



# FEDERAL REGISTER

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## Regulations

### TITLE 6—AGRICULTURAL CREDIT

#### Chapter II—War Food Administration (Commodity Credit)

[Dairy Feed Form 1, Amdt. 2]

#### PART 243—OFFER TO MAKE DAIRY FEED PAYMENTS

##### MISCELLANEOUS AMENDMENTS

In order to maintain and increase the production of eligible dairy products during the month of January 1944 and to extend the period allowed for the filing and payment of certain claims under the Offer of Commodity Credit Corporation to make dairy feed payments issued October 16, 1943 (8 F.R. 14999) as amended by Amendment No. 1 to said offer issued November 1, 1943 (8 F.R. 15001) (said offer as amended being herein called the "offer") Commodity Credit Corporation (herein called "Commodity") hereby amends the offer in the manner and to the extent provided in this Amendment No. 2 to the offer.

Section 243.3 of the offer is hereby amended to read as follows:

§ 243.3. *Rates of payment.* The rates of payment hereunder for September 1943 and for October, November, and December 1943, shall be as specified in Schedule A (attached to the offer, 8 F.R. 15000-15001) and for the month of January 1944 shall be those specified in Schedule B (attached hereto and by this reference made a part hereof) as applicable to the period covered by such payment for the area in which the farm on which such eligible dairy products were produced is located: *Provided, however* That for the months of November and December, 1943 and for the month of January, 1944 the applicable rate of payment hereunder to an eligible producer per hundredweight of whole milk which is not excluded from the computation of the net pool obligation pursuant to § 927.6 (a) (2) of Order No. 27, regulating the handling of milk in the New York Metropolitan Marketing Area, issued by the Secretary of Agriculture on March 26, 1942, as amended to the date hereof, and in respect of which he is a

"producer" as that term is defined in such Order No. 27, shall be fifteen cents (15¢) less per hundredweight than the applicable rates stipulated in Schedule A and Schedule B, respectively. The areas and rates specified in Schedule A and Schedule B have been determined primarily on the basis of changes in the price of dairy feed since September 1942, adjusted for (a) relative increases in the price of milk since 1932-40; and (b) average proportion of dairy feed purchased.

Section 243.5 of the offer is hereby amended to read as follows:

§ 243.5 *Prerequisites to payment.* Payments hereunder will be made only to eligible producers who: (a) File applications for payment, in such form as shall be approved by Commodity, with the County AAA Committee in the county in which the eligible dairy products were produced not later than January 31, 1944, with respect to September, October, November, and December, 1943 operations, and not later than February 29, 1944, with respect to January, 1944 operations; and (b) supply, with such applications for payment, evidence satisfactory to such County AAA Committee with respect to their eligibility, compliance with this offer, and the proper amounts of such payments. Milk statements or sale receipts issued by cooperatives, dairies, creameries, and others, showing the amount of whole milk or butterfat purchased, the date of purchase, and the names of the seller and buyer will be considered satisfactory evidence of sales. If an eligible producer is unable to furnish satisfactory extrinsic written evidence of sale, his personal certification of the amount sold, number of cows milked, amount and type of feed used, and customers served may, in the discretion of the County AAA Committee, and subject to such rules as Commodity may prescribe, be accepted as sufficient if such certification is consistent with the County AAA Committee's knowledge of the eligible producer's business and is made in accordance with rules as prescribed by Commodity. In the event an eligible producer is also a distributor only of eligible dairy products produced by him, sales of eligible dairy products in the course

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of such distribution may be totaled for the purpose of recording on the application for payment.

Section 243.6 of the offer is hereby amended to read as follows:

§ 243.6 *Payment.* Payment hereunder, on the basis of each such application for payment which has been approved by the applicable County AAA Committee, shall, unless Commodity prescribes a different method of payment, be made by such County AAA Committee by a non-interest-bearing draft drawn on Commodity and payable at any Federal Reserve Bank or branch thereof. If the amount of payment to which the eligible producer would otherwise be entitled, as computed by the County AAA Committee, is less than one dollar (\$1.00) no payment shall be made. Payments on the basis of each such approved application shall be made as soon as practicable. Such draft shall be made payable to the person shown in the corresponding application for payment to be the eligible producer, except in the case of death, incompetency, or disappearance of such person. Each draft shall be given a serial number and shall be prepared in duplicate. The original thereof shall be delivered to the eligible producer and the copy retained in the County AAA office. The making of any payment on the basis of an approved application for payment filed hereunder shall not constitute final acceptance of the validity or amount of the claim represented thereby. In the event of a subsequent finding that any such claim is invalid, defective or incorrectly computed, Commodity shall have the right to require restitution of any such payment or any part thereof, such right being in addition to any and all other rights of Commodity in the premises.

(Sec. 7, 49 Stat. 4, as amended by 50 Stat. 5, 53 Stat. 510, 55 Stat. 498, and Pub. Law 151, 78th Cong.)

Issued at Washington, D. C., this 20th day of January 1944.

[SEAL] COMMODITY CREDIT CORPORATION,  
By J. B. HUTSON,  
President.

Attest:  
NORINE J. FAUBLE,  
Assistant Secretary.

SCHEDULE B—RATES OF PAYMENT IN THE VARIOUS STATES AND COUNTIES COVERING THE PERIOD JANUARY 1—JANUARY 31, 1944

State	Counties	Per cwt. of milk delivered	Per lb. of butter-fat delivered
Alabama	All counties	40	5
Arizona	All counties	50	5
Arkansas	All counties	50	5
California	All counties	50	6
Colorado	All counties	50	6
Connecticut	All counties	50	6
Delaware	All counties	40	5
Florida	All counties	40	5
Georgia	All counties	40	5
Idaho	All counties	35	5
Illinois	All counties	35	5
Indiana	All counties	35	5
Iowa	All counties	35	5

SCHEDULE B—RATES OF PAYMENT IN THE VARIOUS STATES AND COUNTIES COVERING THE PERIOD JANUARY 1—JANUARY 31, 1944—Continued

State	Counties	Per cwt. of milk delivered	Per lb. of butter-fat delivered
Kansas	Barber, Cherokee, Clark, Comanche, Ford, Harper, Kiowa, All other counties	50	5
Kentucky	All counties	35	5
Louisiana	All counties	50	5
Maine	All counties	50	5
Maryland	All counties	50	5
Massachusetts	All counties	50	5
Michigan	All counties	50	5
Minnesota	All counties	50	5
Mississippi	Clarke, Forrest, George, Greene, Hancock, Harrison, Jackson, Jasper, Jones, Kemper, Lauderdale, Lawrence, Newton, Neshoba, Pearl River, Perry, Smith, Stone, Waltham, All other counties	50	5
Missouri	Barry, Jasper, McDonald, Newton, Stone, All other counties	50	5
Montana	All counties	50	5
Nebraska	All counties	50	5
Nevada	All counties	50	5
New Hampshire	All counties	50	5
New Jersey	All counties	50	5
New Mexico	All counties	50	5
New York	All counties	50	5
North Carolina	All counties	50	5
North Dakota	All counties	50	5
Ohio	All counties	50	5
Oklahoma	All counties	50	5
Oregon	Benton, Clatsop, Clatsop, Columbia, Coos, Curry, Douglas, Hood River, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Washington, Yamhill, All other counties	50	5
Pennsylvania	All counties	50	5
Rhode Island	All counties	50	5
South Carolina	All counties	50	5
South Dakota	All counties	50	5
Tennessee	Crockett, Fayette, Hardeman, Haywood, Lauderdale, Shelby, Tipton, All other counties	50	5
Texas	All counties	50	5
Utah	All counties	50	5
Vermont	All counties	50	5
Virginia	All counties	50	5
Washington	Chillam, Clark, Coville, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Skamania, Snohomish, Thurston, Wahkiakum, Whatcom, All other counties	50	5
West Virginia	All counties	50	5
Wisconsin	All counties	50	5
Wyoming	All counties	50	5

[F. R. Doc. 44-1130; Filed, January 21, 1944; 11:17 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration (Sugar Regulations)

PART 802—SUGAR DETERMINATIONS

WAGE RATES FOR 1944 HAWAIIAN SUGARCANE PRODUCTION

Determination of fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Hawaii during the calendar year 1944.

Pursuant to the provisions of subsection (b) of section 301 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order 9334, issued April 19, 1943, the following determination is hereby issued:

amended by Executive Order 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.34g *Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Hawaii during the calendar year 1944.* The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the production, cultivation, or harvesting of sugarcane in Hawaii during the calendar year 1944, if all persons employed on the farm during that period in the production, cultivation, or harvesting of sugarcane shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates not less than the rates established for the period July 1, 1943 to December 31, 1943, in the "Determination of Fair and Reasonable Wage Rates for Persons Employed in the Production, Cultivation, or Harvesting of Sugarcane in Hawaii During the Calendar Year 1943" issued June 25, 1943 (8 F.R. 3780) except that the annual average wage per farm for all harvesting and non-harvesting operations combined, after payment of wage increases under paragraph (b) (6) of said determination, shall not be less than \$2.40 per eight-hour man-day.

In addition, the general provisions of paragraph (d) of the aforesaid determination shall apply for the calendar year 1944.

(Sec. 301, 50 Stat. 909; 7 U.S.C. 1940 ed. 1131; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 21st day of January, 1944.

ASHLEY SZILERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-1193; Filed, January 22, 1944; 11:19 a. m.]

PART 802—SUGAR DETERMINATIONS

PROPORTIONATE SHARES FOR SUGARCANE FARMS IN MAINLAND AREA, 1944

Pursuant to the provisions of section 302 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.26f *Proportionate shares for the mainland cane sugar area for the 1944 crop—(a) Farm proportionate share.* The proportionate share for the 1944 crop for each sugarcane farm in the mainland cane sugar area shall be the number of acres planted thereon for the production of sugarcane to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1944 crop season.

(b) *Tenant and sharecropper protection.* Notwithstanding the establishment of a proportionate share for any farm under paragraph (a) above, eligibility for payment of any producer on the farm shall be subject to the following conditions:

(1) That such producer shall not have entered into any leasing or cropping

agreement for the purpose of diverting to himself or other producers any payment to which tenants or sharecroppers would be entitled if their 1943 leasing or cropping agreements were in effect.

(2) That such producer shall not have interfered with any contracts entered into by tenants or sharecroppers for the sale of their sugarcane or their share of the sugarcane produced on the farm.

(Sec. 302, 50 Stat. 910; 7 U.S.C., 1940 ed. 1132; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 22d day of January 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-1237; Filed, January 24, 1944;  
11:32 a. m.]

#### PART 802—SUGAR DETERMINATIONS

##### PROPORTIONATE SHARES FOR SUGARCANE FARMS IN HAWAII, 1944

Pursuant to the provisions of section 302 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.36g *Proportionate shares for sugarcane farms in the Territory of Hawaii for the 1944 crop*—(a) *Farm proportionate share.* The proportionate share for each farm in the Territory of Hawaii for the 1944 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on such farm and marketed (or processed by the producer) for the extraction of sugar during the calendar year 1944.

(b) *Adherent planter protection.* The provisions of this determination shall be subject to the following conditions:

(1) That no changes in the planter-plantation sugarcane and sugar production relationship shall have been made, and

(2) That no reduction in the number of planters shall have been made under programs carried out pursuant to the Act, except such as are considered justified and are approved by the Chief of the Sugar Branch, Food Distribution Administration, and the Chief of the Agricultural Adjustment Agency, acting either jointly or severally.

(Sec. 302, 50 Stat. 910; 7 U.S.C., 1940 ed. 1132; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 22d day of January 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-1238; Filed, January 24, 1944;  
11:32 a. m.]

#### PART 802—SUGAR DETERMINATIONS

##### PROPORTIONATE SHARES FOR SUGARCANE FARMS IN PUERTO RICO

Pursuant to the provisions of section 302 of the Sugar Act of 1937, as amended,

and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.46d *Proportionate shares for sugarcane farms in Puerto Rico for the 1943-44 crop*—(a) *Farm proportionate share.* The proportionate share for each farm in Puerto Rico for the 1943-44 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on such farm and marketed (or processed by the producer) for the extraction of sugar during the 1943-44 crop season.

This determination supersedes the "Determination of Proportionate Shares for Sugarcane Farms in Puerto Rico, Pursuant to the Sugar Act of 1937, as Amended," issued December 31, 1942, insofar as that determination relates to proportionate shares for the 1943-44 crop.

(Sec. 302, 50 Stat. 910; 7 U.S.C., 1940 ed. 1132; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C. this 22d day of January 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-1239; Filed, January 24, 1944;  
11:32 a. m.]

#### PART 802—SUGAR DETERMINATIONS

##### PROPORTIONATE SHARES FOR SUGARCANE FARMS IN VIRGIN ISLANDS, 1944

Pursuant to the provisions of section 302 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.50b *Proportionate shares for sugarcane farms in the Virgin Islands for the 1944 crop*—(a) *Farm proportionate share.* The proportionate share for each sugarcane farm in the Virgin Islands for the 1944 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on the farm and marketed (or processed by the producer) for the extraction of sugar during the 1944 crop.

(b) *Tenant and sharecropper protection.* The provisions of this determination are subject to the following conditions:

(1) That no change shall have been made in the leasing or cropping agreements for the purpose of, or which shall have the effect of, diverting to any producer, any payments to which tenants or sharecroppers would be entitled if the 1942-43 leasing or cropping agreements were in effect.

(2) That there shall have been no interference by any producer with contracts entered into by tenants or sharecroppers for the sale of their sugarcane.

(c) *Designation of agent.* The Chief, or the Acting Chief, of the Sugar Branch of the Food Distribution Administration, and the Officer in Charge of the San Juan

Office of the Agricultural Adjustment Agency, or the Acting Officer in Charge thereof, are hereby designated to act, jointly or severally, as agents of the War Food Administrator in administering the provisions of this determination.

(Sec. 302, 50 Stat. 910; 7 U.S.C., 1940 ed. 1132; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 22d day of January 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-1240; Filed January 24, 1944;  
11:32 a. m.]

#### Chapter XI—War Food Administration (Distribution Orders)

[FDO 79-131]

#### PART 1401—DAIRY PRODUCTS

##### FLUID MILK AND CREAM IN GREENSBORO, N. C., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.168 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk byproducts for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk, or (ii) in the form of cream and milk byproducts, minus the milk solids in quota-exempt deliveries of milk, and cream and milk byproducts, as described in (j) heretofore. (For the purpose of this order, the milk solids content of milk, milk byproducts, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk byproducts by .906; and

each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Greensboro, North Carolina, sales area, and is referred to hereinafter as the "sales area":

The cities of Greensboro and High Point, and the townships of Gilmer, High Point and Morehead all in Guilford County, North Carolina.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area: *Provided*, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high, and high schools: *And provided further*, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).

(d) The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as the quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

(2) Multiply the foregoing result by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk by-products.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) *Quota adjustments.* Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk by-products.

(h) *Cream deliveries.* The units of cream delivered subject to quota in any

quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) *Handler exemptions.* Quota shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream and milk by-products. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk; by-products; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk by-products, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk by-products, cream or other dairy products from which no milk, milk by-products, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups, specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(l) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) *Petition for relief from hardship.*

(1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based,

and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified or reversed by the Director.

(n) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk by-products during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (i) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk by-products.

(o) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.015 per hundredweight of each of milk, milk by-products, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Effective date.* This order shall take effect at 12:01 a. m., e. v. t., February 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392,

8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 21st day of January 1944.

LEE MARSHALL,  
Director of Food Distribution.

[F. R. Doc. 44-1154; Filed, January 21, 1944;  
3:33 p. m.]

[FDO 79-128]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAN ANTONIO,  
TEX., SALES AREA

Correction

In F.R. Doc. 44-754, appearing at page 648 of the issue for Tuesday, January 13, 1944, the last line of paragraph (n) (3) should read as follows: "of milk, cream, and milk byproducts."

[FDO 79-132]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ASHEVILLE, N. C.,  
SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.167 *Quota restrictions* — (a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk byproducts for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk or (ii) in the form of cream and milk byproducts, minus the milk solids in quota-exempt deliveries of milk, and cream and milk byproducts, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk byproducts, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk products, other than

cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk byproducts by .906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Asheville, North Carolina, Milk sales area, and is referred to hereinafter as the "sales area":

The city of Asheville and the townships of Asheville, Lower Hoiny, Swannanoa, and that part of the township of Limestone comprising part of the town of Biltmore Forest, all in Buncombe County, North Carolina.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area: *Provided*, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high, and high schools: *And provided further*, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).

(d) The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as the quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

(2) Multiply the foregoing results by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk byproducts.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and,

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) *Quota adjustments.* Each handler may increase his quota for milk

within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk byproducts.

(h) *Cream deliveries.* The units of cream delivered subject to quota in any quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) *Handler exemptions.* Quota shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream or other dairy products from which no milk, milk byproducts, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79 shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another.

(1) Upon receipt of a request in writing from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract lot by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(l) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) *Petition for relief from hardship.*

(1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The

petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(n) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (i) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(o) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.015 per hundredweight of each of milk, milk byproducts, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., February 1st, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 21st day of January 1944.

LEE MARSHALL,  
Director of Food Distribution.

[F. R. Doc. 44-1155; Filed, January 21, 1944;  
3:33 p. m.]

[Reg. 2-1, Amdt. 1]

PART 1592—GENERAL REGULATIONS

BUTTER

Pursuant to the authority vested in me by the provisions of Food Distribution Regulation 2, as amended (8 F.R. 7523, 13879, 15655), Food Distribution Regulation 2-1 (9 F.R. 435) is amended by the addition of the following item to Schedule A (set aside foods):

Applicable Food  
Distribution Order

Butter ..... 2

This amendment shall be effective January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; F.D.R. No. 2, 8 F.R. 7523, 13879, 15655)

Issued this 21st day of January 1944.

LEE MARSHALL,  
Director of Food Distribution.

[F. R. Doc. 44-1147; Filed, January 21, 1944;  
1:33 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter IX—Transport

PART 93—TRANSPORTATION OF INDIVIDUALS

PASSENGERS ON ARMY TRANSPORTS

§ 93.25 *Passengers on Army Transports*—(a) *General.* (1) Because of the curtailment of commercial means of transportation, the War Department is receiving an increasing number of applications to arrange passage on Army transports for civilian commercial passengers, evacuees and repatriated seamen.

(2) The procedure directed herein and the fares which have been established are to be effective immediately on all future applications for passage.

(3) Authority to accept passengers on Army transports is contained in Opinions of The Judge Advocate General, June 11, 1918, and October 17, 1941.

(4) All applications for transportation from United States ports outward will be directed to the Chief of Transportation, Headquarters, Army Service Forces, for approval; for transportation to United States ports, approval will be granted by the base commander.

(b) *Fares*—(1) *Schedule.* A complete schedule of fares to be applicable to all vessels has been established. These fares

are to apply to one-way transportation for direct travel between ports without change of vessel. No forwarding, transshipment, or maintenance ashore will be provided.

(2) *Troop class.* Where accommodations are provided in troop class, a discount of 33½ percent will be granted. The resulting reduced fare, if an uneven amount, will be rounded off upward to the next unit of \$1.

(3) *Children's fare.* Age 3 years and under 12 years will be half fare; under 3 years, free except that additional children under 3 years of the same family will be charged quarter fare each.

(c) *Passports, etc.* It will be the responsibility of all port commanders in the continental United States and overseas commanders to ascertain that passengers are in possession of valid passports, visas, clearances, and that all custom and other regulation are complied with.

(d) *Taxes.* All passage money collected in the United States and territories is subject to United States Transportation Tax of 5 percent. This tax must be collected from the individual when passage is arranged and disposition made in accordance with Regulation 42, United States Treasury Department, Bureau of Internal Revenue. All other foreign government taxes, port dues, landing or embarkation tax, or other charges levied against passengers or passenger fares will be collected from passengers in addition to passenger fares.

(e) *Evacuees.* Transportation of evacuees will be arranged by consular officials who will arrange payment of the established fare applicable to the transportation furnished. The foreign service officer certifying evacuees will be required to assure that passengers are properly documented to enter the United States.

(f) *Repatriated seamen.* Passage arranged for repatriated seamen will be charged to the account of the operator of the vessel on which they served and charges for transportation will be at established fares. When seamen are repatriated under Consular Certificate, billing against such certificate must be at the statutory maximum rate of 2 cents per mile.

(g) *Commercial passengers.* All commercial passengers when authorized to travel on Army transports will be charged established fares. Collection will be made in those cases where authorization from the Chief of Transportation indicates that the individual is responsible for his own passage.

(h) *Privileges.* Public room, promenade, and other privileges and restrictions will be those of the class of accommodations purchased. (R.S. 161; 5 U.S.C. 22) [Cir. 22, W.D., 18 January 1944]

[SAL]

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

[F. R. Doc. 44-1223; Filed, January 24, 1944;  
10:13 a. m.]

## TITLE 14—CIVIL AVIATION

## Chapter II—Administrator of Civil Aeronautics, Department of Commerce

## PART 533—USE OF CIVIL AERONAUTICS ADMINISTRATION WAR TRAINING SERVICE INSIGNIA OR EMBLEMS

## AUTHORIZATION FOR USE OF INSIGNIA

## Correction

The signature to F. R. Doc. 44-1114, appearing at page 830 of the issue for Saturday, January 22, 1944 should read "C. I. STANTON, Administrator."

[Amdt. 58]

## PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

## ROME ARMY AIR FIELD, ROME, N. Y.

The signature to F. R. Doc. 44-1113, appearing at page 830 of the issue for Saturday, January 22, 1944 should read "C. I. STANTON, Administrator."

## TITLE 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission

[Docket No. 4747]

## PART 3—DIGEST OF CEASE AND DESIST ORDERS

## A. P. W. PAPER COMPANY

§ 3.6 (j 10) *Advertising falsely or misleadingly—History of product or offering:*  
 § 3.6 (l) *Advertising falsely or misleadingly—Indorsements, Approval and testimonials:* § 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.6 (dd 10) *Advertising falsely or misleadingly—Success, use or standing:* § 3.66 (b 10) *Misbranding or mislabeling—History:* § 3.66 (c) *Misbranding or mislabeling—Indorsements, approvals or awards:* § 3.66 (c 20) *Misbranding or mislabeling—Manufacture or preparation:* § 3.66 (k 1) *Misbranding or mislabeling—Success, use or standing:* § 3.96 (a) *Using misleading name—Goods—History:* § 3.96 (a) *Using misleading name—Goods—Indorsements, approvals and testimonials:* § 3.96 (a) *Using misleading name—Goods—Manufacture or preparation:* § 3.96 (a) *Using misleading name—Goods—Success, use or standing.* In connection with offer, etc., in commerce, of respondent's toilet tissue and paper towels, (1) using the words "Red Cross" or any abbreviation or simulation thereof, either alone or in combination or connection with any other word or words, to designate, describe, or refer to respondent's products; (2) using or displaying on respondent's products or in any advertisement of such products the mark of a Greek red cross, or any other mark, emblem, sign, or insignia simulating or resembling such cross; and (3) repre-

senting in any manner or by any means, directly or by implication, that respondent's products are sponsored, endorsed, or approved by the Red Cross; that the Red Cross is financially interested in the sale of said products; that said products are used by the Red Cross; that said products are manufactured in accordance with sanitary standards set up by the Red Cross; or that there is any other connection between said products and the Red Cross; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, A. P. W. Paper Company, Inc., Docket 4747, January 7, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 7th day of January, A. D. 1944:

This matter having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and the exceptions to such report, briefs in support of and in opposition to the complaint; and oral argument; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act.

It is ordered, That the respondent, A. P. W. Paper Corporation, Inc., a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's toilet tissues and paper towels in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Red Cross" or any abbreviation or simulation thereof, either alone or in combination or connection with any other word or words, to designate, describe, or refer to respondent's products.

2. Using or displaying on respondent's products or in any advertisement of such products the mark of a Greek red cross, or any other mark, emblem, sign, or insignia simulating or resembling such cross.

