum price of plain Homogenized milk and Chocolate drink as established under the preceding paragraph A shall in no event exceed the adjusted maximum price of approved fluid milk (raw or pasteurized regular, standard milk) as established under section I hereof.

C. If any person selling special milk at retail or wholesale in the County of Jefferson in the State of Kentucky or in the Counties of Floyd and Clark in the State of Indiana cannot determine his maximum prices for such special milk under the provisions of paragraphs A or B of this section II, he may apply by letter to the Regional Office, Office of Price Administration, Union Commerce Building, Cleveland, Ohio, for determination of his maximum prices. He shall submit full information as to his present maximum prices, the prices of his most closely competitive sellers, the type and approximate butterfat content of the special milk sold by him and his most closely competitive sellers, and a full statement of the reasons why he is unable to determine adjusted prices under paragraphs A and B hereof.

III. Any person who sells or delivers approved fluid milk, special milk, or certain other milks known as Vitamin D Homogenized milk, Buttermilk, and Skim milk at retail or wholesale in the

County of Jefferson in the State of Kentucky or in the Counties of Floyd and Clark in the State of Indiana at prices established under sections I and II hereof may sell such approved fluid milk, certain other milks and special milk at the prices so established by sections I and II hereof in the following Counties: Bullitt, Hardin, Henry, Marion, Meade, Nelson, Oldham, Shelby, Spencer and Trimble in the State of Kentucky, and Harrison, Scott, and Washington in the State of Indiana.

IV. *Fractional sales.* A. Whenever the seller's maximum price, as established under this Revised Order, results in a unit figure containing a fraction of a cent, the seller, if the sale be at retail, may adjust the unit price therefor to the next highest full cent. For the sale of two or more such units, such seller shall, however, multiply such fractional unit figure by the number of units in such sale; for example, a maximum price 13½¢ per unit may be adjusted to 14¢ for the sale of one unit, but must be 27¢ for the sale of two units, etc.

B. Whenever the seller's maximum price, as established under this Revised Order, results in a unit figure containing a fraction of a cent, the seller, if the sale be at wholesale, shall multiply such fractional unit figure by the number of units in such sale; for example, the maximum price for 24 pints of fluid milk at a per unit cost of 6½¢ would be \$1.56.

V. *Reports.* Each person, other than a retail store, adjusting his maximum prices pursuant to the provisions of this revised order, shall, within five (5) days after such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio by letter, of his maximum prices established pursuant to this revised order, together with a statement of his previous maximum prices.

Each such person shall, in addition to the above, file with the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, such reports as may hereafter be required by said Regional Office.

VI. *Discounts.* Any person selling approved fluid milk and/or special milk at retail or wholesale in the County of Jefferson in the State of Kentucky or in the Counties of Floyd and Clark in the State of Indiana may discontinue the granting of discounts.

VII. *Notification of retail stores.* Each distributor selling approved fluid milk and/or special milk at wholesale to a retail store or stores shall notify each store to whom he sells, by letter, of the adjustment permitted in this revised order, and each retail store is hereby required to comply with the requirements of the General Maximum Price Regulation as to the posting of prices of cost-of-living commodities.

VIII. The provisions of this revised order supersede the provisions of General Order No. 1 (redesignated as Order No. G-17) pertaining to certain trade practices in Region III, and also supersede the provisions of Order No. III-1499.18(c)-15 (redesignated as Order No. G-12), adjusting the maximum prices of fluid whole milk sold at retail and whole-

sale in the State of Indiana, insofar as said Order No. III-1499.18 (c)-15 is applicable to sales and deliveries of fluid whole milk in the Counties of Floyd and Clark in the State of Indiana. Said General Order No. 1 is therefore revoked as to the County of Jefferson in the State of Kentucky and the Counties of Floyd and Clark in the State of Indiana, and said Order No. III-1499.18 (c)-15 is also revoked as to the Counties of Floyd and Clark in the State of Indiana.

IX. *Definitions.* A. "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing.

B. *Approved fluid milk and special milk.* 1. "Approved fluid milk" is defined to mean fluid cow's milk, whether raw or pasteurized, meeting the minimum butterfat content, sanitary and health requirements for fluid milk for human consumption in the particular area wherein it is delivered, including standards set by the Army or Navy Purchasing officer making purchases for the armed forces of the United States.

2. "Special milk" is defined to mean plain Homogenized milk, Softcurd milk, Regular or Standard milk flavored with chocolate, chocolate drink and, in addition to the foregoing, any milk conforming to both of the following requirements: (a) It must contain a greater butterfat content than regular or standard milk, and (b) it must have sold during the month of March 1942 at a price higher than regular or standard milk.

C. "Sale or delivery at retail" is defined to mean a sale or sales of fluid milk in glass, paper or other containers to an ultimate consumer, other than an industrial, commercial, and/or institutional user.

D. "Sale or delivery at wholesale" refers to a sale of fluid milk in glass, paper or other containers to any person, including an industrial or commercial user, other than an ultimate consumer. For the purposes of this revised order, a sale or delivery at wholesale shall include a sale or delivery to stores, hotels, restaurants, institutions, and any branch of the Armed Forces of the United States. A sale or delivery at wholesale does not include a sale of bulk milk made by one distributor to another, or a sale by a cooling station to a distributor.

E. "Independent milk distributor" is defined to mean a distributor (or peddler) who purchases milk in glass, paper, or other containers from another distributor for the purpose of resale at retail or wholesale in the same containers in which said milk was purchased by him.

X. This revised order shall become effective April 1, 1943, and shall expire at 12:01 A. M., June 1, 1943, unless previously revoked, modified, or extended by the Regional Administrator of Region III.

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

Issued March 31, 1943.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 43-14709; Filed, September 8, 1943; 11:48 a. m.]

[Region III Rev. Order G-22 Under 18 (c),
Amdt. 1]

FLUID MILK IN DESIGNATED COUNTIES IN
KENTUCKY AND INDIANA

Amendment No. 1 to Revised Order No. G-22 under § 1499.18 (c), as amended, of the General Maximum Price Regulation (formerly order No. III-1499.18 (c)-34). Adjustment of the maximum prices of approved fluid milk and special milk sold at retail and wholesale in the County of Jefferson in the State of Kentucky and the Counties of Floyd and Clark in the State of Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration, by § 1499.18 (c), as amended, of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation No. 280 and by Revised General Order No. 32: *It is hereby ordered*, That section X be amended to read as set forth below.

X. This revised order shall become effective April 1, 1943 and shall expire at 12:01 a. m., September 1, 1943, unless previously revoked, modified or extended by the Office of Price Administration.

This amendment to Order No. G-22 shall become effective May 28, 1943.

Issued May 28, 1943.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 43-14710; Filed, September 8, 1943; 11:48 a. m.]

[Region IV Order G-3 Under 3 (c)]

FURNITURE OWNED BY FARM SECURITY
ADMINISTRATION

Order No. G-3 under § 1499.3 (c) of the General Maximum Price Regulation. Authorization of maximum prices for certain items of furniture owned by the Farm Security Administration of the United States Department of Agriculture.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Atlanta Regional Office of the Office of Price Administration by § 1499.3 (c) of the General Maximum Price Regulation and by Revised General Order 32: *It is hereby ordered*:

(a) The Farm Security Administration may sell and deliver to any person the items of furniture set forth in Appendix A hereof, being the items of furniture listed in Farm Security Administration Property Sale No. R-5-PS-109, Docket 85-C73-(1200), dated July 13, 1943, and in Addendum No. 1 to Property Sale No. R-5-PS-109, dated July 13, 1943, at prices no higher than those set forth opposite each such item in Appendix A hereof.

(b) The Farm Security Administration may sell the items of furniture covered by this order in bulk lot or lots provided that the price for the sale of any such bulk lot of furniture does not exceed the aggregate of the maximum prices of the items constituting such bulk lot.