3. Representing in any manner or by any means, directly or by implication, that respondent's products are sponsored, endorsed, or approved by the Red Cross; that the Red Cross is financially interested in the sale of said products; that said products are used by the Red Cross; that said products are manufactured in accordance with sanitary standards set up by the Red Cross; or that there is any other connection between said products and the Red Cross.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file

with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL]

A. N. ROSS,  
Acting Secretary.[F. R. Doc. 44-1174; Filed, January 22, 1944;  
11:12 a. m.]TITLE 31—MONEY AND FINANCE:  
TREASURY

## Chapter I—Monetary Offices

[Pub. Circ. H-8]

## PART 133—REGULATIONS OF THE GOVERNOR OF HAWAII (APPENDIX)

## FOREIGN FUNDS CONTROL

DECEMBER 31, 1943.

Public Circular No. H-8 under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Fowefs Act, 1941, relating to foreign funds control.

The provisions of Public Circular No. 14 shall not be deemed to apply to transactions effected pursuant to General License No. H-19, as amended on November 8, 1943.

INGRAM M. STAINBACK,  
Governor of Hawaii.[F. R. Doc. 44-1146; Filed, January 21, 1944;  
1:48 p. m.]

## TITLE 32—NATIONAL DEFENSE

## Chapter VI—Selective Service System

## ACCEPTANCE OF APPOINTMENT

## ORDER PRESCRIBING FORMS

[No. 239]

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Revision of DSS Form 23, entitled "Acceptance of Appointment,"<sup>1</sup> effective immediately upon the filing hereof with the Division of the Federal Register. Upon receipt of the revised DSS Form 23, the use of the former supply of DSS Form 23 will be discontinued and all unused copies will be disposed of.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

JANUARY 1, 1944.

[F. R. Doc. 44-1209; Filed, January 22, 1944;  
3:25 p. m.]<sup>1</sup> Filed as part of the original document.

## 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 1010—SUSPENSION ORDERS

[Suspension Order S-446, Stay of Execution]

## ROSS PLUMBING SUPPLIES COMPANY

Benjamin Ross of Pittsburgh, Pennsylvania, doing business under the trade name of Ross Plumbing Supplies Company, has appealed to the Chief Compliance Commissioner from the provisions of Suspension Order S-446 upon various grounds and has represented that the period covered by the suspension order is the period when the respondent and all others in a like business are compelled to do their buying of merchandise for spring and summer operations and that the suspension order would prevent the respondent from obtaining merchandise for sale during the greater part of the year 1944. On January 1, 1944 the Chief Compliance Commissioner directed that execution of Suspension Order S-446 be stayed pending final determination of the appeal and on the same day notified the respondent of said direction. In view of the foregoing, *It is hereby ordered*, That:

(a) The provisions of §1010.446 Suspension Order S-446, issued December 20, 1943, shall be stayed and shall have no force or effect pending final determination of the appeal.

Issued this 21st day of January 1944.

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

[F. R. Doc. 44-1161; Filed, January 21, 1944; 4:49 p. m.]

## PART 933—COPPER

[Conservation Order M-9-c as Amended Jan. 22, 1944]

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

## § 933.4 Conservation Order M-9-c—

(a) *Restrictions on manufacture of articles appearing on combined list.* No manufacturer of any article on the combined list attached, or of parts (including repair parts<sup>1</sup>) for any such article, may, if such article or parts contain copper products, or copper base alloy products, continue their manufacture by means of processing, assembling or finishing.

(b) *Restrictions on manufacture of articles not appearing on combined list out of inventory on hand on June 30, 1942.* (1) A manufacturer of any article omitted from the combined list or excepted from that list, or of parts (including repair parts<sup>1</sup>) for such an article, may not continue the manufacture thereof by means of processing, assembling or finishing:

(i) Unless all copper products or copper base alloy products contained in such articles or parts were acquired by the manufacturer after June 30, 1942; or

(ii) Unless such articles or parts are being manufactured to fill a purchase order, existing or prospective,<sup>2</sup> bearing a preference rating of AA-5 or higher or, in the case of a controlled materials producer under the Controlled Materials Plan, to fill an authorized controlled material order; and no such article or part so manufactured shall be delivered except to fill such an order; or

(iii) Unless the manufacturer has been specifically authorized in writing by the War Production Board, pursuant to an application on Form WPB-940 (formerly Form PD-426), or otherwise, to manufacture the article or parts in question with the copper products or copper base alloy products being used.

(2) The provisions of paragraph (b) (1) shall not apply to a manufacturer assembling a completed fractional horsepower electric motor into machinery of any kind omitted from the combined list or excepted from that list. The provisions of paragraph (b) (1) shall also not apply to the manufacturing of any machinery omitted from the Combined List or excepted from that list, or of parts (including repair parts) for such machinery, if the only copper products or copper base alloy products used which were in the inventory of the manufacturer on June 30, 1942 are bushings, bearings, nuts, bolts, screws, washers, and wire weighing in the aggregate less than 5% of the total weight of the article or part.

(c) *General restrictions on manufacture and plating.* (1) No manufacturer may continue the manufacture of any article or parts (including repair parts) if such article or parts are to contain copper products or copper base alloy products where the use of any less scarce material<sup>3</sup> is practicable. Furthermore, no manufacturer may continue the manufacture of any article or parts (including repair parts) if they are to contain more copper products or copper base alloy products than is necessary for the article's proper operation or a higher type or grade of copper or copper base alloy

than is necessary for the article's proper operation.

(2) (i) The use of copper products or copper base alloy products for plating any article on the combined list or for plating any parts (including repair parts) of such an article, is prohibited unless such plating is expressly stated in the list to be permissible.

(ii) The use of copper products or copper base alloy products for plating any article omitted from the combined list or excepted from that list, and the plating of parts (including repair parts) for such an article, is permitted provided that:

(a) Such plating is not for decorative purposes, or part of a decoration, or an undercoating for lead or silver plating (however, a copper strike may be used as an undercoating for silver when silver is used as a substitute for cadmium in electroplating); and

(b) The use of, or the normal wear on, such article or parts would make impracticable any other form of coating.

(d) *Restrictions on deliveries to manufacturers.* No person shall hereafter deliver copper products or copper base alloy products to any manufacturer, directly or indirectly, if he knows or has reason to believe that such products are to be used in violation of the terms of this order.

(e) *General restrictions on deliveries.* The disposition of frozen and excessive inventories containing certain copper products or copper base alloy products shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34), as amended from time to time.

(f) *Exceptions—(1) Applicability of order to certain Governmental agencies.* The provisions of this order shall not apply to the use of copper products or copper base alloy products in the manufacture of any article on the "Military Exemption List", or part thereof, which is being produced for purchase by, or for the account of, or for use by, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Coast Guard, where the use of copper products or copper base alloy products to the extent employed is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Coast Guard applicable to the contract, subcontract or purchase order.

(2) *Installation.* The provisions of this order shall not apply to the installation of any article or part (including a repair part) for the ultimate consumer on his premises when any manufacturing of such article or part is incidental to the installation and is done on the consumer's premises. This exception does not, however, in any way affect or modify the provisions of Supplementary Conservation Order M-9-c-4 (restricting the installation of certain types of copper and copper base alloy pipe, tube, fittings, plumbing fixture fittings and trim, and building materials) or of any other order restricting installation.

<sup>1</sup> See also paragraph (f) (3) permitting the manufacture of repair parts to make specific repairs of used articles under certain conditions.

<sup>2</sup> Priorities Regulation No. 1, § 944.14, prohibits the manufacture of more than a practicable minimum working inventory of articles or parts to fill prospective orders.

<sup>3</sup> The Conservation Division of the War Production Board issues, periodically, a publication showing the relative scarcity of materials entitled "Materials Substitutions and Supply."

(3) *Repair.* The restrictions of this order (other than those contained in paragraph (c)) shall not apply to the manufacture of repair parts to make a specific repair of a used article, or to a person repairing a used article, on or off the premises of the owner, if the manufacturer of the parts or the person making the repair does not use copper products or copper base alloy products weighing in the aggregate more than two pounds and when all manufacturing done by him is with knowledge of the particular used article to be repaired. The restrictions of this order (other than those contained in paragraph (c)) shall also not apply to the manufacture of repair parts to make a specific repair of a used article, or to a person repairing a used article, on or off the premises of the owner, even if the manufacturer of the parts or the person making the repair uses copper products or copper base alloy products weighing in the aggregate more than two pounds, when: (i) the copper scrap or copper base alloy scrap derived from the article being repaired weighs within one pound of the copper product or copper base alloy product used, (ii) all such scrap is delivered to a scrap dealer or to any other person to whom such delivery may be made under the provisions of Supplementary Order M-9-b and (iii) all manufacturing done is with knowledge of the particular used article to be repaired.

(g) *Special products; restrictions and exceptions.*—(1) *Printing and publishing industries.* After October 3, 1943, the provisions of this order shall not apply to the use of copper products and copper base alloy products in typography, engraving, photo-engraving, gravure plate making, electrotyping, stereotyping, and printing in the printing and publishing industries. In those processes, the use of bronze powder, bronze ink, bronze paste, and bronze leaf is controlled by Supplementary Conservation Order M-9-c-3. All other uses in those industries of copper products, copper base alloy products, copper scrap, and copper base alloy scrap are governed by Conservation Order M-339. Nothing contained in this paragraph (g) (1) shall affect the prohibition against the manufacture of powder containing copper products or copper base alloy products under paragraph (a) and the Combined List of this order.

(2) *Insect screening.* The provisions of this order shall not restrict the delivery, installation or cutting of used or second-hand insect screening, of insect screening in rolls which Copper Recovery Corporation has refused to accept, or of insect screening in any roll cut initially on or before April 9, 1942. However, no person shall deliver, install, or cut any other copper or copper base alloy insect screening (i) unless such screening is to be delivered to, installed for or cut on the order of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast Guard, 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), or Defense Supplies

Corporation, Metals Reserve Corporation or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (except Defense Plant Corporation) or any person acting as agent of any such corporation (except Defense Plant Corporation); or (ii) unless such delivery, installation, or cutting shall be with the specific authorization of the War Production Board. Applications for specific authorizations shall be made by letter addressed to the War Production Board, Copper Division, Washington 25, D. C. Reference: M-9-c. Nothing contained in this paragraph (g) (2) affects the prohibitions on the manufacture, processing, assembling or finishing of insect screening with copper products or copper base alloy products under paragraph (a) and the Combined List. (See the item "insect screening" under the heading "Miscellaneous" on the combined list).

(3) *Copper products not controlled by order.* The provisions of this order shall not apply to the manufacture of the following articles and parts (including repair parts) even though they contain copper products, or copper base alloy products, since these articles are specifically governed by the following orders:

Shoe findings and footwear of all kinds governed by Supplementary Conservation Order M-9-c-1.

Fire protective equipment governed by General Limitation Order L-39.

Motorized fire apparatus governed by General Limitation Order L-43.

Bronze paste, bronze ink, and bronze leaf, and products made with bronze paste, bronze ink, bronze leaf and bronze powder (other than decalcomanias and ship bottom paint), governed by Supplementary Conservation Order M-9-c-3.

Jewelry governed by Supplementary Conservation Order M-9-c-2.

Musical instruments governed by Supplementary Limitation Order L-37-a.

Water meters governed by Schedule I of Limitation Order L-154.

(4) *Attachment and assembly work.*

(i) The provisions of this order do not apply to attaching finished slide fasteners, hook and eyes, brassiere hooks, sew-on, machine attached or riveted snap fasteners, buckles, buttons, corset clasps, eyelets (other than eyelets usable as shoe eyelets), garter trimmings, hose supporters, insignia, jewelry, loops, mattress cottons, pin fasteners, pins, staples, slides, and trouser trimmings. The order does apply to the manufacture, processing, assembling and finishing of the closures and associated items listed above where the provisions of this order are more restrictive than other orders of the War Production Board.

(ii) The provisions of this order do not apply to the assembling of watch or clock movements finished prior to June 15, 1942, into cases not made of copper or copper base alloy. The provisions of this order do, however, apply to the manufacture, processing and finishing of watch and clock cases and of all other parts of watches and clocks and to assembling watches and clocks except as specifically exempted in this paragraph.

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

(1) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(2) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap.

(3) "Copper products" means products made of copper fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings, or forgings, or fabricated to any greater extent.

(4) "Copper base alloy products" means products made of copper base alloy, fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings, or forgings, or fabricated to any greater extent.

(5) "Manufacturer" means a person who manufactures, processes, assembles, or finishes. "Manufacture" includes processing, assembling, and finishing.

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

(2) *Appeal.* Any appeal from the provisions of paragraphs (a) or (c) of this order shall be made by filing Form WPB-1477 (formerly PD-500 revised) with the War Production Board, Washington 25, D. C., Reference: M-9-c. Relief granted pursuant to an appeal under this order shall remain in effect despite any amendment to this order, unless the grant of relief is specifically revoked or modified by the War Production Board.

(3) *Communications.* Any reports required to be filed under this order and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Copper Division, Washington 25, D. C., Reference: M-9-c.

(4) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply irrespective of whether the articles or parts whose manufacture is governed hereby are being manufactured pursuant to a contract made prior or subsequent to the effective date of this order. 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 manufacture of any articles or parts, the limitation of such other order shall be observed.

(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 22th day of January 1944.

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

#### COMBINED LIST

The manufacture, processing, assembling or finishing of the items listed below and of all parts (including repair parts) therefor is prohibited if such article or part contains copper products or copper base alloy products, except to the extent permitted by the exceptions noted on the list. Where this list excepts an item if the use of copper products or copper base alloy products in making the item is limited or if the item is being produced for a particular end use, the manufacture, processing, assembling and finishing of the item made under the terms of such an exception is governed by paragraphs (b) and (c) of this order.

#### AUTOMOTIVE, TRAILER<sup>1</sup> AND TRACTOR EQUIPMENT AND FARM MACHINERY

See also Order L-106 governing the use of copper and copper base alloy in the manufacture of automotive parts entering into the production of, or as replacement parts for, passenger automobiles, motor trucks, truck trailers, passenger carriers and off-the-highway motor vehicles and Order L-170-a governing the use of copper and copper base alloy in the manufacture of certain farm tractors and engine power units for farm machinery.

Ambulance hardware (for locks, see under the heading "Miscellaneous" on this list).

Automotive maintenance equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-270).

Defrosters (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).

Heaters (except when the only copper products or copper base alloy products used are (i) for parts necessary for conducting electricity, or (ii) for water courses and tanks of radiators if made of copper base alloy containing not more than 71% of copper).

Hearse hardware (for locks see under the heading "Miscellaneous" on this list).

Horns (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).

Hub and gas-tank caps.

Lights, lamps, headlamps and accessories (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity and for plating reflectors as provided by the item "Reflectors \* \* \*" on this list under the heading "Miscellaneous").

Miscellaneous fittings and trim.

Motorcycles (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).

Motor-driven power cycles as defined in Order L-301 (except when the only copper products or copper base alloy products used are for parts necessary for generating and conducting electricity, or for carburetors, clutch facings, or repair parts).

Mouldings.

Rear-view mirrors and hardware.

<sup>1</sup> See also under "Passenger Transportation Equipment" on this List.

#### BUILDING SUPPLIES AND HARDWARE

(Excluding supplies and hardware for ships, boats and aircraft)

Air conditioning equipment and refrigeration equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-123 and the schedules thereto and when the production of the equipment is permitted under the terms of Order L-38, either because the order therefor is an "authorized order" under L-38 or otherwise).

Blinds, including fixture fittings and trimmings.

Bullers' finishing hardware, including hinges (except in those parts of plants where the use of non-sparking metal is necessary to prevent a hazard in the production, use or storage of explosives and except when the only copper products or copper base alloy products used are permitted by the terms of paragraph (g) of Schedule I of Order L-236). For locks see under the heading "Miscellaneous" on this list.

Cement flooring and composition flooring (except that crude arsenical copper precipitate may be used for flooring for hospital operating and anesthesia rooms, for places where explosives are handled or stored and for places where explosive vapors may be present).

Conduits.

Decorative hardware—including house numbers.

Door knockers, checks, pulls, and stops.

Doors, door and window frames, sills and parts, including door handles and knobs.

Elevators and escalators (except when the only copper products or copper base alloy products used are for bearings, worm gears and parts necessary for conducting electricity).

Expansion bolts and caulking anchors.

Gravel stops and snow-guards.

Grilles.

Gutters, leaders, downspouts, expansion joints, and accessories thereto.

Hangers and tracks for private garages.

Incinerator hardware and fittings.

Letter boxes and mail chutes.

Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conduction of electricity).

Linoleum stripping.

Ornamental metal work.

Pile butt protection.

Pipe, tube, tubing and fittings for water supply or water distribution systems and installations or for any gas supply or gas distribution system (except corporation stops and couplings therefor, curb stops and couplings therefor, adapters, unions, solder nipples and ferrules and except for all such pipe, tube, tubing and fittings for use in chlorine gas equipment).

Plumbing and heating supplies:

Bands on pipe covering.

Cistern and low-water floats.

Hot water heaters, tanks, and coils (except when the only copper products or copper base alloy products used are permitted by the terms of Orders L-185 and L-65).

Pipe, tube, tubing and fittings for piping systems.

Plumbing fixture fittings and trim (except when the only copper products or copper base alloy products used are permitted by the terms of Schedules V and XII of Order L-42 or any schedules or orders taking their place, or are permitted by a

specific authorization of the War Production Board granted pursuant to such a schedule or order).

Push, kick, switch, floor and all other device plates.

Roof, roofing, roofing nails, flashing valleys, and other roofing items.

Sash balances.

Sheet, roll, and strip for building construction.

Shelves

Stair and threshold treads.

Termite shields.

Terazzo strips, reglets, and mouldings.

Unit heaters, unit ventilators, and convectors, space or local heaters, and blast heating coils, or any apparatus using such coils as part of its construction (except when the only copper products or copper base alloy products used are for valves, controls and parts necessary for conducting electricity).

Ventilators and skylights.

Water containers for humidification.

Weatherstripping and insulation.

#### BURIAL EQUIPMENT

Burial urns

Burial vaults.

Caskets and casket hardware. See also Order L-64.

Memorial tablets.

Morticians' supplies:

(See also the item "Boxes, \* \* \*" under the heading "Miscellaneous" on this list.)

#### CLOTHING AND DRESS ACCESSORIES

(See also Order L-63)

Dress ornaments.

Handbag fittings.

Insignia.

Metal cloths.

(See also the item "Slide fasteners \* \* \*" under the heading "Miscellaneous" on this list.)

#### FURNISHINGS AND EQUIPMENT

Andirons, screens, and fireplace fittings.

Candlesticks.

Cooling and table utensils.

Counters.

Curtain fasteners, rods and rings.

Curpldors.

Fans (See the item "Fans \* \* \*" under the heading "Miscellaneous" on this list).

Furniture.

Furniture hardware (for locks, see under the heading "Miscellaneous" on this list).

Gas heater and stove installation connections.

Hollow-ware.

Mud scrapers.

Portable heaters (except repair parts for electric portable heaters when the only copper product or copper base alloy products used are permitted by the terms of Order L-65).

Shower curtains.

Stoves and ranges for household cooking use, gas (except when each valve contains not more than 1/2 oz. of copper base alloy and each control contains not more than 1 1/2 oz. of copper base alloy and the stove or range contains no other copper or copper base alloy whatever; or except when the stove contains no copper or copper base alloy whatever other than 1 1/2 oz. of copper base alloy in each control and the copper base alloy contained in any valves which either were finished prior to August 7, 1942, or which were or will be finished subsequent to that date pursuant to the granting of an appeal to a valve manufacturer).

Stoves and ranges other than gas stoves and ranges for household cooking use (except when the only copper products or copper

base alloy products used are for valves, ferrules for compression fittings, controls other than timers, and parts necessary for conducting electricity).

Timers, for stoves and ranges.

Trays.

Upholsterers' supplies, including nails and tacks.

Vases, pitchers, bowls, and artcraft.

Washing tubs and washing boilers.

Waste baskets, hat trees, humidors and similar items.

#### INDUSTRIAL MACHINERY

Pulp and paper manufacturing:

Beater bars and beaters.

Head boxes for Jordans, paper machines or any other use for regulating stock flow.

Bars and fillings for Jordans, refiners or any similar equipment used in the preparation of paper stock.

Savealls, filters, washers, deckers or any similar equipment (except for screens).

Stock and water lines, including shower pipes.

#### JEWELRY, GIFTS AND NOVELTIES

All jewelry, gifts and novelties including, but not limited to:

Advertising specialties.

Atomizers (see also this list under "Miscellaneous").

Bar fittings.

Book ends.

Cosmetic containers.

Lighters.

Napkin rings.

Picture frames.

Smokers' accessories, including ash trays.

Souvenirs.

#### PASSENGER TRANSPORTATION EQUIPMENT

(Including railroad cars, street and interurban cars, busses, and trailers, but excluding locomotives)

All items under the heading "Furnishings and equipment".

Air conditioning equipment and refrigeration equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-126 and the schedules thereto and when the production of the equipment is permitted under the terms of Order L-38, either because the order therefor is an "authorized order" under Order L-38 or otherwise).

Bands on pipe covering.

Decorative, general, and finish hardware, and ornamental metal work (for locks, see under the heading "Miscellaneous" on this list).

Door knockers, checks, pulls and stops.

Doors and windows, door and window frames and window sills.

Drinking water reservoirs.

Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).

Pipe, tube, tubing, and fitting for plumbing and heating (except for essential repairs).

Shower rods, heads and pans.

Sinks and drainboards.

Screening.

Towel and luggage racks.

Trolley frog bodies, trolley wire crossover bodies, trolley clamps used for supporting Fig. 8 or grooved trolley wire (unless used for carrying current), and miscellaneous items such as machine screws, bolts and studs used with overhead trolley line material.

Water containers for humidification.

Weatherstripping and insulation.

#### MISCELLANEOUS

Alarm and protective systems, other than fire protective systems covered by Order L-39 (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity or where the use of such products is essential to the proper functioning of the parts).

Arch supports.

Atomizers (except for medicinal purposes and for use in the preparation of dried milk and dried eggs).

Baxrel hoops.

Badges.

Bar and counter equipment and fittings.

Barber shop equipment and supplies.

Barrel hooks.

Bathroom accessories.

Beauty parlor equipment and supplies (except for repair and replacement parts of commercial permanent wave equipment and commercial hair driers, when the only copper products or copper base alloy products used are permitted by the terms of Order L-65).

Beverage dispensing units and parts thereof (except for self-contained drinking water coolers as defined in Schedule I of Order L-126 or under any schedule of Order L-38).

Bicycles, and similar vehicles (See also Order L-52).

Binoculars, including opera glasses.

Bird and pet cages and stands.

Blow torches, gasoline, kerosene and alcohol (except when the only copper products or copper base alloy products used are for the pump barrel, pump check valve assembly, pump cylinder cap, brazing material, pack nut, valve stem, valve body and jet block).

Bottle coolers.

Boxes, cans, jars and other containers.

Branding, marking, and labeling devices and stock for same (except where the devices and the stock are for affixing governmental, notarial and corporate seals). See also the item "Stencils \* \* \*" on this list.

Brushes (except for the types used in electric motors and generators; and except for industrial brushes used for (a) applications requiring non-sparking characteristics, (b) burring of needles, (c) the manufacture of precision gauges, or (d) the manufacture of combat end-products complete for tactical operations (including, but not limited to, aircraft, ammunition, armament and weapons, ships, tanks, and vehicles), when prescribed for field or combat use by the Army or Navy of the United States, or when prescribed for field or combat use by the Army or Navy of any foreign country, and (e) except for drawing, spacing, or binding wire for other industrial brushes where copper or copper base alloy wire is essential to the efficient performance of the brush). The term "drawing, spacing, or binding wire" does not include "stapling wire."

Cabinets.

Canes.

Carpet rods.

Cash registers.

Change making, coin counting and sorting machines.

Chimes and bells (except for any bells when the only copper products or copper base alloy products used are for parts necessary for conducting electricity, and except for bells for use on board ship when the only copper products or copper base alloy products used are for parts necessary for conducting electricity or where the use of such products is essential to the proper functioning of the parts).

Clips.

Cleaning and polishing accessories, such as brooms, carpet sweepers, crumpling sots, dust pans, mops, pot scourers, whisk brooms and floor and furniture polishers.

Clock and watch cases.

Clothes line pulleys and reels and scrubbing boards.

Cooking utensils (except for commercial processing machinery when the only copper products or copper base alloy products used are permitted by the terms of Order L-292 or by a specific authorization of the War Production Board granted pursuant to such order).

Cooling towers (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity, heat exchangers, bearings, and worm gears for speed reducers).