GROUP II—TABLES—Continued

Item No.	Model No.	Description	Number (each)	Permitted maximum unit price	Total
6	2008	Tables, dining, rectangular top with top drop leaves, 21" x 64" deep—40" x 64" open, sawbuck frame, oak wood, brown oak finish.	4	\$13.60	\$54.00
7	1613	Tables, breakfast room, kitchen, service, or occasional, two drop leaves, rectangular top, 28 1/2" x 18" closed, 28 1/2" x 40" open: (a) Maple wood, amber maple finish. (b) Gum wood, light gum finish.	21	8.50	178.50
8	802	Table-top server, top 37" wide, 16 1/2" deep, height 32", two drawers and double swinging door cabinet compartment with adjustable shelf: (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	1	8.50	8.50
9	804	Tables, service, rectangular top, 24" x 14" height 19": (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	63	15.00	870.00
10	012	Tables, coffee, or occasional, round top 20" in diameter, height 19", maple wood, amber maple finish.	18	3.00	54.00
11	707	Tables, coffee or occasional, rectangular top, 16" x 18", height 29": (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	1	2.50	2.50
12	1101E	Tables, coffee or occasional, rectangular top, 31 1/2" x 16 1/2", height 19": (a) Maple wood, amber maple wood. (b) Oak wood, brown oak finish.	9	3.00	27.00
13	1709	Tables, occasional, rectangular top, 14" x 30", height 24", three raised edges, 1 drawer: (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	1	4.00	4.00
14	2201	Tables, service, rectangular top, 20" x 18", height 29", one drawer: (a) Maple wood, light gum finish. (b) Oak wood, light gum finish.	73	7.50	547.50
15	601	Tables, bed-side, rectangular top, 12" x 12", height 22", with shelf, oak wood, brown oak finish.	12	7.50	90.00
16	701	Tables, bed-side, raised back and right side, 15" wide, 12" deep, 24" high: (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	16	1.75	28.00
17	701A	Tables, bed-side, raised back and left side, 16" wide, 12" deep, 24" high: (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	2	4.50	9.00
18	603	Tables, bed-side, top 16" x 12", height 24", cabinet type with adjustable shelf: (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	6	4.50	27.00
19	1404	Tables, bed-side, top 12" x 12", height 23 1/2", one drawer, raised sides, on shelf: (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	11	5.00	55.00
20	1004	Tables, bed-side, top 16" x 12", height 24", raised sides, one drawer, on shelf: (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	6	5.00	30.00
21	2304	Tables, bed-side, top 17 1/2" x 12", height 23 1/2", with one deep drawer: (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	70	4.50	315.00
22	2004	Tables, bed-side, top 18" x 18", height 29", with one shelf: (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	61	4.50	274.50
			120	4.50	540.00
			140	4.50	630.00
			160	4.50	720.00
			63	4.00	252.00
			102	4.00	408.00
			44	4.00	176.00
			4	7.50	30.00
			6	7.50	45.00
					8,162.74

GROUP III—BEDS (DOUBLE AND SINGLE)

Item No.	Model No.	Description	Number (each)	Permitted maximum unit price	Total
1	903	Beds, double, solid head and foot, 70" rail, 64" slat, complete with rails and slats: (a) Gum wood, light gum finish. (b) Oak wood, brown oak finish.	5	\$7.50	\$37.50
			4	7.50	30.00

(c) The Farm Security Administration shall, within 10 days after sale of any item covered by this order, report by letter to the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, the name and address of the purchaser or purchasers, the item or items sold, the price at which such sale has been made, and the method used in properly establishing the ceiling price for such sale under the General Maximum Price Regulation.

(d) Any purchaser from the Farm Security Administration of any item or items covered by this order who resells such item or items to any person other than an ultimate consumer at retail shall, within 10 days after such sale, report by letter to the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, the name and address of the purchaser or purchasers, the item or items sold, the price at which such sale has been made, and the method used in properly establishing the ceiling price for such sale under the General Maximum Price Regulation.

(e) Schedule A. *Maximum prices.*

GROUP I—CHAIRS

Item No.	Model No.	Description	Number (each)	Permitted maximum unit price	Total
1	016	Side chair, straight, leatherette, slip seat 16 1/2" to 16 3/4" x 10 1/2" deep, 33 1/2" high, maple wood, amber maple finish.	6	\$3.75	\$18.75
2	005	Side chair, straight, leatherette slip seat, 18" to 16" x 17" deep, 32" high, oak wood, brown oak finish.	22	3.75	82.50
3	1602	Side chair, straight, leatherette slip seat, 16 1/2" x 16" deep, 33" high, turned legs: (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	30	3.75	75.00
4	1702	Side chair, straight, dished wood seat, 16" x 17", height 33 1/2", solid maple, amber maple finish.	43	3.75	161.25
5	1710	Side chair, straight, woven split wood seat, 16 1/2" by 16" deep, height 33 1/2", white oak frame: (a) Natural finish. (b) Blue finish. (c) Green finish.	21	3.75	78.75
6	3301	Side chair, straight, leatherette slip seat, 16" x 16" deep, 31 1/2" high: (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	2	1.70	3.40
7	016A	Arm chair, straight, leatherette slip seat, 21 1/2" to 18 1/2" x 16" deep, 33 1/2" high, solid maple, amber maple finish.	17	1.70	28.90
8	005A	Arm chair, straight, leatherette slip seat, 21" to 17 1/2" x 18 1/2" deep, 32 1/2" high, solid maple, amber maple finish.	23	3.75	86.25
9	1602A	Arm chair, straight, leatherette slip seat, 16 1/2" x 17 1/2" deep, 33 1/2" high, turned legs solid maple, amber maple finish.	78	3.75	292.50
10	3301A	Arm chair, straight, leatherette slip seat, 20 1/2" x 18 1/2" deep, 33 1/2" high: (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	4	5.00	20.00
11	1304A	Reclining chair, gum wood, light gum finish.	4	5.00	20.00
12	1705	Reclining chair, woven split wood seat, 19 1/2" x 16" deep, 31 1/2" high, white oak, orange finish.	10	5.00	50.00
			41	5.00	205.00
			3	2.25	6.75
			1	2.25	2.25
					1,341.00

GROUP II—TABLES

Item No.	Model No.	Description	Number (each)	Permitted maximum unit price	Total
1	014	Tables, dining, extension top, round, 40 inches in diameter with 2 extra leaves 11" x 40", height 29 1/2", 4 straight legs: (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	2	\$14.78	\$29.56
2	1203	Tables, dining, rectangular top, 28" x 48", height 29", turned legs: (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	2	14.78	29.56
3	1701	Tables, dining, rectangular top, 26" x 48", height 29", four legs with stretchers, oak wood, brown oak finish.	1	17.50	17.50
4	2301	Tables, dining, two drop leaves, gateleg, rectangular top 22" x 40" closed, 28" x 40" open: (a) Maple wood, amber maple finish (8 of these tables will need to be reupholstered, and 8 will need regluing and mending, including the repairing of broken legs). (b) Oak wood, brown oak finish (16 of these tables will need regluing only, 17 will require mending and regluing, including mending of broken legs).	3	13.50	40.50
5	2303	Tables, dining, brown, drop-leaf, 48" in diameter, height 29", oak wood, brown oak finish.	10	13.50	135.00
			40	13.50	540.00
			7	13.50	94.50

GROUP V—CHESTS OF DRAWERS—Continued

Item No.	Model No.	Description	Number (each)	Permitted maximum unit price	Total
9	2003	Chests, miniature, three full drawers, top 28" x 16", height 20": (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish. (c) Gum wood, light gum finish.	30 33 21	\$7.50 7.50 7.50	\$226.00 247.50 157.50
GROUP VI—DRESSERS					
1	701	Dressers, two full drawers and two half drawers, top 48" x 18", height 36", gum wood, light gum finish.	1	\$12.50	\$12.50
2	900	Dressers, two full drawers and two half drawers, top 42" x 18", height 36": (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish. (c) Gum wood, light gum finish.	17 6 10	12.50 12.50 12.50	212.50 62.50 125.00
3	1001	Dressers, two full drawers, and two half drawers, top 42" x 18", height 36": (a) Maple wood, amber maple finish. (b) Gum wood, light gum finish.	6 3	13.50 13.50	81.00 40.50
4	2401	Dressers, three full drawers, top 38" x 18", height 36": (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	31 18	12.50 12.50	237.50 225.00
5	2502	Dressers, three full drawers, top 38" x 18", height 36": (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish. (c) Gum wood, light gum finish.	9 3 1	13.50 13.50 13.50	121.50 40.50 13.50
6	2901	Dressers, three full drawers and two half drawers top 42" x 18", height 36": (a) Maple wood, amber maple finish. (b) Gum wood, light gum finish.	3 6	12.50 12.50	37.50 75.00
1,434.50					

GROUP VII—MIRRORS

Item No.	Model No.	Description	Number (each)	Permitted maximum unit price	Total
1	2502	Mirrors, with frame, rounded edges, glass size 10" x 20", overall size 18 3/4" x 21 3/4": (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish. (c) Gum wood, light gum finish.	68 99 26	\$2.00 2.00 2.00	\$136.00 198.00 52.00
386.00					

GROUP VIII—DESKS AND BOOKCASES

Item No.	Model No.	Description	Number (each)	Permitted maximum unit price	Total
1	613	Desks, with portable pigeon-hole rack, top 36" x 18", height 29": (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish. (c) Gum wood, light gum finish.	1 11 17	\$6.00 6.00 6.00	\$6.00 66.00 102.00
2	3006	Desks, with bookrack top style 300A, desk top 30" x 20", height 29", desk top height, one drawer, rack consists of one shelf and top, shelves 9" deep, rack 2 1/2" high, overall height 53": (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish. (c) Gum wood, light gum finish.	6 15 17	10.00 10.00 10.00	60.00 150.00 170.00
3	800	Desks, combination, constructed from top to bottom of two half drawers, a door swung from the bottom edge which forms a working space and two adjustable shelves, two more half drawers and double door cabinet with one adjustable shelf, top 37" x 18 1/2", height 31": (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish. (c) Gum wood, light gum finish.	54 37	17.50 17.50	945.00 647.50
4	801	Bookcase, open front, two adjustable shelves, top 37" x 11", height 32", oak wood, brown oak finish.	2	7.00	14.00
2,160.50					

GROUP III—BEDS (DOUBLE AND SINGLE)—Continued

Item No.	Model No.	Description	Number (each)	Permitted maximum unit price	Total
2	1403	Beds, double, 54" slat, 76" rail, complete with rail and slats, oak wood, brown oak finish.	2	\$7.50	\$15.00
3	1903	Beds, double, 54" slat, 74" rail, complete with rail and slats, head posts 30" high, foot posts 23 1/2" high, gum wood, light gum finish.	2	7.50	15.00
4	2203	Beds, double, 54" slat, 76" rail, complete with rail and slats, head posts 30" high, foot posts 23 1/2" high, gum wood, light gum finish.	2	7.50	15.00
5	2403	Beds, double, 54" slat, 76" rail, complete with rail and slats, head posts 30" high, foot posts 23 1/2" high, oak wood, brown oak finish.	2	7.50	15.00
6	2800	Beds, double, 54" slat, 74" rail, complete with rail and slats, gum wood, light gum finish.	9	7.50	67.50
7	902A	Beds, single, 30" slat, 76" rail, complete with rail and slat, oak wood, brown oak finish.	1	5.50	5.50
8	1003A	Beds, single, 30" slat, 74" rail, complete with rail and slats, head posts 30" high, foot posts 23 1/2" high, gum wood, light gum finish.	1	5.50	5.50
9	2203A	Beds, single, 30" slat, 74" rail, complete with rail and slats, head posts 33" high, foot posts 23 1/2" high, gum wood, light gum finish.	75	5.50	412.50
10	2403A	Beds, single, 30" slat, 76" rail, complete with rail and slats, oak wood, brown oak finish.	1	5.50	5.50
11	2800A	Beds, single, 30" slat, 74" rail, complete with rail and slats, oak wood, brown oak finish.	7	5.50	38.50
602.50					

GROUP IV—MATTRESSES AND SPRINGS

Item No.	Model No.	Description	Number (each)	Permitted maximum unit price	Total
1		Mattresses, double-bed, new cotton, tufted with rolled edge, 47 pound weight.	28	\$5.25	\$147.00
2		Mattresses, single-bed, new cotton, tufted with rolled edge, 42 pound weight.	263	4.75	1,273.00
3		Springs, single-bed, helical coil construction, angle-iron base and side anchors, weight 50 pounds.	263	4.00	1,072.00
2,492.00					

GROUP V—CHESTS OF DRAWERS

Item No.	Model No.	Description	Number (each)	Permitted maximum unit price	Total
1	711	Chests, three full drawers and 2-half drawers, top 36" x 18", height 42", maple wood, amber maple finish.	1	\$13.50	\$13.50
2	1401	Chests, three full drawers and two half drawers, top 36" x 18", height 43 1/2": (a) Maple wood, amber maple finish. (b) Gum wood, light gum finish.	8 3	13.50 13.50	108.00 40.50
3	2001	Chests, four full drawers, top 36" x 18", height 40": (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish. (c) Gum wood, light gum finish.	9 1 1	12.50 12.50 12.50	112.50 12.50 12.50
4	2201	Chests, three full drawers and two half drawers, top 36" x 18", height 42": (a) Maple wood, amber maple finish. (b) Gum wood, light gum finish.	9 11	12.50 12.50	112.50 137.50
5	2301	Chests, three deep drawers and one full shallow drawer, top 30" x 18", height 42": (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish. (c) Gum wood, light gum finish.	139 9 68	13.50 13.50 13.50	1,876.50 121.50 783.00
6	2401	Chests, four full drawers, graduated in depth, top 38" x 18", height 38 1/2": (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish. (c) Gum wood, light gum finish.	40 5 3	12.50 12.50 12.50	500.00 62.50 37.50
7	2701	Chests, combination, hinged lid with compartment and one drawer, top 35" x 18", height 29": (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish.	59 42	10.00 10.00	590.00 420.00
8	2801	Chests, miniature, three full drawers, top 30" x 18", height 26": (a) Maple wood, amber maple finish. (b) Oak wood, brown oak finish. (c) Gum wood, light gum finish.	13 11 7	7.50 7.50 7.50	97.50 82.50 52.50

GROUP IX—CABINETS, CABINET BASES AND CUPBOARDS

Item No.	Model No.	Description	Number (each)	Permitted maximum unit price	Total	Maximum price per bottle		
						12 oz.	32 oz.	
1	1005	Cabinets, top 36" x 16", height 51", constructed from top to bottom of one compartment with double horizontal doors and containing one adjustable shelf, two shallow half drawers, two deep full drawers: (a) Maple wood, amber maple finish..... (b) Oak wood, brown oak finish..... (c) Gum wood, light gum finish.....	8 7 6	\$15.00 15.00 15.00	\$120.00 105.00 90.00			
2	1704	Cupboard, two full length double doors, one stationary shelf and 2 adjustable shelves, 44" wide, 16" deep, 35" high, maple wood, amber maple finish.....	12	15.00	180.00			
3	1707	Cabinets, raised back and sides, one full drawer, two adjustable shelves, 30" wide, 12" deep, 36" high: (a) Maple wood, amber maple finish..... (b) Oak wood, brown oak finish.....	43 16	12.60 8.50	450.00 123.00			
4	2604	Cupboards, with hanging wall rack style 2304A, cabinet constructed of two full height compartments with swinging doors and two adjustable shelves on either side, two one-third width drawers and one one-third width compartment with swinging door, cupboard 50" wide, 18" deep, 36" high. Hanging wall rack dimensions 24 7/8" high, 36" wide, and 9" deep: (a) Maple wood, amber maple finish..... (b) Oak wood, brown oak finish.....	23 12	17.60 17.60	442.00 294.00			
5	3001	Cabinet base, width 50", depth 18" and height 36", constructed from top to bottom of three horizontal one-third width drawers and one full width compartment with 3 one-third width doors containing one adjustable shelf: (a) Maple wood, amber maple finish..... (b) Oak wood, brown oak finish.....	29 19	15.60 15.60	432.00 236.00			
6	3003	Cabinet Base, width 34", depth 18", height 36", constructed of two half drawers at the top and one full width compartment with 2 half width doors containing one adjustable shelf: (a) Maple wood, amber maple finish..... (b) Oak wood, brown oak finish.....	23 34	12.50 12.50	257.00 423.00			
7	3011	Cabinets, width 34", depth 18", height 63 3/4" base constructed same as style 3003 above, with mounted rack 34" wide, 9" deep, and 27" high, top and front of rack open, two shelves: (a) Maple wood, amber maple finish..... (b) Oak wood, brown oak finish.....	44 34	6.25 6.25	275.00 212.50			
8	3012	Cabinets width 34", depth 18", height 63 3/4" constructed of base same as style 3001 above, with shelf rack 36" wide, 9" deep, 27 5/8" high, rack open top and front, with two shelves: (a) Maple wood, amber maple finish..... (b) Oak wood, brown oak finish.....	17 12	8.50 8.50	144.50 102.00			
9	3014	Cabinets, width 50", depth 18" and height 71" constructed of base same as style 3001 described above, with mounted rack 39" wide, 9" deep, and 35" high, open front and top, with two shelves: (a) Maple wood, amber maple finish..... (b) Oak wood, brown oak finish.....	12 12	8.50 8.50	102.00 102.00			
Grand total (Groups I-IX).....					4,100.00	23,633.14		