Cutlery, including pocket knives.

Daubers for shoe polish.

Dishwashing machines (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-248 or by a specific authorization of the War Production Board granted pursuant to such order) and domestic garbage grinders.

Dispensers, hand, for hand lotions, paper products, soap and straws.

Dog collars and other similar harness and equipment for pets.

Domestic ice refrigerators as defined in Order L-7.

Domestic laundry equipment as defined in Order L-6 (except that copper products or copper base alloy products may be used in the assembly of new domestic laundry equipment when such assembly is specifically authorized by the War Production Board under Order L-6; and except that copper products or copper base alloy products may be used in the production of repair and replacement parts for domestic laundry equipment to the extent permitted by the terms of Order L-6).

Domestic mechanical refrigerators as defined in Order L-5.

Domestic vacuum cleaners as defined in Order L-18.

Electric blankets.

Electric light bulbs and cord sets for Christmas trees, and bulbs and neon and fluorescent tubes for advertising and display purposes.

Electrical appliances, as defined in Order L-65 (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-65).

Electrolytic devices for the removal and prevention of scale in boilers and condensers.

Flashlights and lanterns powered by dry cell batteries (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity). For other lanterns, see the item "Lanterns \* \* \*" on this list.

Fans, electric, as defined in Order L-176 (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-176 or by a specific authorization of the War Production Board granted pursuant to such order).

Floats for liquid level control.

Flower pots, boxes and holders for same.

Flower shears.

Food dispensing utensils, devices and machines.

Fountain pens.

Fountains (except drinking water fountains when the only copper products or copper base alloy products used are permitted by Schedules V and XII of Order L-42).

Furniture grommets.  
Games as defined in Order L-81.  
Garden tools and equipment.  
Hair curlers, hair brushes and combs, shoe horns and button hooks.  
Hand saw screws, nuts and washers for attaching saw blades to the handle.  
Hammers, including mallets.  
Health supplies, except the following:  
Acoustic aids  
Anaesthesia apparatus and supplies,  
Atomizers (medical use only),  
Diagnostic equipment and supplies,  
Hypodermic syringes and needles,  
Infant incubators,  
Instruments,  
Laboratory equipment and supplies,  
Medicinal chemicals (limited to medical use only),  
Operating room supplies and equipment,  
Ophthalmic products and instruments,  
Physical therapy equipment (limited to medical use only),  
Respirators, resuscitators and iron lungs,  
Rubber hospital sundries,  
Splints and fracture equipment,  
Sterilizers, blanket and solution warmers,  
Surgical and orthopaedic appliances (including artificial limbs and arms but not including arch supports),  
Sutures and suture needles, and X-ray equipment and supplies.  
Hooks, including hat and coat hooks.  
Ice cream freezers for use in the home.  
Insect screening.  
Kitchen utensils, devices and machines other than electrical appliances. For electrical appliances see the item "Electrical appliances" on this list.  
Kitchen and miscellaneous household articles.  
Lace tips.  
Ladders and hoists (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity), including fittings.  
Lamps, electric (except for non-portable lamps for use in hospitals or in industry, otherwise than in offices, and then only when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).  
Lamps, other than electric (except for industrial, hospital or office use and then only when the only copper products or copper base alloy products used are for valves, controls, and wicks).  
Lanterns (except those powered by dry cell batteries, covered by the item "Flash-lights" on this list).  
Lawn sprinklers, mowers, seeders and rollers.  
Lighting fixtures for use outside of a building (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity). For lighting fixtures in a building see "Lighting fixtures" under the heading "Building Supplies and Hardware" on this list.  
Livestock and poultry equipment (except for bull rings; and except when the only copper products or copper base alloy products used are for valves, controls, parts necessary for conducting electricity, and thermostats other than wafer thermostats, and for plating wafer thermostats).  
Locks (except pin tumbler and disc tumbler cylinder assemblies; essential interior working parts of mortise locks, rim locks, dead locks and night latches; levers, tubes and centers for secure lever locks; interior working parts of railway car door locks and railway-switch padlocks; keys for pin tumbler and disc tumbler locks; postal locks when manufactured by the Mail and Equipment Section of the United States Post Office; and except when the only copper products

or copper base alloy products used are permitted by the terms of paragraph (g) of Schedule I of Order L-235).  
Loose-leaf binders.  
Luggage fittings, trim and hardware.  
Manicure implements  
Match and pattern plates, matrices, and flasks,  
Mattress buttons and furniture glides.  
Medals, including decorations.  
Mirrors.  
Motion picture and projection equipment (I) except for parts to repair and maintain necessary existing equipment in public theaters and educational institutions and (II) except for motion picture and projection equipment of the types the production and distribution of which is regulated by Order L-267 or Order L-325).  
Name, identification, instruction and data plates.  
Non-operating or decorative lines of copper or copper base alloy, or the use of the same in such parts of installations and equipment (mechanical or otherwise) as bases, frames, guards, standards and supports.  
Package handles and holders.  
Paint (except for ship bottoms).  
Parl-mutuel, gambling and gaming machines, devices and accessories.  
Pencils, mechanical.  
Phonographs or other record players.  
Photographic equipment and accessories (I) except document copying machines and equipment therefor for business purposes and for use by the U. S. Post Office; (II) except for X-ray equipment; and (III) except for photographic equipment and accessories of the types the production and distribution of which is regulated by Order L-267).  
Pins.  
Pleasure boat fastenings, fittings, hardware, and motors.  
Pole-line hardware.  
Powder, except for non-decorative uses.  
Printing rollers (except to the extent that an equivalent poundage in copper or copper base alloy is returned to a brass mill in the form of old rollers or scrapings from old rollers).  
Putty and scraping knives.  
Radio receiving sets and vacuum tubes (except when their manufacture is permitted by the terms of Order L-265).  
Razors operated by electricity (except for repair parts).  
Reclaimers for heating water.  
Reflectors (except that copper or copper base alloy products may be used for electroplating glass reflectors in connection with all-weather when the reflectors are to be used in street and highway illumination or in traffic signals, flood lights, searchlights, locomotive headlamps, hospital operating room lights, and airport lighting equipment as defined by Order L-235, or for electroplating on steel reflectors for searchlights, flood lights, airport lighting equipment as defined by Order L-235, and automotive headlamps of types other than sealed beam headlamps).  
Refrigerator display cases.  
Saddlery hardware and harness fittings.  
Scales, except commercial, industrial and laboratory scales and laboratory balances. (See also Order L-180.)  
Screens and points for oil wells and water wells (I) except for public and industrial water supply systems and installations and (II) except for agricultural water supply systems when the only copper products or copper base alloy products used is used fourdrinier wire screening.)  
Seismograph loading pole couplings.  
Shells and caps for electric sockets except screw shells and except those used in connection with lamp signals in communication facilities.

Signs, including street signs. (See also Order L-23.)  
Slide fasteners, hooks and eyes, brassiere hooks, cow-on, machine attached or riveted snap fasteners, buckles, buttons, corset clasps, garter trimmings, hose supporters, personal hardware, pin fasteners, slides, and trouser trimmings; except as may be permitted by the terms of Order L-114 and eyelets, loops, staples, rivets, burrs and tacks for use on wearing apparel, except as may be permitted by the terms of Order L-114.  
Slot, game and vending machines, including parking meters.  
Soda fountain equipment (except for repair and replacement parts manufactured in conformity with the inventory restrictions of Order L-38).  
Sound equipment attachments for motion picture projection machines (except for parts to repair and maintain necessary existing equipment in public theaters and educational institutions).  
Sporting goods, and fishing and hunting equipment and supplies, except fishing equipment and supplies for commercial fishing use.  
Staples for fastening cartons and containers.  
Stationery supplies:  
Desk accessories. (See also Order L-73.)  
Office supplies. (See also Order L-73.)  
Pencils. (See also Order L-227.)  
Fens and penholders.  
Statues.  
Stencils, adjustable and otherwise (except for hand cut stencils for marking shipments).  
Sundials.  
Table flatware (except for a copper-silver strike).  
Telescopes.  
Tent poles and parts.  
Thermos jugs and bottles.  
Tokens.  
Toys.  
Tying devices for laundry.  
Unions and union fittings (except seats and except for other parts of unions and union fittings where and to the extent that the physical and chemical properties of the liquid or gas passing through the union or union fitting makes the use of any other material dangerous or impractical). (See also Order L-238.)  
Umbrellas.  
Valve handles.  
Valves over 2-inch size (except seats, discs, stems, yoke cleaves, yoke bushings, stem bearings and packing glands, and except for other parts of such valves (I) where and to the extent that the physical and chemical properties of the liquid or gas passing through the valve makes the use of any other material dangerous or impractical or (II) where and to the extent permitted by the terms of Order L-252 or by a specific authorization of the War Production Board granted pursuant to that order).  
Voting machines.  
Weather vane.  
Weight reducing and exercising machines.  
Wool.

## MILITARY EXEMPTION LIST

Bakery equipment (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see below on this list.  
Binoculars.  
Blow torches, gasoline, kerosene and alcohol (parts other than tanks, only).  
Boxes, cans, jars and other containers (for radio and communications equipment and for powder charges).

Buttons and insignia for military uniforms when and to the extent that their manufacture is specifically authorized in writing by the War Production Board.

Carbonated beverage dispensing units and soda fountain equipment for use on board ship (functional parts subject to corrosive action or which come in contact with food, only).

Conduits and pipe (for radio and electrical communications equipment).

Chronometer and watch cases.

Decorations as defined in Army and Navy Regulations when produced to fill purchase orders rated AA-3 or higher only.

Electric blankets.

Field ranges and ski stoves.

Fishing equipment and supplies for use on life boats and rafts.

Floats for liquid level control (for use in aircraft and on board ship).

Furniture hardware (for use within magnetic circle on board ship).

Hammers, including mallets.

Hoists, for handling powder, projectiles and explosives (for use on board ship).

Hot water heater coils for hospital, laundry and bakery projects.

Instruction and data plates of wrought material of a gauge of 1/32nd of an inch or less (for use in aircraft and on board ship).

Instruction and data plates from cast material of a gauge of 3/32nd of an inch or less (for use on board ship but only if and to the extent specified by the specifications, other than performance specifications, of the governmental agency acquiring the plate).

Kitchen utensils' devices, machines and appliances (parts necessary for conducting electricity or which come in contact with food or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts).

Ladders and stairs, for use in gasoline storage spaces on board ship (treads, only).

Lanterns, gasoline (generators, valves and controls, only).

Laundry equipment, for use on board ship (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this list.

Laundry equipment, mobile, for field use (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this list.

Lighting equipment and accessories for use in aircraft, on board ship and for use in lighting aids for marine or aerial navigation, and for searchlights.

Locks and latches (for use on board ship) and padlocks (for use where non-sparking metal is necessary to prevent a hazard from explosives).

Mirrors, when they are to be installed on board ship and the only copper product or copper base alloy product used is for coating the backing of the mirror to a thickness not in excess of .0015 inch.

Motion picture and projection equipment.

Paint (for ship bottoms and flying boat hull bottoms).

Phonographs and other record players being produced on a rating of AA-3 or higher.

Photographic equipment and accessories.

Plis for hinges (for use on board ship).

Prescription scales (health supplies).

Safety lamps, flame type (for use on board ship and for use in other places where there is danger of explosion).

Screens and points for water wells.

Shells and caps for electric sockets (for use in aircraft and on board ship).

Slide fasteners and tack buttons for use on jungle clothing and equipment, flying suits and Navy flying boots; (ii) sew-on, machine attached or riveted snap fasteners, buckles, eyelets, staples, rivets and burrs for use on jungle clothing and equipment, and for use on leather, canvas, webbing, duck, coated fabrics and special fabrics for field clothing and equipment being produced on a rating of AA-3 or higher; and (iii) springs for snap fasteners for any use.

Sound equipment attachments for motion picture projection machines.

Telescopes.

Unions and union fittings (for use on board ship).

Valve handles (for use within magnetic circle on board ship).

Valves (for use on board ship).

Valves of vacuum type, up to 3 inches.

#### INTERPRETATION 5

#### USE OF COPPER IN THE MANUFACTURE OF CERTAIN DRAINS AND STRAINERS

Copper Conservation Order M-9-c, as amended December 10, 1941, specifically prohibited any person from using after March 31, 1942, any copper or copper base alloy in the manufacture of gutters, leaders or downspouts, or accessories thereto, and of all roofing items, to go on private buildings. These provisions have remained in the order without interruption.

In addition, since May 7, 1942, paragraph (d) (1) of Order M-9-c (relettered as paragraph (c) (1) when the order was amended on October 4, 1943), has provided that no manufacturer may continue to manufacture from copper or copper base alloy, any article the manufacture of which, with copper or copper base alloy, is not specifically prohibited by the order, if it is practicable to use any material less scarce than copper, brass or bronze to make the article.

For some time, many manufacturers have been making floor, roof, cesspool and shower drains and strainers out of galvanized steel or iron; and it has been demonstrated that the use for such purposes of this type of material instead of copper or copper base alloy is practicable for all uses to which these articles are put except their use in places where explosives are handled or stored or where explosive vapors may be present. Furthermore, the types of iron and steel used as well as zinc, are less scarce materials than copper or copper base alloy.

Accordingly, manufacturers are prohibited by Copper Conservation Order M-9-c from using brass or other copper and copper base alloy materials to make all roof, floor, cesspool and shower drains or strainers, even if the drains or strainers are not accessories to gutters, leaders or downspouts, or roofing items. An exception to the foregoing arises in the case of drains or strainers for floors in places where explosives are handled or stored or where explosive vapors may be present. (Issued Oct. 19, 1943.)

[F. R. Doc. 44-1180; Filed, January 22, 1944; 11:08 a. m.]

#### PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L-157, Schedule VIII]

#### WOOD-BORING BITS

§ 1293.9 *Schedule VIII to Limitation Order L-157—(a) Definitions.* For the purposes of this order:

(1) "Producer" means any person who manufactures, forges or otherwise fabricates wood-boring bits.

(2) "Distributor" means any person who purchases wood-boring bits for resale.

(3) "Ultimate consumer" means any other purchaser of wood-boring bits.

(4) "Wood-boring bit" means any tool for boring wood.

(5) "Style" means a given combination of twist and cutting head, exclusive of point.

(b) *Simplified practices.* After January 22, 1944, no producer may begin the manufacture or fabrication of any wood-boring bit which does not conform to the types, styles, sizes, dimensions, and grades set forth in Appendix A of this schedule. Non-conforming wood-boring bits may not be delivered or shipped by a producer after April 22, 1944.

(c) *Exemptions.* The following are exempt from the restrictions established by paragraph (b) of this schedule:

1. Adjustable countersinks.
2. Integral countersink bits.
3. Machine center bits.
4. Plug cutters.
5. Screw driver bits.
6. Bung-boring bits.
7. Spike-boring machine bits.
8. Bits for hollow mortising chisels.
9. Bits requiring screw shanks and tapered shanks.
10. Handled gimlets.
11. Small fluted drills for spiral and other hand drills.

(d) *Sets.* No producer shall make for his inventory and no distributor shall acquire for his inventory or shelf stock any sets of wood-boring bits. Any number of bits in excess of one which have been grouped for purposes of sale as a unit shall be deemed a set for the purposes of this paragraph. Nothing contained in this paragraph shall prohibit a producer from producing sets to fill a specific order placed directly or indirectly by an ultimate consumer, or a distributor from making up a set or sets to fill a specific order placed by an ultimate consumer.

Issued this 22nd day of January 1944.

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

#### APPENDIX A

*Material.* Shall be of a good grade of steel which shall have a carbon content of not less than 0.45 percent.

*Style.* No type of wood-boring bit shall be made in any styles other than those described herein, and no producer shall make any type in more styles than the number permitted herein.

*Grade.* No producer shall make any type and style of wood-boring bit in more than one grade.

*Finish.* All wood-boring bits shall be free from scale. Polishing shall be limited to that necessary to assure the proper functioning of the tool, and shall not be finer than that resulting from the use of a 90-grit emery wheel, dry, when good commercial polishing technique is employed. The round and square portions of hand bits, including expansive bits, shall not be polished. The groove or hollow of the flight of ship-twist bits shall not be polished, except that the groove of power driven ship-twist bits  $\frac{5}{16}$  inch or less in diameter may be polished.

All bits may be given a protective coating of anti-corrosion compound.

**TYPE 1. Auger bits**—May be made in both double twist, and solid center single twist. Bits shall be forged from a single piece of steel and shall have a square tapered bit stock shank, screw point, two spurs and two extension lips so beveled as to form cutting edges (Fig. 1 and Fig. 2).<sup>1</sup> Auger bits shall be made only in the following sizes:

Size (bit diameter in 16ths of an inch)	Length		Minimum diameter of round of shank
	Maximum over-all	Twist	
	Inches	Inches	Inch
4.....	7 1/2	3 3/4	13/64
5.....	7 3/4	3 3/8	7/32
6.....	7 3/4	4	15/64
7.....	8	4	17/64
8.....	8	4	17/64
9.....	8	4	5/32
10.....	8 1/4	4 1/4	19/64
11.....	8 1/4	4 1/4	19/64
12.....	8 1/2	4 1/2	5/16
13.....	8 1/2	4 1/2	5/16
14.....	8 1/2	4 1/2	5/16
15.....	8 3/4	4 3/4	11/32
16.....	8 3/4	4 3/4	11/32
17.....	9	4 7/8	3/8
18.....	9	4 7/8	3/8
19.....	9 1/4	5	7/16
20.....	9 1/4	5	7/16
21.....	9 1/4	5	7/16
22.....	9 1/4	5	7/16
23.....	9 3/8	5 1/4	7/16
24.....	9 1/2	5 1/2	7/16

**Tolerances:**  
Bit diameter: Plus 0.015 inch.  
Length over-all and length of twist: Plus or minus 10 percent.

**TYPE 2. Car bits**—May be made single twist, double twist, or solid center single twist and shall have a square tapered bit stock shank and screw point. Single twist bits may have an extension lip and a single spur on opposite sides of the point (Fig. 3), or have a cutting edge and a side lip located at right angles to the cutting edge (Fig. 4), while double twist and solid center single twist bits shall have two spurs and two extension lips so beveled as to form cutting edges (Fig. 1 and Fig. 2). No producer shall make car bits in more than two styles. Car bits shall be forged from a single piece of steel and may be made in over-all lengths of 12 and 18 inches, and only in the following sizes:

Size (bit diameter in 16ths of an inch)	Length <sup>1</sup>		Minimum diameter of round of shank
	Maximum over-all	Twist	
	Inches	Inches	Inch
6.....	12 and 18.....	8 and 12.....	5/16
7.....	12 and 18.....	8 and 12.....	5/16
8.....	12 and 18.....	8 and 12.....	5/16
9.....	12 and 18.....	8 and 12.....	11/32
10.....	12 and 18.....	8 and 12.....	11/32
11.....	12 and 18.....	8 and 12.....	3/8
12.....	12 and 18.....	8 and 12.....	3/8
13.....	12 and 18.....	8 and 12.....	3/8
14.....	12 and 18.....	8 and 12.....	3/8
15.....	12 and 18.....	8 and 12.....	3/8
16.....	12 and 18.....	8 and 12.....	3/8
17.....	12 and 18.....	8 and 12.....	13/32
18.....	12 and 18.....	8 and 12.....	13/32
20.....	12 and 18.....	8 and 12.....	13/32
22.....	12 and 18.....	8 and 12.....	3/4
24.....	12 and 18.....	8 and 12.....	3/4

**Tolerances:**  
Bit diameter: Plus 0.015 inch.  
Length over-all: Plus or minus 1 inch.  
Length of twist: Plus or minus 1/2 inch.

<sup>1</sup> Bits 12 inches over-all shall have 8 inch twist. Bits 18 inches over-all shall have 12 inch twist.

<sup>2</sup> Figure numbers refer to figures shown at the end of the Appendix. Filed as part of the original document.

**TYPE 3. Auger bits (machine except ship auger)**—May be made in both double twist and solid center single twist. Bits shall be forged from a single piece of steel, and shall have a round shank having a diameter of 1/2 inch and a length of 2 inches, which may be flattened on one side to a width of 3/8 inch and a length of 1 1/2 inches, screw or brad point, and two spurs and two extension lips so beveled as to form cutting edges (Fig. 1 and Fig. 2). Machine auger bits shall be made only in the following sizes:

Size (bit diameter in 16ths of an inch)	Maximum length of twist, in inches			
	4	6	8	12
3.....				
4.....	4	6	8	12
5.....	4	6	8	12
6.....	4	6	8	12
7.....	4	6	8	12
8.....	4	6	8	12
9.....	4	6	8	12
10.....	4	6	8	12
11.....	4	6	8	12
12.....	4	6	8	12
13.....	4	6	8	12
14.....	4	6	8	12
15.....	4	6	8	12
16.....	4	6	8	12
17.....		6	8	12
18.....		6	8	12
19.....		6	8	12
20.....		6	8	12
22.....		6	8	12
23.....		6	8	12

**Tolerances:**  
Bit diameter: Plus 0.010 inch.  
Length over-all and length of twist: Minus 1/4 inch.

**TYPE 4. Ship augers (square shank)**—Shall be made single twist or solid center single twist and have a cutting edge, a side lip located at right angles to the cutting edge, and a straight square shank or nib, suitable for use with auger handle, single or double crank handle, or for welding to extension stem. Ship augers with square shank may be made only in the following sizes with and without screw point (Fig. 4 and Fig. 5).

Size (bit diameter in 16ths of an inch)	Length		Diameter of round of shank (minimum)	Size of square of shank
	Over-all	Twist		
	Inches	Inches	Inch	Inch
4.....	13	8	1/4	3/8
5.....	13	8	1/4	3/8
6.....	15	10	3/8	3/4
7.....	15	10	3/8	3/4
8.....	15	10	3/8	3/4
9.....	17	12	1/2	7/8
10.....	17	12	1/2	7/8
11.....	17	12	1/2	7/8
12.....	17	12	1/2	7/8
13.....	17	12	1/2	7/8
14.....	17	12	1/2	7/8
15.....	17	12	1/2	7/8
16.....	17	12	1/2	7/8
17.....	17	12	1/2	7/8
18.....	20	15	3/4	1
19.....	20	15	3/4	1
20.....	20	15	3/4	1
21.....	20	15	3/4	1
22.....	20	15	3/4	1
23.....	20	15	3/4	1
24.....	20	15	3/4	1
25.....	20	15	3/4	1
26.....	20	15	3/4	1
27.....	20	15	3/4	1
28.....	20	15	3/4	1
29.....	20	15	3/4	1
30.....	20	15	3/4	1
31.....	20	15	3/4	1
32.....	20	15	3/4	1

**Tolerances:**  
Bit diameter: Plus 0.015 inch.  
Length over all and length of twist: Plus or minus 1/4 inch.  
Square shank size: Plus or minus 1/32 inch.

**TYPE 5. Ship augers (machine or round shank)**—Shall be made single twist or solid center single twist have a cutting edge, a side lip located at right angles to the cutting edge, and a round shank having a diameter of 1/2 inch and a length of 2 to 2 1/2 inches, which may be flattened on one side to a width of 3/8

inch and a length of 1 1/2 inches. Ship augers with round shank shall be made only in the following sizes with and without screw point (Fig. 4 and Fig. 5).