(1) In bottles, brand or trade name	Maximum price per bottle	
	12 oz.	32 oz.
Blatz Pilsener (Beer).....	17	40
Budweiser (Beer).....	17	40
Burger Bran (Beer).....	17	40
Fortune (Beer).....	17	40
Manhattan (Beer).....	17	40
Muehlebach (Beer).....	17	40
Pabst (Beer).....	17	40
Schlitz (Beer).....	17	40
Silver Fox (Beer).....	17	40
Burger Beer (Beer).....	13	30
Burger Ale (Ale).....	13	30
Blk's (Beer).....	13	30
Champ-Velvet (Beer).....	13	30
Eagle (Beer).....	13	30
Falstaff (Beer).....	13	30
Fox DeLuxe (Beer).....	13	30
Gold Crest (Beer).....	13	30
Hapsburg (Beer).....	13	30
Jax (Beer).....	13	30
Regal (Beer).....	13	30
Star (Beer).....	13	30
70-Ale (Ale).....	13	30

Section 12 of said order is amended to read as follows:

Sec. 12. Taxes. The dollars-and-cents maximum prices for the beverage items listed in Section 9 hereof, include municipal, state and federal taxes, except state sales taxes, in effect as of the effective date of this order. In the event of an increase in an existing tax or of the levy of a new or additional tax, not in effect on the effective date of this order, the Shreveport District Director of the Office of Price Administration may make such adjustment in the maximum prices provided for herein, as may appear equitable and just.

This amendment shall become effective at 12:01 a. m., central war time, September 1, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, Gen. Order 50, 8 F.R. 4803.)

Issued at Shreveport, Louisiana, this the 31st day of August 1943.

J. E. BRUMFIELD,
District Director.

[F. R. Doc. 43-14714; Filed September 8, 1943; 11:55 a. m.]

[Region VI Order G-5 Under RMPR 122, Amdt. 1]

SOLID FUELS IN THE TWIN CITY AREA

Amendment No. 1 to Order No. G-5 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in the Twin Cities area.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the Opinion issued herewith, it is ordered:

(a) The Price Schedule set forth in paragraph (c) (1) of General Order No.

(f) Except as otherwise provided herein, all transactions subject to this order remain subject to all the provisions of the General Maximum Price Regulation, together with all amendments that have been heretofore or may be hereafter issued.

(g) This order may be revoked, amended or corrected, at any time. This order shall become effective on August 6, 1943.

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

Issued August 6, 1943.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 43-14706; Filed, September 8, 1943; 11:51 a. m.]

[Shreveport Order G-1 under Gen. Order 50, Amdt. 1]

CEILING PRICES FOR DOMESTIC MALT BEVERAGES IN SHREVEPORT, LA.

Amendment No. 1 to Order No. G-1 under General Order 50. Filing of prices

by restaurants and similar establishments: delegation of authority to fix maximum prices. Dollars and cents ceiling prices for domestic malt beverages.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the Director of the Shreveport, Louisiana, District Office, of the Office of Price Administration, by the Regional Administrator of Region V, under the provisions of General Order No. 50, of the Office of Price Administration; It is hereby ordered: That Order No. G-1, under General Order No. 50, be and the same is hereby amended as follows:

Section 9 of said order is amended to read as follows:

Sec. 9. Maximum "Dollars-and-cents" prices. (a) The maximum "dollars-and-cents" prices which may be charged for the beverage items subject to this order are:

AMENDED SCHEDULE—Continued

G-5 is hereby amended to read as set forth in the "Amended Schedule" attached hereto.

(b) A new paragraph (1) (15) is added to read as follows:

(1) Definitions and explanations. * * * (15) Whenever in this order, as amended, any reference is made to "minimum price schedules," "price classifications," "sizes," "district no.," or "coal producing districts", etc., those terms, shall hereafter be construed to have the same meaning, definition, force and effect which they had under the B-

(c) This amendment No. 1 to General Order No. G-5 shall become effective August 24, 1943.

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

Issued this 19th day of August 1943. RAYMOND S. McKEOUGH, Regional Administrator.

AMENDED SCHEDULE

Table with columns: 1 (Description), 2 (Domestic coal), 3 (Domestic coal), 4 (Steam coal), 5 (Steam coal), 6 (Dealer at yard), 7 (Dealer at yard). Rows include categories I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII with various coal types and prices.

AMENDED SCHEDULE—Continued

Table with columns: 1 (Description), 2 (Domestic coal), 3 (Domestic coal), 4 (Steam coal), 5 (Steam coal), 6 (Dealer at yard), 7 (Dealer at yard). Rows include categories I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII with various coal types and prices.

NOTE: To the above prices there may be added for calcium treated coal, if charged for at the mine, the sum of \$0.10 per ton. To the above prices there may be added for oil treated, wax treated or calcium treated coal, if charged for at the dock, and for coal calcium treated at the dealer's yard, the sum of \$0.15 per ton. To the above prices there may be added for sackling the coal the sum of \$4.00 per ton.

[F. R. Doc. 43-14705; Filed, September 8, 1943; 11:51 a. m.]

[Region VII Rev. Order G-1 under MPR 376, Amendment No. 2]
FRUITS AND VEGETABLES IN COLORADO AND WYOMING
Revised Order No. G-1 under Maximum Price Regulation No. 376, Amendment No. 2. Adjustment of maximum prices for certain fresh fruits and vegetables when sold otherwise than at retail in the States of Colorado and Wyoming.

Pursuant to the Emergency Price Control Act of 1942, as Amended, and the authority vested in the Regional Administrator of the Office of Price Administration by section 4 (c) of Maximum Price Regulation No. 376, and for the reasons set forth in an opinion issued simultaneously herewith, paragraph (p) of Revised Order No. G-1 is amended by adding thereto Table VII to read as follows:

TABLE VII—TOMATOES

	To and including August 20	August 21, 1943, and thereafter
(1) Fully packed lugs, minimum weight 28 pounds, prepared for distance shipment—per lug	\$3.50	\$2.70
(2) 85% U. S. No. 1 or better, packed in peach boxes, minimum weight 20 pounds—per box	2.00	1.50
(3) All other types of tomatoes and containers—per pound—net weight	.08	.04
(4) Hot-house tomatoes	(1)	(1)

¹ Exempted from country shipper ceiling.

Hot-house tomatoes. Hot-house tomatoes are exempted from this order but the same shall remain covered at wholesale by Maximum Price Regulation No. 376, and at retail by Maximum Price Regulation No. 422.

Effective date. This amendment shall become effective as of August 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 August 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-14713; Filed, September 8, 1943; 11:55 a. m.]

[Region VII Order G-2 Under MPR 333]

SHELL EGGS, UTAH AND WYOMING

Order No. G-2 under Maximum Price Regulation No. 333. Eggs and egg products. Adjusted f. o. b. prices for shell eggs sold in the State of Utah for delivery to purchasers in the State of Wyoming.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1429.63 (c) of Maximum Price Regulation No. 333, and for the reasons set forth in an opinion issued simultaneously herewith; *It is hereby ordered:*

(a) *What this order does.* This order permits any seller in the State of Utah to sell shell eggs f. o. b. his place of business to any buyer in the State of Wyoming when the Wyoming buyer purchases for local consumption and not for reshipment.

(b) *F. o. b. sales made in Utah for delivery in Wyoming.* From and after the effective date of this order any seller of shell eggs in the State of Utah may sell f. o. b. his place of business to buyers in the State of Wyoming when such Wyoming buyer purchases for consumption by Wyoming consumers and not for reshipment beyond the State of Wyoming.

(c) *Applicability of other regulations.* Except insofar as the same are inconsistent with or contradictory of the terms and provisions of this order, all of the terms and provisions of Maximum Price Regulation No. 333 shall remain in full force and effect and be applicable to all persons who sell under this order in the State of Utah and to all buyers in the State of Wyoming who purchase under this order.

(d) *Right to revoke or amend.* This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

(e) *Effective date.* This order shall become effective as of August 16, 1943.

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

Issued this 13th day of August 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-14703; Filed, September 8, 1943; 11:53 a. m.]