Size (bit diameter in 16ths of an inch)	Maximum length of twist in inches		
	12	18	24
4.....	12		
5.....	12		
6.....	12		
7.....	12		
8.....	12		
9.....	12	18	24
10.....	12	18	24
11.....	12	18	24
12.....	12	18	24
13.....	12	18	24
14.....	12	18	24
15.....	12	18	24
16.....	12	18	24
17.....	12	18	24
18.....	12	18	24
19.....	12	18	24
20.....	12	18	24
21.....	12	18	24
22.....	12	18	24
23.....	12	18	24
24.....	12	18	24
25.....	12	18	24
26.....	12	18	24
27.....	12	18	24
28.....	12	18	24
29.....	12	18	24
30.....	12	18	24
31.....	12	18	24
32.....	12	18	24

**Tolerances:**  
Bit diameter: Plus 0.015 inch.  
Length over-all and length of twist: Plus or minus 1/2 inch.

**TYPE 6. Ring augers**—Shall be made single twist, or solid center single twist. Single twist bits shall have one cutting edge and a side lip located at right angles to the cutting edge (Fig. 4), while solid center bits shall have two cutting edges and two side lips located at right angles to the cutting edges (Fig. 6). Both shall have screw points. The shank shall be fitted with a suitably designed ring or eye for reception of handle. Ring augers shall be made only in the following sizes:

Size (bit diameter in 16ths of an inch)	Length		Diameter of round of shank (minimum)
	Over-all	Twist	
	Inches	Inches	Inch
8.....	14 1/2	10	1/2
9.....	17 1/2	12	5/8
10.....	17 1/2	12	5/8
11.....	17 1/2	12	5/8
12.....	17 1/2	12	5/8
13.....	17 1/2	12	5/8
14.....	17 1/2	12	5/8
15.....	17 1/2	12	5/8
16.....	17 1/2	12	5/8
17.....	20	15	3/4
18.....	20	15	3/4
19.....	20	15	3/4
20.....	20	15	3/4
21.....	20	15	3/4
22.....	20	15	3/4
23.....	20	15	3/4
24.....	20	15	3/4
25.....	20	15	3/4
26.....	20	15	3/4
27.....	20	15	3/4
28.....	20	15	3/4
29.....	20	15	3/4
30.....	20	15	3/4
31.....	20	15	3/4
32.....	20	15	3/4

**Tolerances:**  
Bit diameter: Plus 0.015 inch.  
Length over-all and length of twist: Plus or minus 1/2 inch.

**TYPE 7. Plug bits (machine)**—Shall be made double twist with a cylindrical guide, axially located, and shall have two spurs and two extension lips so beveled as to form cutting edges (Fig. 7). The shank shall be round, with a diameter of 1/2 inch and a length of 2 inches, which may be flattened

on one side to a width of 3/8 inch and a length of 1 1/2 inches. Plug bits shall be forged from a single piece of steel and shall be made only in the following sizes:

Size (bit diameter)	Length		Dimension of guide		Spur height	Minimum diameter, round of shank
	Over-all	Twist	Diameter	Length		
Inches	Inches	Inches	Inch	Inch	Inch	Inch
1 1/8	6	2	As desired	1/2	3/8	3/8
1 1/4	6	2	Do.	1/2	3/8	3/8
1 3/8	6	2	Do.	1/2	3/8	3/8
1 1/2	6	2	Do.	1/2	3/8	3/8
2	6	2	Do.	1/2	3/8	3/8

Tolerances:  
 Bit diameter: Plus 0.015 inch.  
 Length over-all and length of twist: Plus or minus 3/16 inch.  
 Height of spur: Plus or minus 1/64 inch.  
 Guide length: Plus or minus 1/8 inch.

Size (expansive range) (minimum)	Over-all length (maximum)	Cutter spur height	Diameter of round (minimum)	Dimensions, square of shank			Cutting edge in advance of spur (minimum)
				Large end	Small end	Length	
Inches	Inches	Inch	Inch	Inch	Inch	Inches	Inch
5/8 to less than 1 1/2	7	1 1/4	5/16	3/8	7/32	1 1/4	3/8
3/8 to 3	8 1/2	3/16	3/8	3/16	1/4	1 3/8	1/4

Tolerances:  
 Height of cutter spur: Plus or minus 1/64 inch.  
 Square of shank dimensions of large and small ends: Plus or minus 1/32 inch.  
 Length of square of shank: Plus or minus 1/8 inch.  
 Length over-all: Minus 1/8 inch.

TYPE 11. Forstner bits (hand and machine)—Shall be made only in the following sizes:

Size (diameter of cutting head)	Diameter of round (minimum)	Hand 1 length over all	Machine 2 length over all
Inches	Inch	Inches	Inches
1/4	7/32	6 1/4	5
5/16	7/32	6 1/4	5
3/8	1/2	6 1/4	5
7/16	1/2	6 1/4	5
1/2	1/2	6 1/4	5
9/16	5/8	6 3/4	5
5/8	5/8	6 3/4	5
11/16	5/8	6 3/4	5
3/4	5/8	6 3/4	5
13/16	3/4	7 1/4	5
7/8	3/4	7 1/4	5
15/16	3/4	7 1/4	5
1	3/4	7 3/4	5
1 1/16	7/8	7 3/4	5
1 1/8	7/8	7 3/4	5
1 1/4	7/8	7 3/4	5
1 3/8	1	8 1/4	5
1 1/2	1	8 1/4	5
1 5/8	1 1/8	8 1/4	5
1 3/4	1 1/8	8 1/4	5
1 7/8	1 1/8	8 3/4	5
2	1 1/8	8 3/4	5
2 1/8	1 1/4	8 3/4	5
2 1/4	1 1/4	8 3/4	5
2 3/8	1 1/4	8 3/4	5
2 1/2	1 1/2	8 3/4	5
2 3/4	1 1/2	8 3/4	5
2 7/8	1 1/2	8 3/4	5
3	1 1/2	8 3/4	5

Tolerances:  
 Diameter: Plus 0.015 inch.  
 Tolerance on over-all length: Plus or minus 3/16 inch.

1 Hand bits shall have a square tapered shank approximately 1 3/16 inches long by 7/16 inch square at large end, with taper of 5 degrees on a side or a total of 10 degrees.  
 2 Machine bits up to and including 2 1/4 inches in diameter shall have a round shank 1/2 inch in diameter; bits more than 2 1/4 inches in diameter shall have round shanks 3/4 inch in diameter. Tolerance on over-all length: Plus or minus 1/4 inch.

TYPE 8. Plug bits, hand, with threaded guide—Shall be made double twist with a threaded cylindrical guide, axially located, and shall have two spurs and two extension lips so beveled as to form cutting edges (similar to Fig. 7) and a square tapered bit stock shank. They shall be forged from a single piece of steel and shall be made only in the sizes permitted for type 7 plug bits.

TYPE 9. Plug bits, hand, with screw point—Shall be made double twist with a screw point in lieu of a cylindrical guide (similar to Fig. 7) and a square tapered bit stock shank. They shall be forged from a single piece of steel and shall be made only in the sizes permitted for type 7 plug bits.

TYPE 10. Expansive bits—May be made in plain, screw, or gear adjusting styles and shall have square tapered bit stock shanks. Two cutters shall be used to bore holes of any diameter within the capacity range of the bit, except that a third cutter may be made for use in the larger bit for boring holes up to four inches in diameter. Expansive bits shall be made only in accordance to the following requirements:

TYPE 12. Gimlet bits, double cut—Shall be forged from a single piece of steel and the cutting edges shall be sharpened and terminate in a point. Gimlet bits of this type shall have square tapered bit stock shanks, and shall be made only in the following sizes:

Nominal size (largest diameter of twist) (inch)	Length		Length of square of shank
	Over-all	Twist	
Inches	Inches	Inches	Inches
1/8	4 1/2	1 1/8	1 1/8
3/16	4 1/2	1 1/8	1 1/8
1/4	4 1/2	1 1/8	1 1/8
5/16	4 3/4	1 3/8	1 3/8
3/8	4 3/4	1 3/8	1 3/8
7/16	5	2	1 3/8
1/2	5	2 1/4	1 3/8

Tolerances:  
 Nominal size: Plus 0.015 inch.  
 Length over-all and length of twist: Minus 3/16 inch.  
 Length of square of shank: Plus or minus 1/4 inch.

TYPE 13. Drills and countersinks for boring for wood screws:

(a) Tapered drills (twisted section tapered to correspond with threaded part of screws)—Shall be made double drill twist (Fig. 8) and shall have a round shank, having an over-all length of not more than 4 1/2 inches and length of twist not more than 2 inches. May be made only in sizes having larger diameters of 3/16, 1/8, and 1/4 inch.

(b) Straight drills—Shall be made double drill twist (Fig. 8) and shall have a round shank. Shall be made only in sizes of 1/8, 3/16, 1/4, 5/16, 3/8, 1/2, and 5/8 inch.

(c) Countersinks (with square tapered bit stock shanks)—Shall be made only in rose pattern, having an over-all length of 4 1/2 inches, and in one size with largest cut of 3/4 inch. The included angle between the sides of the cutter shall be 82 degrees.

TYPE 14. Wood drills—Shall be made double drill twist (Fig. 8) and shall have a tapered square bit stock shank. May be made in sizes from 1/16 inch to 1 inch by thirty-seconds, with an over-all length ranging from approximately 4 1/2 to 10 inches depending on the diameter.

TYPE 15. Bell hangers or electrician's drills—Shall be made double drill twist (Fig. 8), and shall have a tapered square bit stock shank. May be made in over-all lengths of 12, 18, and 24 inches only, and in diameters from 3/16 to 1/2 inch by sixteenths, and 3/4 inch.

TYPE 16. Dowel bit—Shall be made double twist with two spurs and two extension lips so beveled as to form cutting edges (Fig. 1). May have a tapered square bit stock shank or a round machine shank and may be made in sizes from 1/16 to 1 inch by sixteenths, having an over-all length not to exceed 5 inches.

TYPE 17. Machine bits—Shall be made double drill twist with brad point, and shall have round shank having a diameter of 1/2 inch and a length of 2 1/2 inches which may be flattened on one side to a width of 3/8 inch and a length of 1 1/2 inches. Machine bits shall be made only in the following sizes:

Size (bit diameter) (inch)	Length over-all	Size (bit diameter)	Length over-all
Inches	Inches	Inches	Inches
1/4	6 1/8	1 3/16	10
5/16	6 3/8	7/8	10 1/2
3/8	6 3/4	1 1/2	10 3/4
7/16	7 1/4	1	11
1/2	7 3/4	1 1/4	11 1/4
9/16	8 1/4	1 1/8	11 3/4
5/8	8 3/4	1 3/8	12
11/16	9 1/4	1 1/4	12 1/4
3/4	9 3/4	1 1/2	12 3/4

Tolerances:  
 Length over-all: Plus or minus 1/4 inch.  
 Diameter: Plus 0.010 inch.

TYPE 18. Tapping or sugar tree bits—Shall be made either double twist, or solid center single twist, except that no producer shall make more than one style. Bits shall be forged from a single piece of steel and shall have a square tapered bit stock shank, screw point, and a round cut head (Fig. 9). May be made in sizes of 3/8, 1/2, and 3/4 inch, having an over-all length not to exceed 4 1/2 inches.

[F. R. Doc. 44-1177; Filed, January 22, 1944; 11:08 a. m.]

PART 3133—PRINTING AND PUBLISHING  
 [Limitation Order L-241, Interpretation 1]

COMMERCIAL PRINTING

The following interpretation is issued with respect to Limitation Order L-241.

Schedule II to Order L-241 limits the amount of paper which a person may cause to be consumed in printing certain "Items". Each of the numbered paragraphs in the schedule is a separate "Item", not the individual products described in a particular paragraph. Thus, for example, a person who issued shopping guides in 1941 may use his quota under the Schedule for the issuance of free distribution newspapers or want ad periodicals in 1944.

Issued this 22d day of January 1944.

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

[F. R. Doc. 44-1179; Filed, January 22, 1944; 11:08 a. m.]

**PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN**

[CMP Reg. 1, Direction 44]

**APPLICATIONS BY PRODUCERS AND DISTRIBUTORS FOR PERMISSION TO SELL REJECTED OR EXCESS STEEL**

The following direction is issued pursuant to CMP Reg. 1.

(a) Producers and distributors having off-grade or rejected steel or idle or excess inventory which they are unable to move under CMP regulations may apply to the War Production Board for permission to dispose of such material. Applications should contain the following information:

1. Name of proposed customer.
2. Product to be made.
3. Description of material.
4. Location of material.
5. Length of time held and reason holder has been unable to move it under CMP regulations.

(b) Producers' applications should be addressed to the appropriate Product Branch of the Steel Division, War Production Board, Washington 25, D. C., and distributors' applications to the Warehouse Branch of the Steel Division. No application will be considered where the use to be made of the material is prohibited by an order or regulation of the War Production Board, unless the customer has been granted an exception to such order or regulation.

Issued this 22d day of January 1944.

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

[F. R. Doc. 44-1183; Filed, January 22, 1944; 11:10 a. m.]

**PART 3208—SCHEDULED PRODUCTS**

[General Scheduling Order M-293, Table 8, as Amended Jan. 22, 1944]

POWER DIVISION, OFFICE OF WAR UTILITIES

**§ 3208.9 Table for Power Division.**

(a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293.

Table of scheduled products	Designation	Applicable forms column 1		
		1	2	3
1. Steam, hydraulic, or gas-propelled turbines unless designed for ship propulsion or aircraft use.	XZ		3003	
2. Turbine-generator sets (any combination of one or more turbines and electric generators built to operate as a set) unless designed for ship propulsion, aircraft use, or locomotive headlight service.	XZ		3003	
3. Steam engine-driven generator sets.	X		3003	
4. Diesel and natural gas engines, 750 r.p.m. and less, excluding equipment for marine use.	XZ	878	3003	
5. Diesel and natural gas engine-driven generators, 750 r. p. m. and less, excluding equipment for marine use.	XZ	1801	3003	

A manufacturer of a Class X product must file his shipping schedule on Form WPB 3003 or 3401 or on the form shown in Column 2 at his option.

Table of scheduled products	Designation	Applicable forms column		
		1	2	3
6. Generators designed to be propelled by a steam, hydraulic or gas turbine or steam engine, unless designed for ship propulsion, aircraft use, or locomotive headlight service.	XZ	1801	3003	
7. Boilers and boiler units, exclusive of those for marine shipboard or locomotive use: a. Boilers and boiler units (including such auxiliaries as superheaters, desuperheaters and water walls or water-cooled furnaces, when such auxiliaries are fabricated by the manufacturer who reports and fabricates the related boiler) of any type listed below if such boilers and boiler units are (i) designed for a steam pressure of more than 15 pounds per square inch, and (ii) have a boiler heating surface of 50 square feet or more, but less than boilers and boiler units listed in c below: (i) Water tube. (ii) Scotch marine. (iii) Horizontal return tubular. (iv) Refractory-lined firebox. (v) Oil country. b. Boilers and boiler units designed for steam pressures over 15 pounds per square inch, all sizes, of the following types: (i) Waste Heat. (ii) Dowtherm. (iii) Mercury. (iv) Electric. c. Boilers and boiler units listed in a above which have a combined boiler, water wall, economizer, and air heater heating surface of 200 square feet or more. d. Boiler auxiliaries, such as superheaters, desuperheaters, economizers, air-heaters and water walls or water-cooled furnaces, (i) for a new boiler installation if fabricated by a manufacturer other than the manufacturer reporting and fabricating the related boiler, or (ii) for a boiler unit already in use.	X		1750	
8. Pulverizers and related combustion equipment installed for the primary purpose of pulverizing solid fuel for firing any type of furnace, excluding those for marine shipboard and locomotive use.	X		1750	

\* See Table 14 of this order for listings of land boilers not included in this Table 8.

Table of scheduled products	Designation	Applicable forms column		
		1	2	3
9. Automatic stokers designed for burning solid fuel, with an ash-protected grate surface in excess of 50 square feet, excluding stokers for locomotive use. The formative-protected grate surface means grate surface through which air is supplied to the fuel bed, either continuously or intermittently.	X		1750	
10. Scott blowers—any device using steam or air to blow dust, dirt, or slag from the heating surface of furnaces, boilers, stills and other types of direct-fired heat exchangers, excluding those for locomotive or marine use.	XZ		3003	
11. Steam condensers (surface, jet and hydro-cyclic), inter and after condensers, and air ejectors, or any combination thereof, including marine condensers and air ejectors other than those produced for the United States Navy for use on ships.	XZ		1750	
12. Power frequency changers, 25 cycles and below.	XZ		1750	
13. Synchronous condensers.	XZ		1750	
14. Mercury arc rectifiers and electronic frequency changers for power use.	X		2702	
15. Oil circuit breakers of 2500 volts or higher.	XZ		1750	
16. Air circuit breakers, except types AB, ET, or similar.	XZ		1750	
17. Metal clad switchgear containing oil or air circuit breakers listed in 15 and 16 above and power switchboards.	XZ		1750	
18. (Deleted Nov. 13, 1943).				
19. Liquid-filled power or distribution transformers of 20 KVA and larger; unit substations and unit load centers containing such transformers.	XY Z		2042	2043
20. Liquid-filled power or distribution transformers 10 KVA and larger; dry-type transformers with primary voltage 601 volts and above, dry type transformers with primary voltage 600 volts and below with capacities 501 KVA and above (claphoppers with capacities 201 KVA and above (three phase).	YZ			2043
21. Unit substations and unit load centers, containing transformers listed in 20 above.	YZ			2044
22. Hammer forged, open forged, and cast crankshaft—finished.	XZ	875C	875C	
23. Transformers, reactors, and chokes for non-power (electronic) applications only.		2702.31		

A person placing an order for a Class Y product must use the form shown in Column 3 to obtain WPB authorization unless the product is also in Class Z and he is placing the order under paragraph (e) of M-293.

A person placing an order for a Class Z product under paragraph (e) of M-293 must use Form WPB-3003, 3400, or 3401, as specified in the instructions he received, to ac-

company his purchase order. If the product is also Class Y, he should use that same form to obtain WPB authorization instead of the form shown in Column 3.

Issued this 22d day of January 1944.  
 WAR PRODUCTION BOARD,  
 By J. JOSEPH WHELAN,  
 Recording Secretary.

[F. R. Doc. 44-1181; Filed, January 22, 1944;  
 11:09 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 14  
 as Amended Jan. 22, 1944]

PLUMBING AND HEATING DIVISION

§ 3208.15 Table for plumbing and heating division. The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable form column		
		1	2	3
1. Metal pipe fabricated beyond rolling mill shapes for resale to installers for incorporation into a piping system, including but not limited to pipe which has been subject to the following processes: bending, flanging, van stamping, welding, colling, and beveling, but not including pipe which has been threaded only or cut to a specific length only or which has been beveled by the manufacturer or welding fittings sold as such.				
2. Boilers and boiler units, exclusive of those for marine shipboard or locomotive use, as follows:				
(a) Steel low pressure heating boilers not designed to withstand a steam pressure of more than 15 pounds per square inch, all types.	X		1790	
(b) Steel boilers designed for steam pressures over 15 pounds per square inch, having less than 500 square feet of boiler heating surface, of the following types:				
(i) Water Tube.				
(ii) Scotch Marine.				
(iii) Horizontal Return Tubular.	X		1780	
(iv) Refractory Lined Firebox.				
(v) Oil Country.				
For all boilers of types listed above under (2b) having 500 square feet of boiler heating surface and more, and boilers of Dowtherm, Mercury, Waste Heat and Electric types—see Table #8 of this order.				
(c) Steel boilers designed for steam pressure over 15 pounds per square inch all sizes, of the following types:				
(i) Steel Fire box.				
(ii) Vertical.	X		1780	
(iii) Miniature.				

Issued this 22d day of January 1944.

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

[F. R. Doc. 44-1182; Filed, January 22, 1944;  
 11:10 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-180 as amended Jan. 22, 1944]

MATERIALS ENTERING INTO THE PRODUCTION OF REPLACEMENT STORAGE BATTERIES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of antimony, lead, tin, rubber, and other materials entering into the production of automotive replacement storage batteries used in the operation of passenger automobiles and light trucks, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles, 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:

§ 3295.51 Limitation Order L-180 (a)  
 [Deleted Jan. 22, 1944]

(b) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the Regulations of the War Production Board, as amended from time to time, except where otherwise stated.

(c) Definitions. For the purposes of this order:

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

(2) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine, and having a seating capacity of less than eleven (11) persons.

(3) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis thereof.

(4) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis thereof.

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for the transportation of property or persons, or the chassis thereof.

(6) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public

highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Automotive replacement storage battery" means any electric storage battery which has been completely assembled and sealed, whether uncharged or charged, and which is designed and built for operating a starter, ignition system, lighting system, or electrical signaling device on any passenger automobile, light, medium and heavy motor truck, truck-tractor, truck-trailer, passenger carrier or off-the-highway motor vehicle, and which may be used to replace a storage battery delivered as original equipment for any such vehicle. Automotive replacement storage batteries are sometimes referred to hereafter for convenience as "replacement batteries."

(9) "Rebuilt automotive storage battery" means any used automotive storage battery which has been repaired, rebuilt in part or in whole and/or recharged for sale, referred to sometimes hereafter for convenience as "rebuilt batteries."

(10) "Loan or rental storage battery" means any new automotive replacement storage battery, repaired, rebuilt in whole or in part, and/or recharged to be used by any person for loaning, or renting, in order to permit the replacing, repairing, rebuilding and/or recharging of a battery.

(11) "Ampere hour capacity" means the ampere hour capacity of an automotive replacement storage battery as developed on or before the third discharge when tested at the 20-hour rate at 80 degrees Fahrenheit.

(12) "Group" means either (i) one division (of those numbered I, II, III, IV, V) of the "Table of Maximum Adjustment Units for Automobile Batteries in Passenger Car Service," as issued in 1939 by the National Battery Manufacturers Association, Inc., now known as Association of American Battery Manufacturers and referred to in paragraph (d) below as AABM; or (ii) A battery number, as shown in Table I, "Battery Classifications, Ratings and Dimensions," appearing on page 103 of the publication entitled "Storage Batteries for Motor Vehicles," issued in 1938 by the Society of Automotive Engineers, Inc., and referred to in paragraph (d) below as SAE.

(13) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture or rebuilding of automotive replacement storage batteries for sale.

(14) "Inventory" means a stock of automotive replacement storage batteries (new and rebuilt) on hand, on consignment or held for the account of the owner thereof in any other name, manner or place.

(15) "Distributor" means any person not a producer whose business consists, in whole or in part of the sale from inventory of storage batteries, as defined in sub-paragraphs (8), (9) and (10) above. Distributor includes wholesalers, warehouses, jobbers, dealers, retailers

and other persons performing similar functions.

(16) "Consumer" means the owner or operator of the automotive vehicle for which a replacement battery is acquired, or the user of such battery for any other purpose.

(17) "Double insulation" means, in battery construction, the use of a retaining sheet of porous or perforated material between the positive plate and the single separator.

(18) "Single insulation" means, in battery construction, the use of wood separators only.

(d) *Limitations on ampere hour capacities of replacement batteries for passenger automobiles and light trucks.* (1) On and after August 29, 1942, no producer shall manufacture any replacement batteries for passenger automobiles and light trucks except with single insulation and only in the following minimum ampere hour capacities:

AABM	SAE	Minimum ampere hour capacity 20-hour rate 80° F.
Group	Group	
I		80
I	1M	90
I	1H	100
IS		90
IS	2L	100
(E-116) (IE-125)	2ME	110
HHF (Ford)		100
(II-115)	(2M-105) (2H-116)	110
HS	3L	110
HS	3M (3H-133)	120
III	Special (12 Volt)	45-50

(2) Notwithstanding the limitations on insulation of replacement batteries specified in paragraph (d) (1) above, a producer may manufacture one (1) model with double insulation in not more than three of the above groups.

(3) From Groups IV and V of AABM, or from Groups 4H and 5H of SAE, a producer may manufacture only one battery in each group. However, such batteries may be constructed either with single or double insulation.

(e) *Limitations on ampere hour capacities and container sizes of replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.* (1) On and after September 30, 1942, other than as permitted in sub-paragraph (2) below no producer shall manufacture any replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles except one (1) in each size within the following minimum-maximum ampere hour capacities and minimum-maximum container sizes:

	Ampere hour capacity 20-hour rate 80° F.		Volts	Container sizes					
				Long		Wide		High	
	Minimum	Maximum		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
For batteries with double insulation									
Size A	165	165	6	16	10 1/4	7 1/4	7 1/4	9 1/4	11
Size B	195	225	6	16 1/2	10 3/4	7 1/4	7 1/4	9 1/4	11
Size C	225	245	6	16 3/4	10 3/4	7 1/4	7 1/4	9 1/4	11
Size D	255	275	6	17	10 3/4	7 1/4	7 1/4	9 1/4	11 1/2
Size E	25	105	12	17 1/2	18	7 1/4	8	9 1/4	11
Size F	85	165	12	18 1/2	17 1/2	7 1/4	7 1/4	9 1/4	11
Size G	115	125	12	19 1/2	17 1/2	8 1/2	9	9 1/4	11
Size H	135	145	12	19 1/2	17 1/2	9	10	9 1/4	11
Size I	155	165	12	19 1/2	17 1/2	10 1/4	11 1/4	9 1/4	11
For batteries with single insulation									
Size J	105	235	6	16	10 1/4	6 1/4	7 1/4	9	10 1/4
Size K	235	245	6	16 1/2	10 3/4	7 1/4	7 1/4	9 1/4	11 1/4
Size L	140	155	12	16 3/4	10 3/4	8 1/2	9	9 1/4	11
Size M	150	170	12	16 3/4	10 3/4	9	10	9 1/4	11
Size N	160	225	12	16 3/4	10 3/4	10 1/4	11 1/4	9 1/4	11

(2) Producers may manufacture replacement batteries in capacities and sizes other than as specified in sub-paragraph (1) of this paragraph (e) only from materials on hand on August 29, 1942, provided:

(i) No additional material is required;  
 (ii) Such material cannot be consumed without change in form in manufacturing replacement batteries of the capacities and sizes specified in sub-paragraph (1) above;

(iii) Replacement batteries so produced be included in the number authorized for production in the periods specified in paragraph (f) below.