[Region VII Order G-4 Under SR 15, Amdt. 1]

CERTAIN CARRIER SERVICES IN COLORADO

Amendment No. 1 to Order No. G-4 under § 1499.75 (a) (3) of supplementary regulation No. 15 to the General Maximum Price Regulation. Adjustment of services of carriers other than common carriers in certain localities of Colorado.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

1. Order No. G-4 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation is hereby redesignated as Order No. G-19a under § 1499.18 (c), as amended, of the General Maximum Price Regulation.

2. The first unnumbered paragraph of said order is amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

This amendment is hereby made effective retroactively as of February 22, 1943.

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

Issued this 16th day of June 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-14704; Filed, September 8, 1943; 11:53 a. m.]

[Region VIII Order G-39 Under 18 (c) as Amended]

FIREWOOD IN EUGENE, OREGON, AREA

Order No. G-39 under § 1499.18 (c) as amended, of the General Maximum Price

Regulation. Adjusted maximum prices for firewood sold by mills in the area of Eugene, Oregon.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended, of the General Maximum Price Regulation: *It is hereby ordered:*

(a) The maximum prices as established by section 2 of the General Maximum Price Regulation or by any previous order issued pursuant to such regulation, or by any supplementary regulation thereto, for mills located in the area of Eugene, Oregon which did not make rail shipments of mill waste during March, 1942, for sales and deliveries of slabwood to the Commercial Coal Sales Company, Portland, Oregon, or to any other seller of firewood in Portland operating under an OPA "pool" adjustment order, are hereby modified, as follows:

(1) For mills having a rail freight rate of \$2.31 or less per cord to Portland, the maximum price shall be \$2.75 per cord f. o. b. car at mill;

(2) For mills having a freight rate to Portland in excess of \$2.31 per cord, the maximum price shall be \$2.75 per cord f. o. b. car at mill less the amount of the freight rate in excess of \$2.31 per cord.

(b) The foregoing adjusted maximum prices shall not include the initial cost of racking rail cars but shall include cost of re-racking. Initial costs of racking, when furnished by the mills, may be separately charged as an addition to these adjusted maximum prices.

(c) *Definitions.* (1) "Eugene area" as herein used means the city of Eugene and that part of the State of Oregon within a radius of 60 miles from the city limits of Eugene.

(d) Any mill which can show that it is unable to sell slabwood at the maximum prices hereby established may make application for an individual adjustment under § 1499.18 (c), as amended, of the General Maximum Price Regulation.

(e) No mill affected by this order shall evade any of the provisions hereof by changing its customary allowances, discounts or other price differentials unless such change results in a lower price.

(f) This order may be revoked, amended or corrected at any time.

This order shall become effective August 17, 1943.

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

Issued this 17th day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14715; Filed, September 8, 1943; 11:55 a. m.]

RAILROAD RETIREMENT BOARD.

STATUS OF MUNICIPAL DOCKS RAILWAY
JACKSONVILLE, FLORIDA

NOTICE OF HEARING

Pursuant to regulations under the Railroad Unemployment Insurance Act

(45 U.S.C. 1940 ed. 351-367), Part 319, §§ 319.42 et seq.,¹ the following orders have been issued:

ORDER AWARDING BENEFITS ON THE BASIS OF COMPENSATION EARNED IN THE SERVICE OF THE MUNICIPAL DOCKS RAILWAY

In accordance with the determination of the issues presented and passed upon in my opinion of February 26, 1943, L-43-163, holding that the Municipal Docks Railway (sometimes called the Municipal Docks and Terminals Railway) of the City of Jacksonville, Florida, as a separable and identifiable enterprise of said City of Jacksonville, was on August 29, 1935, and thereafter has been a carrier by railroad subject to part I of the Interstate Commerce Act and, as such, an employer under the Railroad Retirement Acts and the Railroad Unemployment Insurance Act:

Benefits are hereby awarded to all individuals whose compensation, earned in the service of said Municipal Docks Railway exclusively or in addition to compensation earned in the service of other covered employers, is \$150 or more in the applicable base year, such benefits to be determined in accordance with section 2 (a) of the Railroad Unemployment Insurance Act by including compensation earned in the service of said Municipal Docks Railway, and to be payable for any days of unemployment established in accordance with the Railroad Unemployment Insurance Act and applicable regulations: *Provided, however,* That all benefits paid pursuant to this award shall be paid subject to a right of recovery thereof as provided in section 5 (c) of the Railroad Unemployment Insurance Act.

Order entered and award of benefits made pursuant to authority vested in me by Regulations § 319.40 this 30th day of June, 1943.

JOSEPH H. FREEHILL,
General Counsel.

ORDER REOPENING INITIAL DETERMINATION

Order reopening General Counsel's initial determination on status of Municipal Docks Railway of the City of Jacksonville, Florida under the Railroad Unemployment Insurance Act.²

Whereas the General Counsel on February 26, 1943, issued an opinion L-43-163 on the basis of information submitted by Municipal Docks Railway (sometimes called Municipal Docks and Terminals Railway) of the City of Jacksonville and secured by the General Counsel from the files of the Interstate Commerce Commission, determining that Municipal Docks Railway of the City of Jacksonville, Florida, as a separable and identifiable enterprise of said City of Jacksonville, was on August 29, 1935, and thereafter has been at all times a carrier by railroad subject to part I of the Interstate Commerce Act, and, as such, an employer under the Railroad Retirement Acts and the Railroad Unemployment Insurance Act; and

Whereas said Municipal Docks Railway on April 1, 1943, submitted to the General Counsel a statement dated March 18, 1943, questioning the correctness of this determination, and on May 26, 1943, submitted a petition to the Railroad Retirement Board dated May 21, 1943; and

Whereas in accordance with § 319.40 of Part 319 of the Regulations governing proceedings under section 5 (c) of the Railroad Unemployment Insurance Act, the General Counsel on June 30, 1943, entered a general order awarding benefits on the basis of compensation earned in the service of Municipal Docks Railway subject to a right of recovery of any benefits paid pursuant to such order

as provided in section 5 (c) of the Railroad Unemployment Insurance Act:

Now, therefore, the General Counsel, pursuant to the authority vested in him by Part 319 of the Regulations *Orders and directs*, That:

(1) The General Counsel's determination of February 26, 1943, that Municipal Docks Railway, as a separable and identifiable enterprise of the City of Jacksonville, is an employer under the Railroad Unemployment Insurance Act be, and it hereby is, reopened for further consideration and proceedings in accordance with Part 319 of the Regulations; and that

(2) The information and argument heretofore submitted to the General Counsel and to the Board by Municipal Docks Railway and information heretofore obtained on his own initiative by the General Counsel from the files of the Interstate Commerce Commission shall constitute the record in the proceeding under the Railroad Unemployment Insurance Act, and the determination of Municipal Docks Railway's employer status under the Railroad Unemployment Insurance Act shall proceed on the basis of such record unless on or before July 20, 1943, any properly interested party expresses an intention to submit additional evidence or to present argument in accordance with §§ 319.42 and 319.45 of the regulations.

JOSEPH H. FREEHILL,
General Counsel.

JUNE 30, 1943.

ORDER DESIGNATING EXAMINER

Whereas the issues determined in the opinion of the General Counsel of February 26, 1943, L-43-163, relating to the employer status under the Railroad Unemployment Insurance Act of the Municipal Docks Railway (sometimes called Municipal Docks and Terminals Railway) of the City of Jacksonville, Florida, were, on June 30, 1943, ordered reopened by the General Counsel, pursuant to the authority vested in him by Part 319 of the Regulations governing proceedings under section 5 (c) of the Railroad Unemployment Insurance Act, for further consideration and proceedings; and

Whereas the said order of June 30, 1943, provided that the determination of the employer status of the Municipal Docks Railway would proceed on the basis of the record theretofore made in the proceeding, unless on or before July 20, 1943, any properly interested party should express an intention to submit additional evidence or to present argument in accordance with §§ 319.42 and 319.45 of the said Regulations; and

Whereas on July 7, 1943, the Municipal Docks Railway through its attorney requested an opportunity to be heard further on the question of the employer status of the Municipal Docks Railway under the Railroad Unemployment Insurance Act:

Now, therefore, for the conduct of such proceedings as may be necessary for the further consideration of all the issues determined in the General Counsel's opinion of February 26, 1943, L-43-163, relating to the employer status under the Railroad Unemployment Insurance Act of the Municipal Docks Railway, the General Counsel, pursuant to the authority vested in him by § 319.45 of the Regulations governing proceedings under section 5 (c) of the Railroad Unemployment Insurance Act, hereby designates Mr. A. M. Kobrick to serve as Examiner, with all powers, duties and functions accrued to such Examiner pursuant to such designation under Part 319 of the said regulations. The Examiner shall arrange for a hearing at the earliest date meeting the convenience of parties of interest, and shall notify all parties properly interested in any issue involved in the proceeding of their

right to participate in the proceeding and to present evidence and argument.

JOSEPH H. FREEHILL,
General Counsel.

JULY 10, 1943.

Pursuant to the above orders, notice is hereby given that a hearing will be held Wednesday, October 20, 1943, at 10:00 a. m., in Room 401, Federal Building, Jacksonville, Florida, on the question whether the said Municipal Docks Railway was on August 29, 1935, and thereafter, an employer under the Railroad Retirement Acts and the Railroad Unemployment Insurance Act.

Municipal Docks Railway, the City of Jacksonville, the individuals who have been awarded benefits on the basis of pay earned in the service of Municipal Docks Railway, and all other parties properly interested may participate in the hearing and will be afforded an opportunity to present evidence and to make arguments before the Examiner.

In preparation for, and in the conduct of, said hearing, the Examiner is authorized to require and compel the attendance of witnesses, administer oaths, take testimony, and make all necessary investigations. A record will be kept of all evidence presented, orally or in writing, at said hearing. The evidence presented orally will be under oath. The Examiner may require that copies of all exhibits admitted in evidence at the hearing be furnished by the party offering the same to all other parties participating or entering an appearance in the proceeding.

A. MORRIS KOBRIK,
Examiner.

SEPTEMBER 8, 1943.

[F. R. Doc. 43-14758; Filed, September 9, 1943; 10:58 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-64, 59-60]

INDIANA HYDRO-ELECTRIC POWER CO. ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 4th day of September 1943.

In the matter of Indiana Hydro-Electric Power Company, File No. 54-64.

In the matter of Indiana Hydro-Electric Power Company, Hugh M. Morris, trustee of the estate of Midland United Company, File No. 59-60.

Indiana Hydro-Electric Power Company, a subsidiary of Hugh M. Morris, Trustee of the Estate of Midland United Company, a registered holding company, having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of the plan of recapitalization of said Indiana Hydro-Electric Power Company; and the Commission having instituted proceedings under sections 11 (b) (2), 15 (f), and 20 (a) with respect to Indiana Hydro-Electric Power Company and Hugh M. Morris, Trustee of the Es-

¹ 7 F.R. 4777.

² This order issued under 20 CFR Part 319.

tate of Midland United Company, and having consolidated said matters for hearing; and certain hearings having been held on said matters, and said hearing having been continued to September 8, 1943; and

Indiana Hydro-Electric Power Company having requested that the continued hearing in this matter be postponed until the last week in September, 1943, and the Commission deeming it appropriate that the continued hearing be postponed to September 28, 1943;

It is ordered, That the continued hearing in this matter previously scheduled for September 8, 1943, at 10:30 a. m., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be and hereby is postponed to September 28, 1943, at the same hour and place and before the same trial examiner as heretofore designated.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-14742; Filed, September 9, 1943;
10:18 a. m.]

[File No. 70-782]

NORTHERN NATURAL GAS COMPANY (DELAWARE) AND ARGUS NATURAL GAS COMPANY, INC. (KANSAS)

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 3rd day of September 1943.

Notice is hereby given that a joint application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Northern Natural Gas Company (Delaware), a registered holding company and a subsidiary of The North American Company, a registered holding company, and Argus Natural Gas Company, Inc. (Kansas), a wholly-owned subsidiary of Northern Natural Gas Company; and

All interested persons are referred to the said joint application or declaration (or both), which is on file in the office of the said Commission, for a statement of the transactions therein proposed which are summarized below:

Argus Natural Gas Company, Inc. proposes to sell and Northern Natural Gas Company proposes to buy the pipe line system, including main and branch pipe lines and facilities, but excluding the distribution systems, owned by Argus Natural Gas Company, Inc., together with all gas purchase contracts under which gas is supplied to such pipe line system. The consideration proposed to be paid is an amount equal to the net book value as it will be recorded on the books of Argus Natural Gas Company, Inc. on December 31, 1943, to be paid by the cancellation and surrender by Northern Natural Gas Company of the unsecured Promissory Notes, Series "A",

No. 180—6

4½%, held by said company and remaining unpaid at the date of the transfer (estimated at that time to be \$700,000 face amount) of Argus Natural Gas Company, Inc., together with the payment of the balance of the consideration in cash.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that the joint application shall not be granted or the joint declaration permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing in this proceeding be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at 10:00 a. m., e. v. t., on the 16th day of September, 1943, in such room as may be designated on such day by the hearing room clerk. At such hearing cause shall be shown why such declaration shall become effective or such application shall be granted.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided in Rule XVII of the Commission's Rules of Practice on or before September 10, 1943.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing copies thereof by registered mail to Northern Natural Gas Company and Argus Natural Gas Company, Inc., and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

It is further ordered, That without limiting the scope of the issues presented by such joint application or declaration, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the consideration for the proposed transaction is reasonable.

(2) Whether, in all respects, the proposed transaction complies with all the applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

(3) Whether, and to what extent, it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms or conditions in regard to the proposed transaction.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-14745; Filed, September 9, 1943;
10:18 a. m.]

[File Nos. 54-78, 54-40, 59-40, 54-53, 59-49]

CONSOLIDATED ELECTRIC AND GAS CO., ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 3d day of September, A. D., 1943.

In the matters of Consolidated Electric and Gas Company, File No. 54-78; Consolidated Electric and Gas Company, Applicant, File No. 54-40; Central Public Utility Corporation, Consolidated Electric and Gas Company, Respondents, File No. 59-40; Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, Applicants, File No. 54-53; and Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, respondents, File No. 59-49.

Consolidated Electric and Gas Company, a registered holding company, having filed an application, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan for certain action designed to enable that company and certain of its subsidiary companies to comply with the provisions of section 11 (b) of said Act; the Commission having by order dated July 19, 1943 consolidated the proceedings upon said application (1) with certain proceedings theretofore instituted by the Commission pursuant to section 11 (b) of said Act with respect to said Consolidated Electric and Gas Company and Central Public Utility Corporation, also a registered holding company, (2) with certain other proceedings instituted by the Commission pursuant to said section 11 (b) with respect to Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, Voting Trustees under a certain voting trust agreement dated August 1, 1932, relating to common stock of said Central Public Utility Corporation (said Trustees also being a registered holding company), (3) with proceedings upon an earlier application of said Consolidated Electric and Gas Company for approval of certain other action also designed to enable said Consolidated Electric and Gas Company to comply with said section 11 (b), and (4) with proceedings upon an application and declaration by said Trustees, above named, regarding the disposition of the common stock of Central Public Utility Corporation held by said Trustees; and the Commission having by said order of July 19, 1943 set down said consolidated proceedings for hearing at the offices of the Commission in Philadelphia, Pennsylvania, at 10:00 a. m., e. v. t., on August 3, 1943; and the Commission having by order dated July 28, 1943 postponed said hearing to September 8, 1943; and

Consolidated Electric and Gas Company having requested that the hear-

ing so directed to be held in said consolidated proceedings be further postponed for a period of sixty days, stating in such request, among other things, that the company is actively engaged in work looking to sales of substantial assets, which sales, if consummated, will require material amendments to its application pursuant to section 11 (e) for approval of a plan to comply with section 11 (b); and the Commission deeming it appropriate under the circumstances that the hearing be postponed;

It is ordered, That the hearing in this matter previously scheduled for September 8, 1943, at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be and hereby is postponed to October 12, 1943, at the same hour and place and before the same trial examiner as heretofore designated.

It is further ordered, That the time within which any person other than parties to said consolidated proceedings desiring to be heard or otherwise wishing to participate in said proceedings shall file his request or application therefor with the Secretary of the Commission as provided by Rule XVII of the Commission's Rules of Practice be, and the same hereby is, extended to October 6, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-14744; Filed, September 9, 1943;
10:18 a. m.]

[File Nos. 70-710, 59-5]

MIDDLE WEST CORPORATION, ET AL.
DISPOSAL OF HOLDINGS IN KANSAS ELECTRIC
POWER CO.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of August 1943.