(f) *Restrictions on production of replacement batteries for passenger automobiles, light, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.* (1) No producer shall, during any calendar quarter of 1944, manufacture automotive replacement storage batteries in excess of the number (hereinafter referred to as "quota") obtained by multiplying the percentage shown below for that calendar quarter of 1944 by the total number of such batteries sold by him during the calendar year 1941:

Calendar Quarter of 1944:	Percentage of 1941 sales
January 1 to March 31	23 1/2
April 1 to June 30	23 1/2
July 1 to September 30	30
October 1 to December 31	25

(2) Notwithstanding subparagraph (1) of this paragraph (f), a producer may, in addition to the quotas permitted thereby,

(i) Manufacture during the second, third and fourth calendar quarters of 1944 that number of replacement batteries by which he failed to reach his full quota during the next preceding calendar quarter provided that this additional production does not exceed 5% of the number of replacement batteries sold by him during the calendar year 1941; and, in addition,

(ii) Manufacture during the first, second and third calendar quarters of 1944 not in excess of 5% of the number of such batteries sold by him during the calendar year 1941, provided he deducts such number from his quota for the next succeeding calendar quarter of 1944; *And Provided further*, That in no event shall any producer manufacture during the calendar year 1944 a number of such replacement batteries in excess of 100% of the number of such batteries which he sold during the calendar year 1941.

(3) *Additional 10% production authorized in 1944.* In addition to the production authorized by subparagraphs (1), (2) (i) and (ii) of this paragraph (f), producers may manufacture replacement batteries during the period January 1, 1944 to December 31, 1944 in an amount equal to 10% of the total number of such batteries sold by the producer during the calendar year 1941 or the calendar year 1943, whichever is higher, except as provided in subparagraph (5) below. In no event, however, shall the production of any producer for the year 1944 exceed 110% of the number of replacement batteries sold by him during the calendar year 1941 or the calendar year 1943, whichever is higher.

(4) *Forgoing not applicable to producers of less than 25,000 units.* The restrictions on production of replacement batteries contained in this paragraph (f) (1) and (2) (i) (ii) and (3) shall not apply to a producer who during the year 1941 sold less than 25,000 replacement batteries; *Provided, however*, That during the year 1944 his total production shall not exceed 25,000 units.

(5) *Plants in Group I Labor Market Areas not authorized to increase production.* On and after January 1, 1944, no producer whose plant is located in a Group I Labor Market Area as classified

by the War Manpower Commission as of January 1, 1944, shall produce replacement batteries in any such plant in excess of 100% of his sales of batteries produced in that plant in the calendar year 1941 or the calendar year 1943, whichever is higher.

(6) Production in excess of 110% limitation may be authorized. Any producer having a plant which is not located in a Group I or Group II Labor Market Area who believes that such plant has capacity available to produce replacement batteries in excess of 110% of the sales of batteries produced at such plant in the calendar year 1941 or in the calendar year 1943, whichever is higher, may file an application in writing at the Field Office of the War Production Board nearest to such plant, for leave to increase production at such plant. Such application shall contain a full statement of the plant's capacity, the labor presently employed and the additional production which can be secured, by quarters. Thereupon the War Production Board may authorize an increase in the production of replacement batteries at such plant in such quantities and upon such conditions as it shall find requisite in the public interest. Such authority will be issued either in the form of individual letters or by published Directions supplemental to this order.

(g) Restrictions on inventories of producers of automotive replacement batteries. (1) No producer shall have in inventory on the first day in any month a stock of replacement batteries and rebuilt batteries as defined in paragraphs (c) (8) and (9) above, in excess of one third of the number of batteries sold by him during the calendar year 1941.

NOTE: Paragraphs (h) (1), (h) (2), (h) (3) formerly (h) (2), (h) (3), (h) (4), redesignated Jan. 22, 1944.

(h) General restrictions—(1) Return of used batteries. On and after August 29, 1942, no producer or distributor shall sell or deliver a new or rebuilt replacement battery to any consumer unless such consumer delivers to the seller concurrently with his purchase one used battery of the same size or larger for each replacement battery delivered to such consumer. The provisions of this paragraph (h) (1) shall not apply to any Federal or Territorial department, bureau or agency, State or political subdivision thereof, which is forbidden by law from making such disposal of used batteries.

(2) Consumer's certificate. Notwithstanding the provisions of paragraph (h) (1) above, a producer or distributor may sell and deliver a replacement battery to a consumer without receiving a used battery in exchange therefor provided that: (i) The producer or distributor does not install such replacement battery in the consumer's vehicle; and (ii) the consumer signs and delivers to the producer

or distributor with each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) a certificate in the following form:

*Consumer's Certificate*

I hereby certify that: (a) the replacement battery specified on this order is essential for the operation of a vehicle I now own or operate; (b) the replacement battery will be used only to replace a battery, which to the best of my knowledge, cannot be economically reconditioned; and (c) I will, within thirty days after receiving the replacement battery here ordered, dispose of through scrap channels a used automotive battery (excepting in the event of the loss or theft of such battery) of similar size for each replacement battery delivered to me.

(Signed) \_\_\_\_\_  
Vehicle Owner or Operator

Address \_\_\_\_\_  
Date \_\_\_\_\_

A copy of each such certificate must be retained by the producer or distributor as part of his records.

(3) Electric fence user's certificate. Notwithstanding the provisions of paragraph (h) (1) above, a producer or distributor may sell or deliver a replacement battery to a consumer without receiving a used battery in exchange therefor, provided that the consumer purchases the battery for use in connection with an electric fence or other piece of farm machinery which had formerly been operated in whole or in part by dry cell batteries, and provided further that the producer or distributor secures from the consumer, for each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) the consumer's signature to a certificate, to be supplied by the producer or distributor, in the following form:

*Electric Fence or Farm Equipment User's Certificate*

I hereby certify that the battery purchased by me under this date is for use in connection with an electric fence or other farm equipment; that I have previously not used a storage battery for this purpose and, therefore, have no used battery to turn in.

(Signed) \_\_\_\_\_  
Purchaser

Address \_\_\_\_\_  
Date \_\_\_\_\_

(i) Metal-containing parts of used, traded-in, imperfect or condemned batteries to be disposed of as scrap in 30 days.

No producer or distributor may keep in his possession, or under his control for a period of more than thirty (30) days any metal-containing parts of any used, traded-in, imperfect or condemned replacement battery or rebuilt battery for the purpose of repairing or rebuilding the same, or for any other purpose, but must dispose of such parts through customary disposal or scrap channels. The provisions of this paragraph shall not apply to distributors located in Alaska, Hawaii, Panama Canal Zone, Porto Rico or the Virgin Islands.

(j) Exceptions to applicability of this order. The limitations and prohibitions contained in this order shall not be applicable to the manufacture, sale or delivery of replacement batteries under contract or orders for delivery to or for the account of:

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

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

(3) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(k) Records. Every person to whom this order applies shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production and sales.

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

(m) Reports. On or before the 25th day of January, the 15th day of April, July and October 1944 and the 15th day of January 1945, each producer shall execute and file with the War Production Board Form WPB 2163 (PD 765) reporting for each of his plants, with the address of each, the shipments of automotive replacement storage batteries made during the preceding calendar quarter from each plant. These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(n) 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, materials under priority control and may be deprived of priorities assistance by the War Production Board.

(o) Appeals. An appeal from the provisions of this order shall be made by filing a letter in triplicate with the field office of the War Production Board near-

est the appellant's place of business, referring to the particular provisions appealed from and stating fully the grounds for appeal.

(p) *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, Automotive Division, Washington 25, D. C., Ref.: L-180.

(q) [Revoked January 5, 1943.]

Issued this 22d day of January 1944.

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

[F. R. Doc. 44-1178; Filed, January 22, 1944;  
11:08 a. m.]

#### PART 921—ALUMINUM AND MAGNESIUM<sup>1</sup>

[General Preference Order M-198 as Amended  
Jan. 24, 1944]

##### CRYOLITE

Section 921.21<sup>1</sup>. *General Preference Order M-198* is hereby amended, to read as follows:

§ 921.21 *General Preference Order M-198*—(a) *Definition.* For the purposes of this order "Cryolite" means the natural ore of sodium aluminum fluoride, any product refined from this ore, and also all forms of synthetic cryolite.

(b) *Limitation on delivery and use of cryolite.* Unless specifically authorized in writing by the War Production Board, no person shall deliver, and no person shall accept delivery of, cryolite unless it is to be used by the person accepting delivery as an insecticide or for the manufacture of insecticides.

(c) *Applications for authorization.*

(1) Any person who wishes to be authorized by the War Production Board to accept delivery of cryolite and to use it for any purposes other than as an insecticide or for the manufacture of insecticides, shall after January 23, 1944 submit his proposed purchase order to the Aluminum and Magnesium Division of the War Production Board, Washington 25, D. C., Reference M-198, and one copy hereof so that the War Production Board may retain it. The applicant shall state in this copy of the purchase order or in an accompanying letter, (i) the specific purpose or purposes for which the cryolite is to be used and (ii) that the amount ordered will, or will not, make his inventory of cryolite in excess of a 60-day supply at his average rate of consumption during the three calendar months preceding the mailing of the purchase order.

(2) If an application under paragraph (c) (1) is granted by the War Production Board, the original copy of the purchase order will be stamped to show that the application has been granted and will be forwarded to the supplier indicated on the purchase order. This authorization will permit the supplier to make delivery pursuant to the purchase order, and the applicant to accept delivery and to use

the material for the purpose or purposes indicated on the copy of the purchase order or accompanying letter. If the application is denied, the purchase order will be returned to the applicant.

(d) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Aluminum and Magnesium Division, Washington 25, D. C., Reference M-198.

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

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

NOTE: The application provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of January 1944.

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

[F. R. Doc. 44-1241; Filed, January 24, 1944;  
11:39 a. m.]

#### PART 933—COPPER

[Supplementary Order M-9-c-4 as Amended  
Jan. 24, 1944]

§ 933.15 *Supplementary Conservation Order M-9-c-4*—(a) *Definition.* For the purposes of this order:

(1) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(2) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy metal. It shall include alloy metal produced from scrap.

(3) "Copper or copper base alloy pipe or tubing" means any pipe, tube or tubing into which there has been incorporated any copper or copper base alloy (except as plating or where the item contains less than 25% of copper or copper base alloy by weight).

(4) "Copper or copper base alloy fittings" means any fittings for use in connection with any pipe, tube or tubing (other than valves, ferrules or solder nipples) into which there has been incorporated any copper or copper base alloy (except as plating or where the item contains less than 25% of copper or copper base alloy by weight).

(5) "Copper or copper base alloy plumbing fixture fittings and trim" means any of the following items,

whether fabricated or unfabricated, into which there has been incorporated any copper or copper base alloy (except as plating or where the item contains less than 25% of copper or copper base alloy by weight):

Bath supplies, less flanges, standard pipe sizes only.

Closest floor flanges.

Rigid traps (including bath traps)—but only of cast brass.

Shower arms, less flanges (except when this item has been placed, prior to June 24, 1943, in a package with other plumbing fixture fittings or trim to be sold or installed as a unit).

Shower curtain rods.

Shower curtain rod flanges—but only of cast brass.

Shower heads—but only if cast or forged (except when this item has been placed, prior to June 24, 1943, in a package with other plumbing fixture fittings or trim to be sold or installed as a unit).

Waste arms, continuous (except when this item has been placed, prior to June 24, 1943, in a package with other plumbing fixture fittings or trim to be sold or installed as a unit).

Waste tees, continuous (except when this item has been placed, prior to June 24, 1943, in a package with other plumbing fixture fittings or trim to be sold or installed as a unit.)

(6) "Copper or copper base alloy building material" means any of the following items, whether fabricated or unfabricated, into which there has been incorporated any copper or copper base alloy (except as plating or where the item contains less than 25% of copper or copper base alloy by weight):

Access panels.

Anchors and dowels.

Cornices.

Drip pans.

Fences and gates.

Flashing and flashing valley lining.

Gravel steps and snow guards.

Grilles, grids and gratings.

Gutters, leaders, downspouts, sheet metal expansion joints and accessories thereto.

Lightning rods, cables and accessories.

Louvers and marquees.

Mouldings and trim.

Ornamental metal work.

Partitions.

Railings.

Registers.

Radiators, shields and covers.

Roof, roofing and other roofing items.

Sheet, roll, strip and rod for building construction.

Stair treads, nosing and edgings.

Store fronts.

Strip for laying linoleum.

Terrazzo strip.

Termite shields.

Thresholds and saddles.

Tie rods.

Weatherstripping and insulation.

Window frames and sills.

Ventilators and flylights.

Vents.

NOTE: For copper and copper base alloy screening, see Conservation Order M-9-c (§ 933.4).

(b) *Restrictions on installations of certain copper products*—(1) *Restrictions.* Installation of certain copper and copper base alloy products is prohibited, notwithstanding any contract or agreement of any person to make the installa-

<sup>1</sup> Formerly Part 2021, § 2021.1.

tion, and notwithstanding any preference rating or CMP allotment, in the following instances:

(i) The installation in place of any copper or copper base alloy building material in any building or structure, or in any cooling tower or water tower.

(ii) The installation in place, for plumbing, heating or cooking purposes, of any copper or copper base alloy pipe, tubing, fittings, or plumbing fixture fittings and trim, in any building or structure.

(iii) The installation in place, whether inside or outside of a building, of any copper or copper base alloy pipe, tubing or fittings in any water supply or water distribution system, in any water sprinkling system, in any underground gas supply or gas distribution system, or in any cooling tower or water tower.

(2) *Exceptions.* Notwithstanding the prohibitions against installation of paragraph (b) (1):

(i) Copper or copper base alloy building material, pipe, tubing, or plumbing fixture fittings and trim, in the possession on June 23, 1943 of the person owning a building, structure or system, may be installed in place when necessary to replace in that building, structure or system like items of copper or copper base alloy, if the aggregate weight of the items installed to make a particular repair does not exceed 25 pounds.

(ii) Copper or copper base alloy fittings may be installed in place for purposes of repair and maintenance, if at least one end of the fitting is connected to copper or copper base alloy pipe or tubing installed prior to July 22, 1942; and copper or copper base alloy fittings may be connected to a water supply or water distribution system if the fittings are to be used both underground and outside of a building.

(iii) Copper or copper base alloy pipe, tubing or fittings in the inventory of a water or gas utility on January 1, 1944, may be connected to a water supply or water distribution system or any underground gas supply or gas distribution system, if the pipe, tubing or fittings are to be used both underground and outside of a building.

NOTE: Subparagraphs (iv), (v), (vi), formerly (iii), (iv), (v), redesignated Jan. 24, 1944.

(iv) Copper or copper base alloy tubing or fittings may be installed in place in a heat exchanger for a cooling tower.

(v) Copper or copper base alloy building material, pipe, tubing, fittings and plumbing fixture fittings and trim purchased by or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration may be installed in place: *Provided, however,* That nothing in this order shall supersede any applicable instructions to any officers of the foregoing, including without limitation the directive for War Time Construction dated May 20, 1942, issued by the Chairman of the War Production Board, the Secretary of War and the Secretary of the Navy or the

List of Prohibited Items for Construction Work dated April 1, 1942, issued by the Army and Navy Munitions Board, as amended from time to time.

(vi) Copper or copper base alloy building material, pipe, tubing, fittings and plumbing fixture fittings and trim may be installed in place, upon the written authorization given under this order of the War Production Board, authorizing the specific installation. Applications for such authorization may be made by letter setting forth the reasons why the person applying believes such material should be installed in or connected to a structure or system.

(c) *Restrictions on delivery.* Notwithstanding any contract or agreement to the contrary or the receipt of any CMP allotment or preference rating, no person shall deliver, sell or otherwise dispose of any copper or copper base alloy building material, pipe, tubing, fittings or plumbing fixture fittings and trim if it is to be used for a purpose prohibited by this order; and no person shall accept delivery or a transfer of, or purchase, such building material, pipe, tubing, fittings or plumbing fixture fittings and trim, unless the person making the delivery, sale or other disposition was permitted to do so. The foregoing shall not prevent:

(1) Delivery, sale or disposal to, or acceptance of delivery or transfer by or purchase by, a brass mill or a person regularly engaged in the business of selling copper or copper base alloy scrap.

(2) Delivery, sale or disposal to, or acceptance of delivery or transfer by or purchase by, Defense Supplies Corporation, Metals Reserve Company or any other corporation organized under section 5 (d) of the Reconstruction Finance Act as amended (except Defense Plant Corporation) or any person acting as agent for any such corporation (except Defense Plant Corporation).

(3) Delivery, sale or disposal to, or acceptance of delivery or transfer by or purchase by, any person upon the written authorization of the War Production Board given under this order authorizing the specific delivery, sale or disposal. Applications for authorization may be made by the person seeking to make delivery, sale or disposal, by letter setting forth the reasons why the person believes such material should be delivered, sold or otherwise disposed of.

(d) *Restrictions on sale and use of nails, screws, nuts, bolts, rivets, washers, and expansion shields.* (1) After October 18, 1943, no manufacturer, warehouse, store or outlet, other than a retail store or retail outlet, shall sell or deliver, without the specific authorization in writing of the War Production Board, any copper or copper base alloy nails, screws, nuts, bolts, rivets, washers or expansion shields except on a preference rating of AA-5 or higher.

(2) No retail store or retail outlet shall sell or deliver, without the specific authorization in writing of the War Production Board, any copper or copper base alloy nails, screws, nuts, bolts, rivets, washers or expansion shields except on a preference rating of AA-5 or

higher. However, the foregoing restrictions on sales and deliveries by retail stores and retail outlets shall not go into effect until January 1, 1944, and even after that date each store or outlet may sell such products to fill unrated orders or orders rated lower than AA-5 provided that the total sales of such products after December 31, 1943, to fill unrated orders or orders rated lower than AA-5, does not exceed \$25 in amount.

(3) After October 18, 1943, no person engaged in the business of building or repairing a building, structure, cooling tower or water tower, and no corporation or other organization, shall install in place, without the specific authorization in writing of the War Production Board, any copper or copper base alloy nails, screws, nuts, bolts, rivets, washers or expansion shields in a building, structure, cooling tower or water tower.

(4) The foregoing restrictions of this paragraph (d) are not applicable if the items have been placed in packages with builders' finished hardware items, such as locks and hinges, prior to June 24, 1943, for the purpose of attaching or installing the hardware, nor to iron or steel items which are plated or washed with copper.

(5) Application for specific authorization under this paragraph (d) shall be made by letter setting forth the reasons why the person applying believes the nails, screws, nuts, bolts, rivets, washers and expansion shields should be installed, or be sold or delivered to fill unrated orders or orders rated lower than AA-5.

(e) *Communications to the War Production Board.* All requests for authorizations and communications referring to this order, shall unless otherwise directed, be addressed to: War Production Board, Copper Division, Washington 25, D. C., Ref: M-9-c-4.

(f) *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 24th day of January 1944.

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

[F. R. Doc. 44-1242; Filed, January 24, 1944; 11:39 a. m.]

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

[Priorities Reg. 3, Interpretation 9]

CERTAIN MRO RATINGS ASSIGNED UNDER P-98-b ARE NOT BLANKET MRO RATINGS

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

Paragraph (e) (2) of Priorities Regulation 3 prohibits the use of a "blanket MRO rating" to get any item on List B. See that paragraph for a definition of a "blanket MRO rating". Some of the items which are on List B also appear on Schedule B of Preference Rating Order P-98-b. That schedule provides a way to get a rating for the items which appear on it so that such P-98-b ratings will not be "blanket MRO ratings". These ratings are assigned to specific purchase orders for a specific kind and quantity of the material desired.

Therefore, when a rating assigned pursuant to Schedule B of P-98-b (as evidenced by the symbol MRO-P-3) is applied to a purchase order for any item which is set out on Schedule B of that order that rating is valid, despite the fact the item is also on List B of Priorities Regulation 3.

The order does not require the purchaser to furnish a copy of his approved purchase order to the supplier, and the supplier should give effect to the rating and certification unless he knows or has reason to believe that the purchase order has not been rated as provided in Schedule B of Order P-98-b.

Issued this 24th day of January 1944.

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

[F. R. Doc. 44-1243; Filed, January 24, 1944;  
11:40 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-482]

MARTIN NILSON

Martin Nilson of Rocky Hill, Connecticut, is a general building contractor. In August, 1943, he began construction which consisted of moving a restaurant building onto new foundations and extending the building in Rocky Hill, Connecticut. The estimated cost of this construction was approximately \$6800, which exceeded the \$200. limit permitted under Conservation Order L-41. Martin Nilson had such information of Conservation Order L-41 that his beginning this construction was gross negligence and constituted a violation of the order.

This violation of Conservation Order L-41 has diverted scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.482 *Suspension Order No. S-482.* (a) Deliveries of material to Martin Nilson, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation or allotment shall be made to Martin Nilson, his successors or assigns, directly or indirectly, of any material or product the supply or distribution of which is governed by any order of the War Production Board, un-

less hereafter specifically authorized in writing by the War Production Board.

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

(d) This order shall take effect on January 22, 1944, and shall expire on April 22, 1944.

Issued this 15th day of January 1944.

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

[F. R. Doc. 44-1210; Filed, January 22, 1944;  
3:38 p. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-484]

ELIS G. DE LIA

On or about February 1, 1943, Mr. Ellis G. DeLia, a former housing contractor, of Paris Road, New Hartford, New York, began construction of a multiple residence located at 1416 Genesee Street, Utica, New York, for the purpose of remodeling a large dwelling into apartments. He obtained authorization to commence construction work of an estimated cost of \$10,000; the estimated cost of the work done amounted to approximately \$15,000. This constituted a violation of Conservation Order L-41. In (or prior to) August, 1943, the respondent installed copper building material in the form of flashings, flashing valley linings, gutters and roofing items on the building in violation of Supplementary Order M-9-c-4. Respondent also obtained approximately 32 radiators on or about March 20, 1943, by means of a material and willful misstatement that said delivery was covered by an A-10 rating under Preference Rating Order P-84. The respondent had knowledge of the orders involved, and the violations thereof must be deemed willful.

These violations have hampered and impeded the war effort of the United States and have diverted essential critical materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.484 *Suspension Order No. S-484.* (a) Neither Ellis G. DeLia, his successors or assigns, nor any other person shall order, purchase, accept delivery of, withdraw from inventory, or in any manner secure or use material or construction plant in order to continue or complete construction of the premises at 1416 Genesee Street, Utica, New York, unless hereafter specifically authorized in writing by the War Production Board.

(b) For four months from the effective date of this order, deliveries of material to Ellis G. DeLia, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall

be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

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

(d) This order shall take effect on January 22, 1944.

Issued this 15th day of January 1944.

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

[F. R. Doc. 44-1211; Filed, January 22, 1944;  
3:38 p. m.]

#### PART 1044—CADMIUM

[General Preference Order M-65, as  
Amended Jan. 22, 1944]

Section 1044.1 *General Preference Order M-65* is hereby amended to read as follows:

§ 1044.1 *General Preference Order M-65—(a) Scope of this order.* This order controls deliveries of cadmium from a producer or distributor. No producer or distributor shall deliver cadmium to any person, and no person shall accept delivery of cadmium from any producer or distributor, except as provided in this order. The order also restricts the use which may be made of cadmium or cadmium products. The permitted uses will be found listed below in paragraphs (d) and (e).