In the matter of the Middle West Corporation and The Kansas Power and Light Company, File No. 70-710.

In the matter of the Middle West Corporation and its Subsidiary Companies, respondents, File No. 59-5.

The Middle West Corporation, a registered holding company, and The Kansas Power and Light Company, a public utility subsidiary of North American Light & Power Company and The North American Company, both registered holding companies, having filed a joint application-declaration (File No. 70-710), as amended, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 9 (a), 10, 11 (b) and 12 (d) thereof, and the applicable rules promulgated thereunder, with respect to the sale by The Middle West Corporation to The Kansas Power and Light Company of all the outstanding common stock (59,500 shares) of its public utility subsidiary, The Kansas Electric Power Company, for a cash consideration of \$2,500,000, such proceeds to be distributed by The Middle West Corporation to its stockholders at any time or

from time to time within a period of 24 months following the consummation of said sale; and

A public hearing having been held after appropriate notice, and the Commission having considered the record in this matter, and having made and filed its Findings and Opinion therein; and

The Commission having on March 1, 1940 issued its Notice of an Order for Hearings pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 regarding The Middle West Corporation and its subsidiary companies (File No. 59-5), alleging that the holding company system of The Middle West Corporation is, among other things, not confined in its operations to those of a single integrated public utility system within the meaning of the Act, and to such other businesses as are reasonably incidental or economically necessary or appropriate to the operations of such integrated public utility system; and The Middle West Corporation having filed its answer on May 20, 1940, hearings having been held, arguments heard, and the matter having been submitted to the Commission for decision; and

The Middle West Corporation having since amended said answer in the proceedings pursuant to section 11 (b) (1) requesting an order directing the disposition by The Middle West Corporation of all the outstanding common stock (59,500 shares) of The Kansas Electric Power Company; and

The Middle West Corporation having requested an appropriate order and findings of the Commission in the proceedings on the said joint application-declaration to conform to the requirements of sections 371 and 1808 of the Internal Revenue Code, as amended; and

The Commission having considered the record in the proceedings under section 11 (b) (1) and having made and filed its Findings and Opinion as to the retainability of Kansas Electric Power Company:

It is hereby ordered, Pursuant to section 11 (b) (1) that The Middle West Corporation shall dispose of its holdings of common stock of The Kansas Electric Power Company.

It is further ordered, That the sale by The Middle West Corporation of its holdings of 59,500 shares of common stock of The Kansas Electric Power Company to The Kansas Power and Light Company for the sum of \$2,500,000 in cash, such proceeds to be distributed by The Middle West Corporation to its stockholders at any time or from time to time within a period of 24 months following the consummation of said sale, is necessary or appropriate to the integration or simplification of The Middle West Corporation holding company system within the meaning of sections 371 and 1808 of the Internal Revenue Code, as amended, and is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

It is further ordered, Pursuant to the applicable provisions of said Act, that the aforesaid application-declaration, as amended, be, and hereby is, granted and

permitted to become effective forthwith, subject to the following terms and conditions:

1. Upon the consummation of the transaction The Kansas Power and Light Company shall cause The Kansas Electric Power Company to dispose of not less than \$300,000 of intangibles by a charge to earned surplus and thereafter to write off the remaining intangibles in the amount of \$405,069 by charges to earned surplus at a rate not less than a cumulative average of \$27,005 per year.

2. The terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction be, and the same hereby is, reserved to determine the retainability under the Act of the non-utility assets and the natural gas distribution systems in Leavenworth and Emporia, Kansas, now owned by The Kansas Electric Power Company.

It is further ordered, That jurisdiction be, and the same hereby is, reserved to determine what action, if any, is necessary to be taken with respect to the excess of carrying value over original cost of the tangible property now carried by The Kansas Electric Power Company at estimated reproduction cost new.

It is further ordered, That jurisdiction be, and the same hereby is, reserved as to all matters relating to the proceedings pursuant to section 11 (b) (1) concerning The Middle West Corporation and its Subsidiary Companies, Respondents, File No. 59-5, not disposed of by this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-14743; Filed, September 9, 1943;
10:18 a. m.]

[File Nos. 70-641, 59-62]

GENERAL GAS AND ELECTRIC CO., ET AL.
ORDER GRANTING APPLICATIONS AND MAKING
DECLARATIONS EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of September 1943.

In the matter of General Gas & Electric Corporation, Florida Power Corporation, Florida Public Service Company, Sanford Gas Company, Santa Fe Land Company and Georgia Power and Light Company, File No. 70-641; Georgia Power and Light Company and General Gas & Electric Corporation, File No. 59-62.

The above-named parties having filed applications-declarations with this Commission pursuant to sections 7, 9, 10, and 12 of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43, U-44, and U-45 promulgated thereunder, covering proposed transactions that are part of a general program:

1. For the merger of Florida Public Service Company, Sanford Gas Company, and Santa Fe Land Company into Florida Power Corporation;

2. For the restatement of the fixed property of such companies in connection with the merger, the establishment of certain reserves applicable to inflationary items existing in the electric and gas fixed property

accounts, the establishment of new depreciation reserves applicable to the electric and gas fixed property, and the adoption of a revised method of accruing annual depreciation applicable to electric and gas fixed property;

3. For the restatement of the common capital stock of Florida Power Corporation subsequent to the merger accompanied by the issuance of 3,000,000 shares no-par value common stock with an aggregate stated value of \$6,750,000 in substitution for the present outstanding common stocks of Florida Power Corporation, Florida Public Service Company, Sanford Gas Company and Sante Fe Land Company, and certain intersystem held obligations of Sanford Gas Company (all of which securities and obligations are being cancelled); and

4. As originally filed, for the reorganization of Georgia Power and Light Company, the retirement of its preferred stock, and a capital donation from General Gas & Electric Corporation of \$300,000 in cash.

A hearing with respect to said applications and declarations having been held after appropriate notice; the Commission having, during the course of the public hearings, instituted proceedings against Georgia Power and Light Company pursuant to section 11 (b) (2) of the Act; the applicants-declarants having amended their filings to include, among other things, a request that a severance of the transactions set forth in paragraphs 1-3, inclusive, above, from the reorganization of Georgia Power and Light Company and related transactions be granted and that the Commission "proceed forthwith to * * * (a) consideration of the proposed merger of the Florida Companies"; and the Commission having considered the record of the proceedings and having made and filed its findings and opinion herein;

It is hereby ordered, That the aforesaid applications and declarations, as amended, embracing the proposed merger of Florida Power Corporation, Florida Public Service Company, Sanford Gas Company and Sante Fe Land Company and related transactions (i. e. the transactions outlined in numbered paragraphs 1, 2, and 3 supra), be, and hereby are, granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and to the following:

That Florida Power Corporation shall, within one year of the effective date of the merger into it of Florida Public Service Company, Sanford Gas Company and Sante Fe Land Company, divest itself, in any appropriate manner not in contravention of the applicable provisions of the Act or the rules and regulations promulgated thereunder, of all water, gas and ice properties owned by it, other than the ice plant in the City of Orlando, Florida, and the water properties servicing the community of Winter Garden, Florida, and all land obtained as the result of the merger of Sante Fe Land Company.

It is further ordered, That jurisdiction be and is hereby reserved as to

1. The accounting entries proposed, or hereafter to be made, by General Gas & Electric Corporation in connection with the proposed transactions;

2. That portion of these consolidated proceedings not hereinbefore approved. By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-14748; Filed, September 9, 1943;
10:54 a. m.]

[File No. 70-694]

THE BUCKEYE LIGHT AND POWER CO. AND
UNITED PUBLIC UTILITIES CORP.

ORDER EXEMPTING ISSUANCE AND SALE OF
NOTE FROM PROVISIONS OF ACT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of September 1943.

United Public Utilities Corporation, a registered holding company, and The Buckeye Light & Power Company, its wholly-owned subsidiary, having filed joint applications and declarations pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 relating to the issuance by The Buckeye Light & Power Company of a 6% promissory note in the principal amount of \$76,500 to be dated May 15, 1943 and to mature January 1, 1945, the purchase of such note by United Public Utilities Corporation, and the pledge thereof with the Provident Trust Company, Philadelphia, Trustee for the Collateral Trust Bonds of United Public Utilities Corporation, the proceeds of such note to be used by The Buckeye Light & Power Company to pay its 7% First Mortgage Purchase Money Bonds due May 15, 1943; and

Such application by The Buckeye Light & Power Company having requested an order exempting the issuance and sale of such note from the requirements of section 6 (a) of the Act pursuant to section 6 (b) thereof; and

A public hearing having been held after appropriate notice, and the Commission having made and filed its Findings and Opinion herein; and

It appearing to the Commission that the issuance and sale of such note should be exempted from the requirements of section 6 (a) pursuant to section 6 (b) of the Act, and the Commission having found that the acquisition of such note by United Public Utilities Corporation and its pledge of said note with the Trustee for its Collateral Trust Bonds are in conformity with the applicable sections of the Act and the Rules promulgated thereunder;

It is ordered, That the issuance and sale of the above note by The Buckeye Light & Power Company be, and hereby is, exempted from the provisions of section 6 (a) of the Act pursuant to the provisions of section 6 (b) thereof, and that the application and declaration with respect to the acquisition of such note by United Public Utilities Corporation and the pledge thereof with the Provident Trust Company of Philadelphia, Trustee, be, and hereby are, granted and

permitted to become effective, *subject* to our Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-14749; Filed, September 9, 1943;
10:54 a. m.]

[File No. 70-778]

MILWAUKEE ELECTRIC RAILWAY & TRANSPORT CO. AND WISCONSIN ELECTRIC POWER CO.

ORDER APPROVING APPLICATION AND MAKING
DECLARATION EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of September 1943.

The Milwaukee Electric Railway & Transport Company, a wholly-owned subsidiary of Wisconsin Electric Power Company, and Wisconsin Electric Power Company, a subsidiary of The North American Company, a registered holding company, having filed a joint declaration and application pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the General Rules and Regulations promulgated thereunder, relating to (1) the proposal of The Milwaukee Electric Railway & Transport Company to (a) redeem on October 1, 1943 at par plus accrued interest \$500,000 principal amount of its First Mortgage 4% Bonds owned by Wisconsin Electric Power Company and pledged as collateral to the latter company's Mortgage and Deed of Trust dated October 28, 1938, and (b) to purchase for cash at par for retirement 4,000 shares of its capital stock of the aggregate par value of \$400,000 from Wisconsin Electric Power Company; and (2) the proposal of Wisconsin Electric Power Company to sell to The Milwaukee Electric Railway & Transport Company the said 4,000 shares of capital stock of The Milwaukee Electric Railway & Transport Company for the consideration above specified; and

Said joint declaration and application having been filed on the 19th day of August 1943, and notice of said filing having been filed on the 19th day of and form prescribed by Rule U-23 under said Act, and the Commission not having received a request for a hearing with respect to said joint declaration and application within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 10, 12 (c), and 12 (f) and Rules U-42 and U-43 are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to approve said application and to permit said declaration to become effective;

It is hereby ordered, That, pursuant to said Rule U-23 and the applicable provisions of said Act, said joint application be and the same is hereby approved and said joint declaration be and

the same is hereby permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations, and subject further to continuation of the condition imposed on The Milwaukee Electric Railway & Transport Company by our order of June 29, 1943 (Release No. 4394) by the terms of which it is provided that if from time to time in the future additional common stock is retired by said company, its bonds will be retired to the extent necessary in order that the aggregate par amount of stock outstanding will at least equal two and one-half times the aggregate principal amount of the outstanding bonds.

By the Commission (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-14760; Filed, September 9, 1943;
10:54 a. m.]

[File Nos. 59-39, 54-50, 59-10]

NORTH AMERICAN LIGHT AND POWER CO.
HOLDING-COMPANY SYSTEM

ORDER FOR HEARING, ETC.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of September 1943.

In the matter of North American Light & Power Company Holding-Company System and The North American Company, File No. 59-39; North American Light & Power Company, File No. 54-50; The North American Company, et al., File No. 59-10.

The Commission having considered the record in the above consolidated proceedings and having examined a motion and brief in support thereof filed on July 12, 1943 by Lawrence R. Condon, attorney for certain preferred stockholders of North American Light & Power Company and briefs in opposition to said motion, and the Commission being fully advised in the premises;

It is ordered, That the portion of the motion of Lawrence R. Condon pertaining to his request to intervene herein is hereby denied; and

It is further ordered, That Lawrence R. Condon is hereby granted leave to file with this Commission and to serve upon The North American Company and all other parties in said proceedings a statement of any claims against The North American Company asserted by him on behalf of North American Light & Power Company and Illinois Traction Company arising out of or pertaining to the statement of claims filed by Illinois Iowa Power Company against North American Light & Power Company and Illinois Traction Company and The North American Company;

It is further ordered, That said statement of claims shall be filed within ten days after the entry of this order and that The North American Company shall

file herein within ten days after service upon it of said statement an answer either admitting or denying each material allegation contained in said statement and asserting any additional matters by way of defense or counterclaim;

It is further ordered, That the hearings herein be reconvened on September 28, 1943 at 10:00 a. m., e. w. t., at the offices of the Commission in Philadelphia, Pennsylvania for the purpose of receiving evidence in support of and in opposition to said claims and for the completion of the record as to the issues heretofore joined;

It is further ordered, That any application for subpoenas duces tecum shall be addressed to the Commission, such application to otherwise comply with the applicable Rules of the Commission;

It is further ordered, That the filing of said statement by Lawrence R. Condon and answer by The North American Company thereto is without prejudice to the issues as joined in the proceedings heretofore held and further that all the evidence heretofore received or hereafter to be taken in these proceedings shall be considered as evidence with respect to said statement and with respect to the answer which The North American Company may subsequently file as herein provided.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-14751; Filed, September 9, 1943;
10:54 a. m.]

[File No. 70-302]

NORTH AMERICAN LIGHT AND POWER CO.

ORDER CONSENTING TO WITHDRAWAL OF
DECLARATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of September, 1943.

North American Light & Power Company, a registered holding company, having filed a declaration on April 22, 1941, pursuant to the Public Utility Holding Company Act of 1935 and the Rules and Regulations promulgated thereunder regarding a proposal to sell its holdings of the common stock of Northern Natural Gas Company, said proposed sale not having been consummated; and

North American Light & Power Company, having filed a plan of liquidation and dissolution on October 15, 1942, as directed by the order of this Commission dated December 30, 1941, which plan provides for the distribution in kind of said stock of Northern Natural Gas Company, and having requested, on April 30, 1943 permission to withdraw the said declaration filed on April 22, 1941 in respect of the proposed sale of said shares; and

It appearing to the Commission that the withdrawal of said declaration is not detrimental to the public interest or to the interest of investors or consumers;

It is hereby ordered, That North American Light & Power Company be, and it is hereby granted permission to withdraw the declaration in the above styled and numbered matter, and the same is hereby deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-14752; Filed, September 9, 1943;
10:54 a. m.]

WAR FOOD ADMINISTRATION.

1943 CROP FLUE-CURED TOBACCO

DELEGATION OF AUTHORITY

Pursuant to the authority vested in me by Food Distribution Order No. 4, issued by the Secretary of Agriculture on January 7, 1943, as amended (8 F.R. 335, 11331), and to effectuate the purposes of said order and of Director Food Distribution Order No. 4.3 (8 F.R. 11331), the Administrator of Food Distribution Order No. 4, as amended, or in the absence of the Administrator, or on account of the inability of the Administrator to act, the Alternate Administrator of Food Distribution Order No. 4, as amended, is hereby authorized, subject to the supervision of the Chief of the Tobacco Branch, Food Distribution Administration, War Food Administration:

To allocate 1943 crop flue-cured tobacco in accordance with the standards set forth in § 1450.3 (b) (1), § 1450.3 (b) (2), and § 1450.3 (b) (3), respectively, of Director Food Distribution Order No. 4.3.

All action taken hereunder shall be on an individual basis, and not pursuant to notices of general applicability.

Issued this 7th day of September 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-14741; Filed, September 8, 1943;
4:42 p. m.]

WAR PRODUCTION BOARD.

LIBERTY ISLAND ANCHORAGE PROJECT, NEW YORK HARBOR

CANCELLATION OF REVOCATION ORDER

Builder: U. S. War Department, Corps of Engineers, Washington, D. C. Project: River and Harbor Project—Liberty Island Anchorage, New York Harbor.

The revocation of preference rating issued on January 6, 1943 is hereby cancelled; the preference ratings previously assigned are hereby restored; and said preference ratings shall have full force and effect.

Issued September 9, 1943.

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

[F. R. Doc. 43-14759; Filed, September 9, 1943;
11:11 a. m.]