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

(1) "Cadmium" means all grades of metallic cadmium, oxide, or plating salts produced directly from ores, concentrates or other primary materials, or redistilled or remelted from cadmium scrap or any secondary cadmium-bearing material; or cadmium-bearing materials suitable for the manufacture of pigments.

(2) "Cadmium product" means an electroplated coating of cadmium.

(3) "Distributor" means any person regularly engaged in the business of buying cadmium and selling the same in forms suitable for general fabrication or electroplating.

(c) *Deliveries of cadmium.* Producers and distributors may deliver cadmium, and persons may accept delivery of cadmium from a producer or distributor in the following cases only:

(1) *Small order delivery.* Deliveries of cadmium from a producer or distributor may be made and accepted without the necessity of obtaining any specific authorization from the War Production Board if (i) The delivery in question, combined with all other deliveries of cadmium to the purchaser during that calendar month, from whatever source, will

not aggregate more than 100 pounds of contained cadmium; (ii) The purchaser has not requested from the War Production Board authorization for that particular month to accept delivery of cadmium in any quantity—see paragraph (c) (4) below (a request to the War Production Board shall be deemed a request within the meaning of this paragraph, regardless of whether it has been granted or denied); (iii) The cadmium purchased will be used only as permitted in paragraphs (d) and (e) of this order and not for resale; (iv) The inventory of the purchaser is not, and will not upon acceptance of the delivery become, in excess of a 30-day supply on the basis of his current method and rate of operation; and (v) The producer or distributor may make deliveries without any specific authorization from the War Production Board unless he knows or has reason to believe, that the delivery will be in violation of this paragraph (c) (1) or that the cadmium delivered is to be used in violation of the restrictions of this or other applicable orders of the War Production Board.

(2) *Deliveries to distributors.* Deliveries of cadmium may be made to and accepted by distributors.

(3) *Deliveries to Metals Reserve Company.* Deliveries of cadmium may be made to and accepted by Metals Reserve Company for the sole purpose of stockpiling or redistribution.

(4) *WPB authorization.* Other deliveries of cadmium may be made only on specific authorization of the War Production Board and in accordance with an authorization certificate issued by the War Production Board on Form WPB-945. Deliveries so specifically authorized shall take precedence over any preference rating which may be assigned to deliveries on other contract or orders. Authorization certificates will be issued on or about the first of each month for this purpose. An authorization certificate will authorize the holder to accept from a producer or distributor deliveries of specified amounts of cadmium shipped during the month for which the certificate is issued. The producer or distributor may ship on notification from the purchaser of the date and serial number of the authorization certificate. Any person wishing to apply for an authorization certificate should file an application on Form WPB-945 not later than the fifteenth day of the month preceding the month in which the authorization to purchase is desired.

(d) *Restrictions on the use of cadmium.* No person may use in any fashion any cadmium after January 22, 1944, except upon receipt by him of a certificate in substantially the form prescribed by Priorities Regulation No. 7 that the cadmium containing item to be produced will be used for one or more of the following purposes, and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product:

(1) For the manufacture of pigments for the following:

- Luminescent paint for military uses
- Luminescent printing ink for military uses

Luminescent paper for military uses  
Luminescent plastic for military uses  
Signal and illuminating glass ware for safety, religious, military and industrial uses only

- Thermometer tubing
- Rubber sea buoys
- Dental rubber
- Artist's colors

(2) For the manufacturer of silver brazing alloys containing no more than 11% by weight of cadmium to be used for military and industrial purposes to the extent that the use of a less critical material is impracticable except that silver brazing alloys containing up to 19% may be manufactured for applications specifically required by the Armed Services.

(3) For the manufacture of copper base alloys containing no more than 1¼% by weight of cadmium for the following:

(i) Current carrying parts of electrical current interruption devices to the extent that sufficient contact pressure cannot be maintained in service with other less critical materials.

(ii) Parts inside electronic tubes.

(iii) Resistance welding electrodes.

(4) For the manufacture of bearings for the following:

(i) Internal combustion engines for the propulsion of naval vessels when specifically required by the U. S. Navy.

(ii) In radio and radar equipment.

(5) For the manufacture of low melting point alloys for the following:

(i) On dry type rectifier elements.

(ii) In fire protective systems and electrical fuses.

(iii) In plastic fire control instruments for the mounting of optics.

(6) For the manufacture of a lead base alloy containing more than 3% by weight of cadmium for the coating of copper wire;

(7) For the manufacture of any cadmium product permitted by paragraph (e).

(e) *Restrictions on the use of cadmium products.* No person may use in any fashion any cadmium product made after January 22, 1944 except as permitted in subparagraphs (1) to (12), and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product.

(1) On functional parts which in service are subjected to frequent and extended periods of alternate immersion in sea water or wet spray of sea water to the extent that other finishes cannot be used for reasons of close tolerance or performance;

(2) On heddles and pin boards used in textile plants to the extent that corrosive action makes the use of other materials impracticable;

(3) On ferrous hardware parts in direct contact with fabric or leather when used on the following:

- Aircraft parachutes.
- Aircraft safety belts.
- Aircraft shoulder harnesses.
- Aircraft bomb slings.

(4) On moving parts which require close tolerances for proper functioning and on adjacent parts to the extent that

the tolerances cannot be maintained in service with other finishes because of inadequate hardness or mechanical or electrical interference by corrosion products;

(5) On electric controllers and switches incorporated into underground mining machinery as required by the safety regulations of the Bureau of Mines;

(6) On functional ferrous parts subjected to the combined effects of corrosion, stress and temperatures exceeding 500° F. and on parts in direct contact therewith;

(7) On parts which serve to maintain an electrical contact for the suppression of radio interference to the extent that one of the contacted surfaces is aluminum, magnesium or their alloys;

(8) On electrical contact parts of aircraft ignition harnesses and propeller hubs;

(9) On parts in electronic equipment which for performance reasons must be soldered with the use of non-corrosive fluxes without affecting nearby parts of organic materials to the extent that other finishes do not provide required corrosion protection;

(10) On the following parts of electronic equipment when required by the Armed Services, the Maritime Commission and War Shipping Administration:

(i) Surfaces involved in unsoldered butt joints which must remain constant in electrical and radio frequency resistance or both.

(ii) Surfaces which require good conductivity for radio frequency current.

(iii) Non-ferrous parts in contact with aluminum parts for prevention of electrolytic corrosion.

(11) On ferrous nuts, bolts, machine screws and washers for use in aircraft except for self-locking nuts designed for application below 250° F;

(12) On nuts, bolts, machine screws and studs having threads ¾ inch diameter and smaller and/or having sixteen or more threads per inch for use by the United States Navy, Maritime Commission or War Shipping Administration and for use by the United States Army in ship construction.

(f) *Certification on purchase orders.* No person shall place an order for, deliver or accept delivery of any cadmium or cadmium product, unless the purchaser shall have certified in substantially the form set forth in Priorities Regulation No. 7 that the cadmium products to be delivered will be used for a purpose permitted by this order.

(g) *Appeals.* Any person may appeal from the provisions of paragraphs (d) or (e) of this order in letter form, in triplicate, and filed with the Field Office of the War Production Board for the district in which is located the plant to which the appeal relates, setting forth essentially the following information where applicable. The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(1) Name and address of plating firms or other persons who actually process the cadmium and the quantity of cadmium required by each processor;

(2) The quantity of cadmium required for each part or group of parts fulfilling related functions;

(3) Period of time for which relief is requested;

(4) Description and function of each part or group of parts;

(5) Prime contract number, including symbol, if the item on appeal is covered by an Army, Navy, Maritime Commission or War Shipping Administration contract;

(6) Justification, including the reasons why substitutes are unsatisfactory because of performance, lack of facilities or manpower.

(h) *Special directions.* The War Production Board may, from time to time, issue special directions to any person as to the sources, destination, or amounts of cadmium or cadmium products to be shipped and delivered by any producer or distributor or received by any person, and the War Production Board may also specifically direct the manner and quantities in which such cadmium or cadmium product may be processed.

(i) *Reports.* All producers, distributors and consumers of cadmium shall file reports with the War Production Board, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, at such time and in such manner and form as it may prescribe, showing inventory, production, purchases, sales and consumption and such other information that the War Production Board may require.

(j) *Communications.* All applications, statements or other communications filed pursuant to this order or concerning the subject matter hereof, other than appeals from the provisions of paragraphs (d) and (e), shall be addressed to: War Production Board, Zinc Division, WPB Dept. 7515, Washington 25, D. C.; Ref.: M-65.

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

Issued this 22d day of January 1944.

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

[F. R. Doc. 44-1212; Filed, January 22, 1944;  
3:38 p. m.]

#### PART 1044—CADMIUM

[Conservation Order M-65-a, Revocation]

Section 1044.2 *Conservation Order M-65-a* is revoked. This revocation does not affect any liabilities incurred under the order. The order is superseded by M-65 as amended simultaneously with this revocation.

Issued this 22d day of January 1944.

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

[F. R. Doc. 44-1213; Filed, January 22, 1944;  
3:38 p. m.]

#### PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 45]

##### SCHEDULING PROVISIONS APPLICABLE TO M-293 PRODUCTS

The following direction is issued pursuant to CMP Regulation 1:

In case of any conflict between the scheduling of production and delivery of products required by paragraphs (o), (p), or (q) of CMP Regulation No. 1 and scheduling required by Order M-293, Order M-293 controls.

Issued this 24th day of January 1944.

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

[F. R. Doc. 44-1244; Filed, January 23, 1944;  
11:39 a. m.]

#### PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 46]

##### CHANGE IN PROGRAM NUMBERS OF THE MARITIME COMMISSION

The following direction is issued pursuant to CMP Regulation 1:

(a) The Maritime Commission will use a single allotment number M-1 for all ship construction programs. It will, therefore, discontinue using major program numbers M-2, M-3, M-4, M-5, M-6 and M-7. This direction does not affect the use of major program numbers M-8, M-9 and M-0.

(b) After this, manufacturers who have received allotments for programs identified by allotment numbers starting with the major program numbers M-2 through M-7 may, but need not, use the allotment number M-1 in placing orders for production materials or making allotments for these programs. If they prefer, they may continue to use the old numbers. Also, they may, but need not, consolidate all allotment accounts for programs identified by the major program numbers M-1 through M-7 in a single allotment account under the symbol M-1.

Issued this 24th day of January 1944.

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

[F. R. Doc. 44-1245 Filed, January 24, 1944;  
11:39 a. m.]

#### PART 3270—CONTAINERS

[Conservation Order M-81 as Amended Jan. 3, 1944, Interpretation 1]

##### CANS

The following official interpretation is hereby issued with respect to Conservation Order M-81 (§ 3270.31):

(a) Several items in the schedules of this order require that the quantity of product packed in glass containers during 1944 must be deducted from the quantity of the product permitted to be packed in cans. To compute the quantity of product permitted to be packed in cans, the following method shall be used:

(1) Determine the area of plate (base boxes) in packing quota.

(2) Using largest listed size allowed for the product as a basis, convert to quantity (gallonage or pounds) of product which may be packed.

(3) Deduct quantity (gallonage or pounds) of product packed in glass containers.

(4) Convert remainder (gallonage or pounds) of product to area of plate (base boxes) based on largest listed size used in step (2).

The remaining area of plate (base boxes) resulting from step (4) represents the balance of metal quota which may be used for packing the product in cans of sizes permitted for that product.

*Example.* Supposing a person packing paint products as permitted under Item 43 of Schedule III determined that 75 percent of the area of plate used by him in 1940 for these products was 1,200 base boxes. The largest listed size for products in Item 43 is 1-gallon which requires 10 base boxes per thousand cans. Therefore, using the largest listed size (1-gal.) as a basis, this person could pack 120,000 gallons of paint products. Assume that this person packs in glass containers during 1944 a total in terms of gallonage of 15,000 gallons of paint products. Deducting 15,000 from 120,000 will leave 105,000 gallons, which if converted to base boxes (again using 10 base boxes per thousand as a conversion factor) will result in 1,050 base boxes. These 1,050 base boxes represent the area of plate which may be used for packing paint products as listed in Item 43 in any of the sizes permitted for these products.

(b) Under Item 55 of Schedule III, since and leather polishes, waxes, dyes, dressings, stains and saddle soap, the quantity packed in 1944 in glass containers to be deducted from the quantity permitted to be packed in cans refers only to the quantity of paste products packed in glass containers in 1944.

Issued this 24th day of January 1944.

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

[F. R. Doc. 44-1246; Filed, January 24, 1944;  
11:39 a. m.]

#### PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L-251, Schedule I as Amended Jan. 24, 1944]

##### PAINTERS', DECORATORS' AND CERTAIN INDUSTRIAL BRUSHES

§ 3290.156 *Schedule 1 to Limitation Order L-251—(a) Definitions.* For the purposes of this schedule:

(1) "Paint brush" means any brush having a ferrule and used in the painting, varnishing or decorating trade, including all types of brushes specified in the Ferrule List and all brushes of similar construction or use.

(2) "Ferrule" means the metal band by which the bristles of a paint brush are attached to the handle.

(b) *Limitations.* (1) No person shall commence the manufacture of any ferrule:

(i) Of a size other than that specified in the Ferrule List with respect to each paint brush, except that where the manufacture of brush handles requiring ferrules of other sizes was commenced before December 9, 1943, ferrules of other sizes may be made on specific orders from brush manufacturers to the extent necessary to supply them with those ferrules in order that the manufacture of brushes with those handles may be completed.

(ii) With an assembly containing an inner band, a bridge or a spout;

(iii) Which is seamless, except for a shipbottom, stencil, oval varnish or oval sashtool brush;

(iv) Which is embossed or stamped, except that the size of the brush and other markings may be applied if to do so will not require any special or additional operation for that purpose during the process of manufacturing the ferrule.

(2) No person shall commence the manufacture of any paint brush:

(i) Of a type other than that specified in the Ferrule List;

(ii) With a ferrule not conforming to the limitations provided in paragraph (b) (1);

(iii) With a handle finished in more than one color.

(c) [Deleted Dec. 8, 1943.]

(d) [Deleted Jan. 24, 1944]

Issued this 24th day of January 1944.

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

FERRULE LIST

NOTE: Ferrule List amended Jan. 24, 1944.

[All dimensions are in inches. A maximum variation of 1/32 of an inch is allowed in width and thickness, both of which are referred to by inside dimensions. The Federal Specification numbers are to be used only as a means of identifying the type of brush. In case of any inconsistency, the dimensions in Columns 4, 5 and 6 shall prevail over those in the Federal Specification.]

1	2	3	4	5	6
Type of brush	Identification No. for ready reference	Federal Specification No.	Width of ferrule	Thickness of ferrule	Maximum depth of ferrule
Color-single thickness	#1		1/2	1/4 5/16 3/8	1 1 1/4 1 1/2
Fitch	#2	HB-241	3/8 7/16 1/2	1/4 3/8 1/2	1 1 1/4 1 1/2
Flattening-wall master	#3		1/2	1/4 3/8 1/2	1 1 1/4 1 1/2
Flattening-wall utility	#4		5/8	1/4 3/8 1/2	1 1 1/4 1 1/2
Flowing fitch-single thickness	#5	HB-256	1 1 1/2 2 3 4	1/4 3/8 1/2 3/4 1	1 1 1/4 1 1/2 1 3/4 2
Ox hair and civet hair-flowing	#6		1 1 1/2 2 3 4	1/4 3/8 1/2 3/4 1	1 1 1/4 1 1/2 1 3/4 2
Glue-flat	#7	HB-291	1 2 3	1/4 3/8 1/2	1 1 1/4 1 1/2
Glue-round	#8	HB-301	1 1/2 1 1 1/2 2 3	1/4 3/8 1/2 3/4 1	1 1 1/4 1 1/2 1 3/4 2
Kalsomine-Dutch	#9		7/8	1/4	1
Kalsomine-flat	#10	HB-141	7 8	3/8 7/8	1 1/4 1 1/2
Motting	#11	HB-391	7/8 1 1/2 2 1/4	3/8 1/2 3/4	1 1/4 1 1/2 1 3/4
Mucilage and paste	#12	HB-401 Type 2	1 2 3 4	1/4 3/8 1/2 3/4	1 1 1/4 1 1/2 1 3/4
Painters' duster flat	#13		4	1/4	1
Painters' duster round	#14		2 1/2	2 1/2	1
Plasterers'	#15		7 1/2	1 1/2	3 1/2

FERRULE LIST—Continued

1	2	3	4	5	6
Type of brush	Identification No. for ready reference	Federal Specification No.	Width of ferrule	Thickness of ferrule	Maximum depth of ferrule
Radiator	#16	HB-451	1 1 1/2 2	1/4 3/8 1/2	1 1 1/4 1 1/2
Sashtool—flat	#17		1 1/2 2 2 1/2	1/4 3/8 1/2	1 1 1/4 1 1/2
Sashtool-oval (seamless)	#18	HB-491	1 1/2 1 3/4 1 1/2 1 1/4 1 1/2 1 1/4	1/4 3/8 1/2 3/4 1/2 3/8	1 1 1/4 1 1/2 1 3/4 1 1/2 1 3/4
Sashtool-oval (locked seam)	#19		1 1/2 1 3/4 1 1/2 1 1/4 1 1/2 1 1/4	1/4 3/8 1/2 3/4 1/2 3/8	1 1 1/4 1 1/2 1 3/4 1 1/2 1 3/4
Shipbottom, (seamless or soldered wire ferrule)	#20		2 1/2 2 3/4	2 1/2 2 3/4	1 1
Signwriters'	#21		1 1/2 1 3/4 1 1 1/2	5/8 3/4 3/4 3/4	1 1 1/4 1 1/4 1 1/4
Smoothing paper hanger (2 rows)	#22		12	1/2	1
Smoothing paper hanger (3 rows)	#23		12	5/8	1
Stencil (seamless ferrule)	#24	HB-621	1 1/2 1 1/4 1 1/2 1 1/4 1 1/2 1 1/4	1 1/2 1 1/4 1 1/2 1 1/4 1 1/2 1 1/4	1 1 1 1 1 1
Stucco—open center	#25		3 3 1/2 4 4 1/2 5	1/4 1/4 1/4 1/4 1/4	3/4 3/4 3/4 3/4 3/4
Stucco—solid center	#26		3 1/2 4 4 1/2 5	1/4 1/4 1/4 1/4	3/4 3/4 3/4 3/4
Varnish—flat—double	#27	HB-701	1 1/2 2 2 1/2 3 4	1/2 1/2 1/2 1/2 1/2	1 1/4 1 1/2 1 3/4 1 3/4 1 3/4
Varnish-oval (seamless ferrule)	#28	HB-711	1 1/2 1 3/4 2 2 1/2 3 4	1 1/2 1 1/2 1 1/2 1 1/2 1 1/2 1 1/2	1 1 1 1 1 1
Varnish-flat single	#29	HB-696	1 1/2 2 2 1/2 3 4	1/2 1/2 1/2 1/2 1/2	1 1/4 1 1/2 1 3/4 1 3/4 1 3/4
Varnish-flat single X	#30		1 1 1/2 2 3 4	1/2 1/2 1/2 1/2 1/2	1 1/4 1 1/2 1 3/4 1 3/4 1 3/4
Varnish-flat triple	#31	HB-706	1 1/2 2 2 1/2 3 4	1 1/2 1 1/2 1 1/2 1 1/2 1 1/2	1 1 1 1 1
Wall-master A	#32	HB-421	3 3 1/2 4 4 1/2 5	1 1 1 1 1	1 1/4 1 1/4 1 1/4 1 1/4 1 1/4
Wall-master B	#33	HB-421	3 3 1/2 4 4 1/2 5	1 1 1 1 1	1 1/4 1 1/4 1 1/4 1 1/4 1 1/4
Wall-medium	#34	HB-431	3 4 5	3/8 3/8 3/8	1 1/4 1 1/4 1 1/4
Wall-syndicate	#35		3 4 5	3/8 3/8 3/8	1 1/4 1 1/4 1 1/4
Wall-utility	#36	HB-436	3 4 5	3/8 3/8 3/8	1 1/4 1 1/4 1 1/4
Whitewash	#37	HB-731	7 8 9	1 1/2 1 1/2 1 1/2	1 1 1

[F. R. Doc. 44-1247; Filed, January 24, 1944; 11:40 a. m.]

PART 3301—CORK, ASBESTOS AND FIBROUS GLASS<sup>1</sup>

[Conservation Order M-282, As Amended Jan. 24, 1944]

FIBROUS GLASS TEXTILES

Section 3301.21<sup>1</sup> Conservation Order M-282 is hereby amended to read:

§ 3301.21 Conservation Order M-282—(a) Definitions. For the purpose of this order:

(1) "Fibrous glass textile" means any cloth, tape, cord, sleeving, thread or yarn fabricated from fibrous glass textile type fibers.

(2) "Producer" means any person who both forms fibrous glass textile type fibers and fabricates them or causes them to be fabricated into fibrous glass textiles.

(3) "User" means any person who accepts delivery of fibrous glass textiles from a producer, whether for use, processing or resale, and includes a producer who uses or processes any part of his own production.

(b) Fabrication of fibrous glass textiles by producers. (1) No producer shall fabricate, or cause to be fabricated, fibrous glass textiles, in forms, at times or in quantities different from those reported on Form WPB 2272 (formerly PD-789), as originally submitted or later amended, unless otherwise specifically directed in writing by the War Production Board.

(2) Each producer shall file a monthly report on Form WPB 2272 (formerly PD-789) in time to ensure that copies will have reached the War Production Board in Washington, D. C., on or before the 10th day of each month, showing, among other things, proposed production, product availability, inventories and past shipments. However, amended reports may be filed at any time.

(c) Delivery of fibrous glass textiles by producers (1) No producer shall deliver fibrous glass textiles to any user, except as specifically authorized in writing by the War Production Board.

(2) Authorization to deliver will be issued to the producer on a copy of the user's application on Form WPB 2273 (formerly PD-790), filed in accordance with paragraph (d) (2) below.

(d) Acceptance of delivery and use. (1) No user shall accept delivery of fibrous glass textiles from a producer, and no producer shall use any part of his own production of fibrous glass textiles, except as specifically authorized in writing by the War Production Board.

(2) Application for authority to accept delivery or use shall be made on Form WPB 2273 (formerly PD-790), in time for copies to reach the War Production Board in Washington, D. C., on or before the 10th day of the month preceding the month for which allocation is requested. However, supplemental or interim applications may be filed at any time.

(3) Each user authorized to accept delivery of fibrous glass textiles, and each producer authorized to use fibrous glass textiles, shall use them only for the purposes authorized, unless otherwise specifically directed by the War Production Board.

<sup>1</sup> Formerly Part 3179, § 3179.1.

(e) *Procedure for allocation of fibrous glass textiles.* (1) On the 10th day of each month the War Production Board will close its allocation registers and thereafter will allocate fibrous glass textiles for shipment in the next succeeding month. Any quantities remaining after the allocation, will be available for distribution to applicants who submit supplemental or interim requests on Form WPB 2273 (formerly PD-790) after the registers have been closed.

(2) Advance and reliable statements of requirements by users in the form of purchase contracts specifying future delivery are of value in planning a balanced manufacture of fibrous glass textiles sufficient for war purposes. The War Production Board, in making allocations of fibrous glass textiles for delivery in any month, will give special consideration to users who have made purchase contracts with the producer during the third preceding month, or earlier months, for the delivery of specified quantities of specific forms in the applicable month, and may allocate the quantities so contracted for (or a proportionate part if the total production is insufficient) to the persons so contracting, before allocating any quantities to other persons.

(f) *Exemption for free sample deliveries.* Free sample deliveries of fibrous glass textiles may be made by a producer and accepted by users without application or specific authorization, provided that the total amount delivered during any calendar month does not exceed 1/2 of 1 per cent of the producer's total production during that month.

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

(1) Production or fabrication of fibrous glass textiles by a producer; or

(2) Delivery of fibrous glass textiles by a producer; or

(3) Acceptance of delivery and use of fibrous glass textiles by a user; or

(4) Preparation and filing of Forms WPB 2272 and WPB 2273 (formerly PD-789 and PD-790), subject to approval of the Bureau of the Budget when required by the Federal Reports Act of 1942.

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

(2) *Forms.* Forms WPB 2272 and WPB 2273 (formerly PD-789 and PD-790) have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(3) *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 Government is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications 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, Cork, Asbestos & Fibrous Glass Division, Washington 25, D. C., Ref: M-282.

Issued this 24th day of January 1944.

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

[F. R. Doc. 44-1249; Filed, January 24, 1944;  
11:39 a. m.]

#### Subchapter C—Office, Director of War Utilities

**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. 2713; 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 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Utilities Order U-1 as Amended Jan. 23, 1944]

##### UTILITIES

Section 4500.1 *Utilities Order U-1* as heretofore amended is hereby amended to read as follows:

##### Definitions

§ 4500.1 *Utilities Order U-1*—(a) *Definitions.* (1) "Producer" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories, or possessions, supplying, or having facilities built for supplying, directly or indirectly for general use by the public, one or more of the following services:

(i) Electric power,

(ii) Gas, natural or manufactured, exclusive of the production and transmission of natural gas up to the point of its entry into gas transmission lines from field gathering lines,

(iii) Water, other than exclusively for irrigation purposes,

(iv) Central steam heating, or.

(v) Any of the foregoing services but not for general use by the public, if a specific direction from the War Production Board entitles such person or agency to apply the ratings herein assigned. Application for such a specific direction should be made by letter to the War Production Board, Washington 25, D. C., Ref.: U-1.

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

(3) "Controlled materials" means controlled materials as defined in Schedule I of CMP Regulation 1.

(4) "Maintenance" means the upkeep of a producer's property and equipment in sound working condition. It does not include any plant addition.

(5) "Repair" means the restoration of a producer's property and equipment to sound working condition after wear and tear, damage, destruction of parts, or the

like have made such property or equipment unfit or unsafe for service. It does not include any plant addition.

(6) "Plant addition" means the construction or installation of new facilities or the replacement of existing facilities with facilities of greater capacity.

(7) "Minor plant addition" means a plant addition having a net material cost of not more than \$1,500. No job or project may be subdivided to come within this limit.

(8) "Major plant addition" means a plant addition having a net material cost of more than \$1,500.

(9) "Net material cost" means the cost of material incorporated in plant less the cost of material removed from plant, priced in accordance with the producer's regular accounting practice.

(10) "Operating supplies" means material, other than fuel, which is used or consumed in the course of a producer's operations, except in maintenance, repair, and plant additions.

(11) "Inventory" means all material in the producer's possession, without regard to its accounting classification, excluding, however, (i) material incorporated in plant, (ii) appliances and merchandising supplies, (iii) fuel, (iv) water purification and treatment material except equipment, (v) gas chemical material, (vi) material segregated for use in approved major plant additions, and (vii) scrap.

(12) "Class" means any one of those categories of material established as a basis for classification of inventory in Schedule A of this order.

##### How To Obtain Material

(b) *Preference ratings.* (1) A preference rating of AA-1 is hereby assigned to orders to be placed by a producer for material (other than controlled materials) in every class except the transmission and distribution class, for use in maintenance and repair, as operating supplies, and for minor plant additions.

(2) A preference rating of AA-1 is hereby assigned to orders to be placed by a producer for material (other than controlled materials) in the transmission and distribution class, for use in the repair of an actual or imminent breakdown.

(3) A preference rating of AA-3 is hereby assigned to orders to be placed by a producer for material (other than controlled materials) in the transmission and distribution class, for use in maintenance and repair, as operating supplies, and for minor plant additions, except where an AA-1 rating is assigned in paragraph (b) (2) above.

(4) Material obtained with the AA-1 rating may be used for purposes which are assigned lower ratings, but it may be replaced in inventory only by applying the lower rating to an equivalent dollar value of material in the same class. Material obtained with the AA-3 rating may be used for purposes which are assigned the AA-1 rating and may be replaced in inventory with either the AA-1 rating or an authorized AA-3 rating. The provisions of this paragraph (b) (4) supersede those of § 944.11, paragraph (a), of Priorities Regulation 1.

(5) Preference ratings for major plant additions may be obtained by filing an application on Form WPB-2774, unless ratings are assigned by a Supplementary U-1 Order such as U-1-h.

(c) *CMP allotment number.* (1) The abbreviated CMP allotment number U-9 is hereby assigned to orders to be placed by a producer for controlled materials for use in maintenance and repair, as operating supplies and for minor plant additions. Allotments of material for major plant additions may be obtained by filing an application on Form WPB-2774 unless an allotment number is assigned by a supplementary U-1 order such as U-1-h.

(2) An order for controlled materials for use in maintenance and repair, as operating supplies, and for minor plant additions bearing the abbreviated CMP allotment number U-9 and the certification required by paragraph (d) of this order shall be deemed an authorized controlled materials order. This abbreviated CMP allotment number shall constitute an "allotment number or symbol" for the purpose of CMP Regulation 3.

(d) *Certification.* The ratings assigned by subparagraphs (b) (1), (2) and (3) of this order and the abbreviated CMP allotment number U-9 may be applied by a producer only by the use of a certification in substantially the following form unless an order of the War Production Board affecting a particular item of material requires some other form of certification:

Preference Rating -----, Abbreviated CMP Allotment Number U-9. The undersigned producer certifies, subject to the penalties of Section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive, for utility uses under Utilities Order U-1, the material ordered, and to use the preference ratings or allotment numbers which the undersigned has placed on this order.

The certifications set forth in Priorities Regulation 3 and CMP Regulations 1 and 5 may not be used but the standard form of certification provided in Priorities Regulation 7 is permissible if the producer adds a statement saying that material ordered is for utility uses under Utilities Order U-1.

#### *Restrictions on Ordering Material*

(e) *Scheduling deliveries.* Except as permitted by paragraphs (f) and (g) below, no producer shall schedule for delivery to it in any calendar quarter any material to be used for maintenance and repair, as operating supplies, or for minor plant additions, unless both of the following conditions are satisfied:

(1) The dollar value of material to be scheduled for delivery together with the dollar value of all material in the same class which has been scheduled for delivery for these uses in the same calendar quarter, does not exceed the quota established in Schedule B, and

(2) The producer does not have reason to believe that its inventory of material in the same class is or will, by virtue of its acceptance of the delivery

when made, become in excess of a practical working minimum. A practical working minimum inventory is that amount of material which a producer, exercising prudent operating judgment, considers the smallest quantity of material it can hold and render war-time service at minimum standards. It may be less than the values established in Schedule C, but it shall in no case exceed them.

(f) *Exceptions to paragraph (e).* (1) The restrictions of paragraph (e) do not apply to a producer so long as its inventory does not exceed \$10,000 in value, except that such a producer must restrict its inventory to that amount of material which, in the exercise of prudent operating judgment, it considers the smallest quantity it can hold and render war-time service at minimum standards. A producer engaged in furnishing more than one of the services named in paragraph (a) (1) may consider its inventory for each service separately for the purposes of this paragraph.

(2) The restrictions of paragraph (e) do not apply to material excepted from inventory by the definition in paragraph (a) (11).

(3) If a producer sells material to another producer from its practical working minimum inventory for the repair of an actual breakdown of facilities or equipment it may schedule additional deliveries in the affected classes to the extent necessary to replace the material sold.

(4) If a producer's property has been damaged by acts of the public enemy, sabotage, explosion, fire, flood, storm, or similar contingencies, it may schedule deliveries to the extent necessary to repair the damage. Deliveries scheduled under this exception which are in excess of the producer's quota must be reported immediately to the War Production Board by letter, with a statement of the reasons why the excess deliveries were necessary.

(5) The War Production Board may from time to time establish specific delivery quotas and limits for permissible inventory for individual producers, modifying the provisions of Schedules B and C.

(6) The restrictions of paragraph (e) (1) on the dollar value of materials which a producer may schedule for delivery do not apply to material scheduled for delivery from the producer's own excess inventory, or from the excess inventory of another producer.

(g) *Short item deliveries.* Even though it cannot schedule deliveries without exceeding the limits of paragraph (e) (2), a producer may schedule for delivery material which it will require for use in maintenance and repair, as operating supplies, and for minor plant additions during the ninety-day period following the date it expects to receive such material, so long as all of the following conditions are satisfied:

(1) The producer's inventory of the required material, together with material already scheduled for delivery, will be insufficient to meet requirements during such ninety-day period.

(2) All material in all classes of inventory in excess of a practical working minimum is (i) continuously recorded as excess on records kept by the producer for that purpose, (ii) continuously held for sale to financially responsible persons and agencies authorized (under applicable regulations issued by the War Production Board) to accept delivery thereof; and (iii) reported to the War Production Board, when requested by the War Production Board, on Form WPB-2641, to the extent required by such form, or in such other manner as the War Production Board may prescribe, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

#### *Restrictions on Use of Material*

(h) *Restrictions on use of material for maintenance and repair.* A job which can be classed as maintenance or repair, as those terms are defined in paragraphs (a) (4) and (5), may be done without regard to the dollar value of the material required when the following standards are met:

(1) The job must be necessary to maintain or restore service at minimum service standards or to prevent damage to facilities from serious overload, deterioration, storm, flood, climate, soil conditions, or similar contingencies.

(2) Design must emphasize economy of manpower and material as well as the substitution of the more plentiful for scarce material.

(3) No facility or part which is serviceable in its existing installation may be replaced except to avoid an imminent breakdown.

(i) *Restrictions on use of material for minor plant additions.* A job which is a plant addition, as defined in paragraph (a) (6), rather than maintenance and repair, may be done without special permission from the War Production Board, if it is a "minor plant addition"; that is, if its net material cost does not exceed \$1,500. Paragraph (a) (9) explains what is meant by net material cost. However, all minor plant additions are subject to the following restrictions:

(1) No facility or part which is serviceable in its existing installation may be replaced except to avoid an imminent breakdown.

(2) Design must emphasize economy of manpower and material as well as the substitution of the more plentiful for scarce material.

(3) New facilities must be necessary for rendering service at minimum standards.

(4) No extension of a line to consumer premises may be made or connected by a producer unless it is authorized by a Supplementary U-1 order or by the approval of an application filed on Form WPB-2774. In an emergency approval may be obtained by telephone or telegraph. Confirmation must be obtained, however, by the submission of an application on Form WPB-2774.

(j) *Restrictions on use of material for major plant additions.* No material may be used for a major plant addition unless the job has been authorized by a Supplementary U-1 Order, such as U-1-

h, or by the approval of an application filed on Form WPB-2774. In an emergency approval may be obtained by telephone or telegraph. Confirmation must be obtained, however, by the submission of an application on Form WPB-2774.

#### Selling Material

(k) *Sales of material.* A producer may sell material which is in its practical working minimum or excess inventory or which it acquired for major plant additions only in accordance with the following rules:

(1) It may be sold to any person to fill an order rated AA-5 or higher unless it is controlled materials.

(2) It may be sold without a preference rating to any person if the aggregate dollar value of all sales by the producer to that person during the current calendar quarter does not exceed \$100, and if the material is not controlled materials.

(3) It may be sold to fill an authorized controlled materials order if it is controlled materials.

(4) It may be sold pursuant to a specific written direction from the War Production Board to the seller or to the purchaser.

(5) It may be sold without a preference rating or allotment number to a person who produces, or to the person from whom the producer purchased, the material in its present form.

(6) It may be sold without a preference rating to a scrap dealer as scrap.

(7) It may be sold without a preference rating to a used equipment dealer, if it is used equipment.

(8) It may be sold without a preference rating or allotment number to the Army, Navy, Maritime Commission, or a public housing authority for the repair of an actual or threatened breakdown of their electric, gas, water or central steam heating facilities.

(9) The restrictions on sales in Priorities Regulations 1 and 13 do not apply to sales by producers made under this paragraph.

(10) The provisions of Limitation Orders L-94 and L-102 relating to transfers of electric generating equipment, L-196 relating to transfers of used construction machinery, and Utilities Order U-7 relating to transfers of gas equipment must be observed.

(l) *Refusal to sell to other producers.* Any producer may, by specific direction from the War Production Board, be prohibited from applying or extending preference ratings assigned by this order or by any other certificate or order, upon a determination by the War Production Board, that such producer has willfully refused to sell (after receiving a bona fide offer to purchase at not less than maximum prices established by regulations of the Office of Price Administration, made by any financially responsible producer who is authorized—under applicable regulations—to accept delivery of the material specified in such offer) the following material:

(1) Material which is in inventory in excess of a practical working minimum,

unless the value of the material requested is less than \$100, and

(2) Material which is included in practical working minimum inventory when such material is required by another producer for the repair of an actual breakdown of facilities or equipment.

#### Inventory Redistribution

(m) *Placing orders through Regional Utility Engineers.* Except in an emergency no producer may transmit to any supplier other than another producer an order totaling \$100 or more for the delivery of any item of material (including material for major plant additions) listed in Schedule D of this order without first obtaining a statement from the Regional Utility Engineer in his region or from the Office of War Utilities in Washington, that such material is not reasonably available in the excess inventory of another producer. This statement shall be secured by filing an inquiry, in duplicate, with the regional utility engineer, in letter form or by using the producer's own price inquiry forms, stating (1) the quantity of each item required and (2) a description of the item. An oral or telephonic statement will be sufficient for the purposes of this paragraph, provided that written confirmation is promptly obtained.

#### General Provisions

(n) *Appeals.* Relief from any of the restrictions of this order may be requested by filing a letter with the War Production Board, Office of War Utilities, Washington 25, D. C., Ref.: U-1, stating the reasons why relief is necessary. If the relief requested involves a request to make a plant addition, the request should be filed on Form WPB-2774.

(o) *Records.* In addition to the records required to be kept under Priorities Regulation 1, each producer who applies the preference ratings or allotment number hereby assigned shall maintain a continuing record of inventory and of segregated material in his possession.

(p) *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: Office of War Utilities, War Production Board, Washington 25, D. C., Ref.: U-1.

(q) *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 priorities control and may be deprived of priorities assistance.

(r) *Applicability of WPB regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time, unless there

is a conflict between this order and such regulations, in which case this order shall govern, if it specifically so provides. No producer is, however, subject to the restrictions of CMP Regulation 5 nor may any producer in any way use the preference ratings therein assigned.

(s) *Special delivery quota and inventory directions.* Nothing in this order is intended to supersede any special quota for scheduled deliveries or any special inventory base established by a specific direction from the War Production Board to a named producer. All such directions shall remain in effect unless modified by a further specific direction to the producer affected.

Issued this 22d day of January 1944.

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

#### SCHEDULE A

##### MATERIAL CLASSES

Material in the inventory of any producer which has an inventory, as defined in paragraph (a) (11), in excess of \$10,000 shall be carried on the producer's own records and reported to the War Production Board as may be required, classified as follows:

##### WATER PRODUCERS

Class 1—Material for sources of supply, water treatment plants, reservoirs, elevated and pressure tanks, pumping and booster stations, including related pipe, valves, valve parts, and fittings.

Class 2—Meters.

Class 3—Transmission and distribution material (excluding meters), such as cast iron, steel, and wrought iron pipe, copper and brass pipe and tubing, lead pipe, pipe fittings, valve and valve parts, hydrants, parts for meters and hydrants, and other transmission and distribution material and supplies except pipe, valves, valve parts, and fittings included in Class 1 above.

Class 4—Other material and supplies.

##### GAS PRODUCERS

Class 1—Production and pumping station material.

Class 2—Meters and house regulators.

Class 3—Transmission and distribution material (excluding meters and house regulators), such as cast iron, steel and wrought iron pipe, copper and brass pipe and tubing, pipe fittings, valves, and valve parts, governors and regulators, parts for meters, regulators, and governors, other transmission and distribution material and supplies.

Class 4—Other material and supplies.

##### ELECTRIC POWER PRODUCERS

Class 1—Generating station material such as electrical equipment, parts, and materials, and other material and supplies.

Class 2—Switching and substation material, such as power transformers, other station equipment, parts, and material, and other material and supplies.

Class 3—Wire, cable, and bus bar, such as bare copper and aluminum, weatherproof copper, underground cable, aluminum and copper chaps.

Class 4—Wood poles and cross arms.

Class 5—Meters.

Class 6—Other transmission and distribution material, such as iron and steel poles, towers, and parts, line hardware—overhead and underground, distribution transformers, meter and transformer parts, and other line material and equipment (including insulators, lightning arrestors, etc.)

Class 7—Other material and supplies.

## CENTRAL STEAM HEATING PRODUCERS

Class 1—Production plant material.  
Class 2—Transmission and distribution material and other material and supplies.

## SCHEDULE B

## DELIVERY QUOTAS

To compute the delivery quota (not applicable to producers having inventories of \$10,000 or less because they are exempted by the provisions of paragraph (f)), in any class of material for the purposes of paragraph (e) (1), first determine the "base quota" for that class. The base quota in any class is the dollar value of withdrawals in that class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.<sup>1</sup> Second, use this base quota to determine the actual delivery quota for the class of material in question in accordance with the following:

WATER PRODUCERS<sup>2</sup>

Class 1—A quota of four-thirds of the base quota, increased proportionately to the increase in system output in the year preceding the current year over output in 1940. This quota may be divided among the four calendar quarters as the producer requires.

Class 2—A quarterly quota of one-third of the base quota.

Class 3—A quarterly quota of one-third of the base quota or, at the producer's option, a quarterly quota equal to 60 per cent of the dollar value of material in this class withdrawn during the corresponding quarter of 1940 for use in "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.<sup>1</sup>

Class 4—A quarterly quota of one-third of the base quota.

GAS PRODUCERS<sup>2</sup>

Class 1—A quota of four-thirds of the base quota, increased proportionately to the increase in system output in the year preceding the current year over output in 1940. This quota may be divided among the four calendar quarters as the producer requires.

Classes 2, 3 and 4—A quarterly quota of one-third of the base quota.

<sup>1</sup>These definitions are reprinted here for convenience in reference; please note that they differ from definitions used in the current order:

"Maintenance" means the upkeep of a producer's property and equipment in sound working condition.

"Repair" means the restoration of a producer's property and equipment to sound working condition after wear and tear, damage, destruction of parts, or the like have made such property or equipment unfit or unsafe for service.

"Operating supplies" means (1) material which is essential to the operation of any of the industries or services specified above and which is generally carried in a producer's inventory and charged to operating expense accounts, and (2) material for an addition to or an expansion of property or equipment (including a minor extension of lines), provided that such addition or expansion shall not include any work order, job, or project in which the cost of material shall exceed \$1500 in the case of underground construction and \$500 in the case of other construction, and provided that no single construction project shall be subdivided into parts in order to come below these limits.

<sup>2</sup>See Schedule A for complete identification of classes.

ELECTRIC POWER PRODUCERS<sup>2</sup>

Class 1—A quota of four-thirds of the base quota, increased proportionately to the increase in system output in the year preceding the current year over output in 1940. This quota may be divided among the four calendar quarters as the producer requires.

Classes 2, 3, 4, 5, 6 and 7—A quarterly quota of one-third of the base quota.

CENTRAL STEAM HEATING PRODUCERS<sup>2</sup>

Class 1—A quota of four-thirds of the base quota, increased proportionately to the increase in system output in the year preceding the current year over output in 1940. This quota may be divided among the four calendar quarters as the producer requires.

Class 2—A quarterly quota of one-third of the base quota.

## SCHEDULE C

## LIMITS ON PRACTICAL WORKING MINIMUM INVENTORY

Paragraph (e) (2) provides that a practical working minimum inventory (except for producers having a total inventory of \$10,000 or less, who are exempted by paragraph (f)) may in no case exceed the following dollar values:

WATER PRODUCERS<sup>2</sup>

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Class 2—Four-thirds of the dollar value of authorized withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.<sup>1</sup>

Class 3—Sixty per cent of the dollar value of material in this class in inventory on the most recent date in 1940 on which the producer's inventory was taken.

Class 4—Two-thirds of the dollar value of authorized withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.<sup>1</sup>

GAS PRODUCERS<sup>2</sup>

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Classes 2 and 3—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.<sup>1</sup>

Class 4—Two-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.<sup>1</sup>

ELECTRIC POWER PRODUCERS<sup>2</sup>

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Class 2—The dollar value of items of material of this class in inventory on the most

recent date in 1940 on which the producer's inventory was taken.

Classes 3 and 4—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.<sup>1</sup>

Class 5—Fifty meters at each operating headquarters plus one and three-quarters percent of the meters installed in plant on the first day of the preceding calendar quarter.

Class 6—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.<sup>1</sup>

Class 7—Two-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.<sup>1</sup>

CENTRAL STEAM HEATING PRODUCERS<sup>2</sup>

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Class 2—Two-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.<sup>1</sup>

## SCHEDULE D—ITEMS TO BE CLEARED THROUGH REGIONAL UTILITY ENGINEERS

## ITEMS TO BE USED BY WATER PRODUCERS

1. Copper and brass tubing.
2. Bronze valves, smaller than 2 inches, except corporation cocks and curb stops.
3. Valves, cast iron and steel, 2 inches and larger.
4. Consumer meters.
5. Pumps.

## ITEMS TO BE USED BY GAS PRODUCERS

1. Steel and wrought iron pipe.
2. Mechanical pipe couplings larger than 4 inches.
3. Copper and brass pipe and tubing.
4. District regulators and governors.
5. Meters, consumers.
6. Bronze valves smaller than 2 inches, except corporation cocks and curb stops.
7. Cast iron and steel valves, 2 inches and larger.
8. Condensers (coolers).
9. Exhausters.
10. Boosters.
11. Compressors.
12. Pumps.
13. Blowers.
14. Station meters.

## ITEMS TO BE USED BY ELECTRIC POWER PRODUCERS

1. Wire, bare and weatherproof (copper, aluminum, copper or aluminum composite), having conductivity greater than #10 AWG copper conductor.
2. Cable.
3. Bus bar shapes.
4. Power transformers.
5. Distribution transformers.
6. Watthour meters, domestic.
7. Oil circuit breakers.
8. Regulators (feeder voltage).
9. Current transformers.
10. Potential transformers.
11. Disconnecting switches.

[F. R. Doc. 44-1184; Filed, January 23, 1944; 11:10 a. m.]

**PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT**

[Supplementary Utilities Order U-1-a, as Amended Jan. 22, 1944]

**CERTAIN GOVERNMENT AGENCIES**

§ 4500.2 *Supplementary Utilities Order U-1-a—(a) Permission to build certain extensions.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers to serve facilities of the Army, Navy, Maritime Commission, War Shipping Administration, or Civil Aeronautics Authority, upon the direct order of such agencies when all of the following conditions are satisfied:

(1) The total cost of material for each extension, exclusive of any part built by or for the consumer, does not exceed \$1500. No job or project may be subdivided to come within these limits.

(2) No other producer can render the same service with lesser amounts of critical material.

(3) The extension does not duplicate an adequate service already installed or constitute a stand-by service.

(b) *Other orders.* This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U-7 or Limitation Order L-174.

(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; WPB Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727)

Issued this 22d day of January 1944.

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

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**PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT**

[Supplementary Utilities Order U-1-c as Amended Jan. 22, 1944]

**FARM PRODUCTION EQUIPMENT**

§ 4500.4 *Supplementary Utilities Order U-1-c.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric facilities may be made or connected by producers to permit the operation of farm production equipment when all of the following conditions are satisfied:

(a) The prospective consumer possesses one of the following types of electric farm equipment of sufficient capacity for the use contemplated, or can obtain such equipment without priorities assistance, or a preference rating of AA-5 or better has been assigned to deliveries of such equipment to him:

- (1) Water pump for livestock.
- (2) Milking machine.

- (3) Milk cooler.
- (4) Incubator.
- (5) Brooder.
- (6) Feed grinder.
- (7) Milk sterilizer.

(b) There is no other means of operating such equipment on the premises.

(c) The length of such extension, including any part built by or for the consumer, will not exceed 100 feet per animal unit determined in accordance with Schedule I annexed hereto, and will not exceed 5,000 feet total length, except upon specific authorization from the Director, Office of War Utilities.

(d) The prospective consumer will use electric service to operate equipment for farm production, and has livestock on hand which, together with his estimated production of livestock for market, aggregates not less than 5 animal units, determined in accordance with Schedule I of this order.

(e) Primary and secondary lines and service drops will be constructed of the following types and sizes of conductor:

(1) Any type or size having conductivity equal to or less than that of No. 6 AWG copper, or

(2) Any type or size of conductor which can be obtained from the excess inventory of any producer.

(f) The prospective consumer's application for service is accompanied by a certification from his County Agricultural Conservation Committee in substantially the following form:

(To the Utility Addressed):

Mr. \_\_\_\_\_, who has livestock on hand which, together with estimated production of livestock for market, aggregates not less than five animal units, is eligible for an electric connection of \_\_\_\_\_ feet under the terms of Supplementary Utilities Order U-1-c. In the opinion of this County Agricultural Conservation Committee this connection will result in a substantial increase in farm production, or a substantial saving of farm labor, and is in accord with the spirit, as well as the letter, of Supplementary Utilities Order U-1-c.

(For County Agricultural Conservation Committee)

(g) The total cost of material for the extension, exclusive of any part built by or for the consumer, does not exceed \$1,500. No job or project may be subdivided to come within these limits.

(h) No other producer can render the same service with lesser amounts of critical material.

(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; WPB Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727)

Issued this 22d day of January 1944.

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

**SCHEDULE I—EQUIVALENT ANIMAL UNITS**

<b>A. Livestock on hand:</b>	
1 milk cow.....	One unit.
10 beef cattle (all cattle, including calves, other than milk cows and cattle in feed lot).....	One unit.
39 breeding ewes.....	One unit.
3 breed cows.....	One unit.
75 laying hens.....	One unit.
40 turkeys or geese.....	One unit.
6 milk goats.....	One unit.
39 goats (other than milk goats).....	One unit.
<b>B. Estimated production of livestock for market:</b>	
20 cattle (in feed lot) per year.....	One unit.
169 lambs (in feed lot) per year.....	One unit.
39 feeder pigs per year.....	One unit.
259 chickens (not broilers) per year.....	One unit.
603 chickens (broilers) per year.....	One unit.
125 turkeys or geese per year.....	One unit.
169 kids per year.....	One unit.

[F. R. Doc. 44-1185; Filed, January 22, 1944; 11:10 a. m.]

**PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT**

[Supplementary Utilities Order U-1-d, as Amended Jan. 22, 1944]

**PREMISES AUTHORIZED UNDER L-41**

§ 4500.5 *Supplementary Utilities Order U-1-d.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers to serve premises, the construction or remodeling of which is authorized under Conservation Order L-41 by the issuance of a specific direction, order, certificate, or other authorization for construction, when all of the following conditions are satisfied:

(a) *Industrial or commercial consumers.* The extension is designed to use the smallest sizes and quantities of equipment, conductor, and pipe required to furnish service at minimum standards.

(b) *Domestic consumers.* (1) The extension, including any part built by or for the consumer, can be built within the limits established by the Housing Utilities Standards issued by the War Production Board.

(2) In the case of gas or electric facilities primarily to serve cooking appliances, (i) the dwelling proposed for connection is not equipped with a range of any kind; and (ii) complete facilities to a cooking range location are not installed for serving either a gas range or an electric range, except that extensions to serve a gas or electric range which the consumer has used in a dwelling which he previously occupied may be made even though facilities for serving another type of range are already installed.

(c) *All consumers.* (1) The total cost of material for each extension, exclusive of any part built by or for the consumer, does not exceed \$1500. No job or project may be subdivided to come within these limits.

(2) No other producer can render the same service with lesser amounts of critical material.

(3) The extension does not duplicate an adequate service already installed or constitute a standby service.

(4) The producer has completed Form WPB-3348 for filing with the builder's application under L-41.

(d) *Other orders.* This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U-7 or Limitation Order L-174.

Issued this 22d day of January 1944.

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

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PART 4500—POWER, WATER, GAS, AND  
CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-e, as  
Amended Jan. 22, 1944]

VICTORY GARDENS

§ 4500.6 *Supplementary Utilities Order U-1-e.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, water service extensions of not more than 250 feet (including any portion built by or for the consumer) may be made or connected by producers to provide water for gardens, when all of the following conditions are satisfied:

(a) There is no alternative source of water which would require less critical material.

(b) Water from each such extension will be used to provide water for not less than 5,000 square feet of land devoted to the production of edible crops.

(c) Extensions are made with not more than 5 feet of pipe for each 500 square feet of cultivated land.

(d) Pipe of the smallest practicable size, and in no event having a nominal inside diameter greater than 1¼", is used.

(e) No copper or copper base alloy pipe or tubing is used.

(f) No extension or enlargement of mains is required.

(g) The consumer agrees in writing with the producer that his use of water for the purposes of this supplementary order will be subject to rules promulgated by the producer in the interest of water conservation, including requirements for off-peak usage and interruption of service during periods of water shortage.

Issued this 22d day of January 1944.

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

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PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-f, as  
Amended Jan. 22, 1944]

§ 4500.7 *Supplementary Utilities Order U-1-f—(a) Definitions.* For the purposes of this supplementary order:

(1) "Domestic consumer" means a prospective consumer who is requesting an extension of service to a building used exclusively for dwelling purposes.

(2) "Industrial consumer" means a prospective consumer who is requesting an extension of service to a building used in whole or in part for the manufacture, processing or assembly of products or materials.

(3) "Commercial consumer" means a prospective consumer not classified in this order as "domestic" or "industrial."

(b) *Permission to build certain extensions.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers when all of the following conditions are satisfied:

(1) Where construction or remodeling by the consumer is involved, no specific direction, order, certificate or other authorization for construction has been issued by the War Production Board to authorize such construction or remodeling. If such authorization has been issued, the construction of utility facilities is governed by Supplementary Utilities Orders U-1-d or U-1-h.

(2) In the case of gas or electric facilities primarily to serve cooking appliances, (i) the dwelling proposed for connection is not equipped with a range of any kind, and (ii) complete facilities to a cooking range location are not installed for serving either a gas range or an electric range, except that extensions to serve a gas or electric range which the consumer has used in a dwelling which he previously occupied may be made even though facilities for serving another type of range are already installed.

(3) In the case of facilities to serve industrial or commercial consumers, the consumer (i) is engaged in the manufacture of a product or in the conduct of a business or activity listed in Schedules I or II of CMP Regulation 5, as amended; or (ii) is an electric, water, gas, steam heat, telephone or telegraph utility; or (iii) is engaged in the petroleum industry, except in retail marketing, as those terms are defined in Preference Rating Order P-98-b; or (iv) is engaged in the business of mining, or of burning refractories, and has been assigned a serial number under Preference Rating Order P-56; or (v) is engaged in the business of radio communication or radio broadcasting; or (vi) is a school, church, or hospital.

(4) Extensions, including any part built by or for the consumer, can be built

within the limits of the Utilities Construction Standards, shown in Schedule I of this order, including any part built by or for the consumer.

(5) The total cost of material for each extension, exclusive of any part built by or for the consumer, does not exceed \$1500. No job or project may be subdivided to come within these limits.

(6) No other producer can render the same service with lesser amounts of critical material.

(7) The extension does not duplicate an adequate service already installed or constitute a stand-by service.

(c) *Other orders.* This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U-7 or Limitation Order L-174.

Issued this 22d day of January 1944.

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

SCHEDULE I—UTILITIES CONSTRUCTION  
STANDARDS

The material used in extensions permitted by Supplementary Utilities Order U-1-f must conform to the limitations set out in this Schedule I and must not exceed, in dollar value, the limits of paragraph (b) (5).

A. PERMITTED TYPES OF CONDUCTOR AND PIPE

I. *Domestic extensions.* a. *Electric conductor for primary, secondary, and service drop:*

(1) Any type or size of conductor having conductivity equal to or less than that of No. 6 AWG copper, or

(2) Any type or size of conductor which can be obtained from the excess inventory of any producer.

(b) *Pipe:*

(1) For mains over 4" in diameter (1) cast iron or non-metallic pipe or (11) steel pipe in cases where installation conditions, high working pressures, or danger of breakage or leakage make the use of a substitute material impracticable or dangerous.

(2) For mains 4" in diameter and smaller and all service connections, any type of pipe.

II. *Commercial and industrial extensions.* No limitation, except as shown below in B, II.

B. PERMITTED QUANTITIES OF CONDUCTOR AND METALLIC PIPE

I. *Domestic extensions.* a. *For electric service,* not more than 1,000 conductor feet, including primary, secondary, and service drop.

b. *For gas or central steam heating service,* not more than (1) 400 pounds of steel pipe or 1800 pounds of cast iron pipe, or (2) a combination involving not more than 400 pounds of steel pipe and not more than 1800 pounds of cast iron pipe, this quantity of cast iron pipe to be diminished by twice the weight of steel pipe used.

c. *For water extensions,* not more than (1) 400 pounds of steel pipe or 1800 pounds of cast iron pipe or 1,000 pounds of lead or lead alloy pipe, or (2) one of the following combinations:

(1) 400 pounds of steel pipe and not more than 1800 pounds of cast iron pipe, this quantity of cast iron pipe to be diminished by twice the weight of steel pipe used. In addition, a lead goose-neck is permitted.

(2) 1,000 pounds of lead or lead alloy pipe and not more than 1800 pounds of cast iron pipe, this quantity of cast iron pipe to be diminished by the weight of any lead or lead alloy pipe used.

(3) 400 pounds of steel pipe and not more than 1,000 pounds of lead or lead alloy pipe, this quantity of lead or lead alloy pipe to be diminished by twice the weight of steel pipe used.

**II. Commercial and industrial extensions.** The smallest sizes and quantities of equipment, conductor and pipe required to furnish service at minimum standards.

**C. PERMITTED QUANTITIES OF NON-METALLIC PIPE**

Non-metallic pipe of a length not greater than that length which would be installed if cast iron pipe were used as permitted in B above.

[F. R. Doc. 44-1189; Filed, January 22, 1944; 11:11 a. m.]

**PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT**

[Supplementary Utilities Order U-1-g, as Amended Jan. 22, 1944]

**TEMPORARY BUSINESS, CIVIC OR RECREATIONAL ACTIVITIES**

**§ 4500.8 Supplementary Utilities Order U-1-g.** In accordance with the provisions of paragraph (i) of Utilities Order U-1, temporary extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers to serve temporary business, civic or recreational facilities when all of the following conditions are satisfied:

(a) The cost of material for such utility extensions is less than \$1,500,

(b) Such extensions will be dismantled at the expiration of ninety days from date of installation and all material salvaged and returned to inventory,

(c) No other producer can render temporary service with less critical material.

Issued this 22d day of January 1944.

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

[F. R. Doc. 44-1176; Filed, January 22, 1944; 11:11 a. m.]

**PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEATING**

[Supplementary Utilities Order U-1-h, as Amended Jan. 22, 1944]

**§ 4500.9 Supplementary Utilities Order U-1-h—(a) Permission to build certain extensions.** In accordance with the provisions of paragraph (j) of Utilities Order U-1, extensions of electric, gas, water, and central steam heat facilities may be made or connected by a producer, subject to the restrictions of paragraph (b) below, to serve the following types of consumer premises:

(1) Premises which are being built or remodeled under authority of a specific authorization issued pursuant to Conservation Order L-41,

(2) Premises which will be occupied exclusively by the Army, Navy, Maritime Commission, War Shipping Administration or Civil Aeronautics Authority,

(3) Premises of an industrial or commercial consumer,

(i) In cases where the extension or enlargement of utilities facilities is necessary for the production of one of the products or the supply of one of the services listed in Schedules I and II of CMP Regulation 5 or

(ii) In cases where the consumer is an electric, water, gas, steam heat, telephone, or telegraph utility; or is engaged in the petroleum industry; except in retail marketing, as those terms are defined in Preference Rating Order P-98-b; or is engaged in the business of mining, or of burning refractories, and has been assigned a serial number under Preference Rating Order P-56; or is engaged in the business of radio communication or radio broadcasting; or is a school, church, or hospital.

(b) *Restrictions on construction.* Extensions of the type permitted by paragraph (a) of this order may be built only if all of the following conditions are satisfied:

(1) The total cost of material for any such extension, exclusive of any part built by or for the consumer, exceeds \$1,500 but does not exceed \$5,000. No job or project may be subdivided to come within these limits.

(2) The extension does not duplicate an adequate service already installed or constitute a stand-by service.

(3) No other producer can render the same service with lesser amounts of critical material.

(4) In the case of extensions to buildings which are to be used exclusively for dwelling purposes the extension (including service drop or service pipe and any portion built by or for the consumer) can be built within the limits established by the Housing Utilities Standards issued by the War Production Board.

(5) In the case of extensions to premises which are to be built or remodeled under authority of a specific authorization applied for pursuant to Conservation Order L-41, the producer has completed Form WPB-3348, and delivered it to the builder for attachment to the builder's application for L-41 approval.

(c) *Assignment of preference rating and CMP allotment number.* (1) The preference rating AA-3 is hereby assigned to orders for material other than controlled material, and the abbreviated CMP allotment number U-2 is hereby assigned to orders for controlled material, to be placed by a producer for use in the construction of extensions of facilities authorized by this supplementary order or to replace in inventory material so used.

(2) The preference rating and allotment number assigned above may be applied by a producer by using the certification provided in CMP Regulation 7.

(3) An order for controlled material bearing the CMP allotment number U-2 shall be deemed an authorized controlled materials order. This allotment number shall constitute an "allotment number or symbol" for the purpose of CMP Regulation 3.

(d) *Acquisition of material.* The acquisition of material for extensions of facilities authorized by this supplementary order is subject to the following restrictions:

(1) It may be ordered only to the extent that it is not available in the producer's inventory in excess of a practical working minimum.

(2) If taken from such excess inventory it may not be replaced.

(3) If taken from practical working minimum inventory it may be replaced therein only in accordance with paragraph (b) of Utilities Order U-1.

(4) It may not be ordered until either (i) The producer has been advised that the builder of the structure to be served has received L-41 approval, or

(ii) The producer has been advised by such builder that L-41 approval is not required and has received a written request from such builder to supply the utility service.

(e) *Other orders.* This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U-7 or Limitation Order L-174.

Issued this 22d day of January 1944.

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

[F. R. Doc. 44-1175; Filed, January 22, 1944; 11:11 a. m.]

**Chapter XI—Office of Price Administration**

**PART 1341—CANNED AND PRESERVED FOODS**

[MPR 475, Amdt. 2]

**DRIED FRUITS, 1943 AND LATER CROPS**

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. 475 is amended in the following respects:

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

(f) All maximum prices, except for government sales and sales described in paragraphs (j) and (k) of this section, include brokerage. The packer shall maintain his customary cash and quantity discounts to different classes of purchasers.

2. Section 2 (j) and (k) are added to read as follows:

(j) For dried prunes and raisins of the 1943 crop (other than Three Crown

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

†8 FR. 13767, 14215.

London Layer Muscats and Zante Currants), the base prices to be used by the packer in determining his maximum export prices under the Second Revised Maximum Export Price Regulation<sup>2</sup> shall be the maximum prices respectively set forth in paragraphs (a) (4) (1) and (a) (5) (1) of this section for sales to government agencies, plus an amount equal to the discount customarily allowed in cash sales and the selling expense customarily included in the price on civilian sales, but not in excess of 5% for both selling expense and cash discounts. The provisions of this paragraph shall not apply to sales to government procurement agencies of the United States.

(k) The packer's maximum prices, f. o. b. factory, for dried prunes and raisins of the 1943 crop (other than Three Crown London Layer Muscats and Zante Currants) for sales to an exporter, for export (purposes only shall be the maximum prices respectively set forth in paragraphs (a) (4) (1) and (a) (5) (1) of this section, for sales to government agencies, plus an amount equal to the discount customarily allowed in cash sales and the selling expense customarily included in the price on civilian sales, but not in excess of 5% for both selling expense and cash discounts. However, this pricing method is applicable only if:

(1) The exporter furnishes the packer, prior to sale in each case, with a statement in writing that the commodity is being purchased for the purpose of export and that it will be used only for such purpose, and

(2) The packer furnishes the exporter with an invoice or other written evidence of sale to which is attached the following statement:

As required by section 2 (k) of MPR 475, I have agreed to sell and you have agreed to buy (indicate items) for use by you in making export sales and not sales to purchasers in the United States. I have received your statement that these commodities will be used for these purposes only.

The maximum prices established by section 2 (k) of MPR 475 apply only to sales by a packer to an exporter of prunes and raisins of the 1943 crop which are to be exported. My maximum prices under this section are higher than my maximum prices for civilian sales because under my existing contract with Commodity Credit Corporation sales made in this manner do not entitle me to compensatory benefits which would be received were the sale made for domestic civilian consumption. My selling price for (indicate items) which are to be exported, which does not exceed my maximum price is \$..... If you sell any of these items to civilian purchasers in the United States you must sell at maximum prices applicable to your type of selling based on my maximum price for domestic civilian sales, f. o. b. shipping point, which is \$..... plus incoming freight paid by you. In making this contract I agree to reduce my selling price to you and refund to conform with the maximum price for domestic civilian sales if you do not export the goods, if you furnish me with satisfactory evidence, within 20 days after such a sale, that the goods have been sold to a civilian purchaser in the United States.

(3) If, instead of exporting all of the prunes or raisins, the exporter sells all or

part to a civilian purchaser within the United States his maximum price in such sales shall be the maximum price of his supplier as adjusted under this subparagraph, f. o. b. the supplier's shipping point, plus incoming freight paid by the exporter, except that where he sells the goods as a primary distributor or a wholesaler or a retailer he shall take the maximum price appropriate to that type of seller when making domestic sales. In this event, if the exporter, within 20 days after making the sale, furnishes satisfactory evidence to the packer that the prunes or raisins have been sold to civilian purchasers in the continental United States on or before September 30, 1944, the packer shall adjust his maximum price for such sale by refunding to the exporter the difference between the maximum price as established under this paragraph (k) and the applicable maximum price for domestic civilian sales. (The packer in such case should report and certify such sales to Commodity Credit Corporation as sales to domestic civilian purchasers.)

3. Section 5 (c) is added to read as follows: "and (c) keep all correspondence in connection with the sales of dried prunes and raisins which are sold at export, or to an exporter, together with a copy of every invoice or other written evidence of purchase or sale and (d) preserve for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all of his existing records relating to his customary allowances, discounts and other price differentials."

4. Section 13 (a) (7) is added to read as follows:

(7) "Exporter" means any person respectively referred to as such in the Second Revised Maximum Export Price Regulation.

This amendment shall become effective January 22, 1944.

(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 22d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Dec. 44-1194; Filed, January 22, 1944;  
11:27 a. m.]

PART 1345—COKE

[MPR 29, Amdt. 2]

BY-PRODUCT AND RETORT GAS COKE

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 29 is amended in the following respects:

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

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

<sup>2</sup> 8 F.R. 4821, 7 F.R. 721.

(a) *General provisions.* The maximum delivered price for by-product coke sold for use in a foundry cupola shall be the price per net ton, f. o. b. cars at the governing oven plant, as set forth below, plus the lowest established rail transportation charges from that oven plant to the place of delivery. The term "governing oven plant" means that oven plant, the price at which, together with the lowest established rail transportation charge, results in the lowest price at the place of delivery.

Location of oven plant:	F. o. b. oven plant in cars (per net ton)
Alabama.....	20.00
Chicago, Ill.....	13.00
Ashland, Ky.....	11.10
Detroit, Mich.....	12.85
Kearny, N. J.....	12.85
Buffalo, N. Y.....	12.25
Ironton, Ohio.....	11.10
Fainesville, Ohio.....	11.75
Portsmouth, Ohio.....	11.10
Erie, Pa.....	12.25
Philadelphia, Pa.....	12.25
Chattanooga, Tenn.....	10.10
Fairmont, W. Va.....	10.50
Milwaukee, Wis.....	13.35

2. Section 7 (b) (1) is amended to read as follows:

(b) *Exceptions*—(1) *Place of delivery within New England and part of New York.* (i) The maximum delivered price in the States of Connecticut, Rhode Island, Massachusetts and New Hampshire and in that portion of the States of New York, Maine and Vermont wherein the lowest established rail transportation charge from Everett, Mass., is \$3.10 per net ton or less, shall be \$14.25 per net ton less \$0.15 per net ton discount for cash within ten days from date of shipment.

(ii) The maximum delivered price within that portion of the States of Maine and Vermont wherein the lowest established rail transportation charge from Everett, Mass., exceeds \$3.10 per net ton shall be \$11.15 plus the lowest established rail transportation charge from Everett, Mass., to the place of delivery less \$0.15 per net ton discount for cash within ten days from date of shipment.

3. Section 7 (b) (2) is amended to read as follows:

(2) *Place of delivery within certain switching districts.* Except as set forth in subparagraph (3) of this paragraph, the maximum delivered prices within the following switching districts shall be:

Switching district:	Delivered price per net ton
Chicago, Ill.....	13.35
Birmingham and Tarrant, Ala.....	10.50
St. Louis, Missouri & E. St. Louis, Ill.....	13.35
Indianapolis, Ind.....	13.10
Terre Haute, Ind.....	13.10
Detroit, Mich.....	13.35
Buffalo, N. Y.....	13.00
Cincinnati, Ohio.....	12.85
Cleveland, Ohio.....	12.80
Erie, Pa.....	12.75
Philadelphia, Pa.....	12.88
St. Paul and Minneapolis, Minn.....	15.10

(i) Except that the maximum delivered price to consumers in the Birmingham and Tarrant, Alabama, switching district who qualify under the provisions of the

<sup>2</sup> 8 F.R. 4132, 5987, 7652, 9998.

Louisville and Nashville Railroad Company Tariff O. F. P. No. 220-C establishing a furnace raw material freight rate of \$0.60 per ton shall be \$10.20.

(ii) Except that producers situated in states other than Missouri, Alabama or Tennessee may charge a maximum delivered price of \$13.85 to consumers in the St. Louis, Missouri, and E. St. Louis, Illinois, switching district.

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

(7) *Place of delivery within Eastern Pennsylvania, Southern New Jersey, Delaware and Maryland.* When the place of delivery is located in Eastern Pennsylvania (that part of the State east of a line running approximately north and south through Lawrenceville, Tioga County, and Kingsdale, Adams County), Southern New Jersey (that part of the State south of a line running from a point immediately north of Phillipsburg to a point immediately north of Asbury Park), Maryland (except Washington County), or Delaware the maximum delivered price shall be as follows:

When the lowest established rail transportation charge per net ton from Swedeland, Pennsylvania, to the place of delivery is:

*The maximum delivered price per net ton shall be:*

\$0.68 and less.....	\$12.83
\$0.69 to \$0.96, inclusive.....	12.90
\$0.97 to \$1.68, inclusive.....	12.95
\$1.67 to \$2.24, inclusive.....	13.20
\$2.25 to \$2.50, inclusive.....	13.30
\$2.51 to \$2.85, inclusive.....	13.45

And when the lowest established rail transportation charge per net ton from Swedeland, Pa., to place of delivery is \$2.86 or more, the maximum price f. o. b. oven plant shall be \$10.85.

5. Section 7 (b) (8) (ii) is amended to read as follows:

(ii) When the place of delivery is located in the remaining counties of Western Pennsylvania (that part of the State west of a line running approximately north and south through Lawrenceville, Tioga County and Kingsdale, Adams County) or Washington County, Maryland, the Fairmont, West Virginia, oven plant shall be considered in determining the "governing oven plant", only when the shipment is made from such oven plant: *Provided, however,* (a) That the maximum delivered price shall not exceed the Fairmont, West Virginia, oven plant price plus the lowest established rail transportation charge to the place of delivery, plus \$0.75 per net ton and (b) when shipment is from the ovens at Painesville, Ohio, or Swedeland, Pennsylvania, the maximum delivered price shall not exceed \$10.50 per net ton ovens, plus the lowest established rail transportation charge from such ovens to the place of delivery.

6. Section 8 is amended to read as follows:

SEC. 8. *Maximum prices for by-product coke sold for use in a blast furnace—(a) Coke shipped from certain points.* The maximum price, f. o. b. oven plant, for by-product coke sold for use in a blast

furnace and shipped from the following points shall be:

Point of shipment:	Maximum price
Birmingham, Ala.....	\$7.10
Holt, Ala.....	7.40
New Haven, Conn.....	9.10
Chicago, Ill.....	9.25
Indianapolis, Ind.....	8.60
Ashland, Ky.....	7.10
Boston, Mass.....	9.10
Detroit, Mich.....	8.45
St. Paul, Minn.....	10.85
St. Louis, Mo.....	9.23
Kearney, N. J.....	8.70
Brooklyn, N. Y.....	8.70
Buffalo, N. Y.....	8.50
New York, N. Y.....	8.70
Rochester, N. Y.....	8.55
Utica, N. Y.....	8.55
Hamilton, Ohio.....	8.10
Ironton, Ohio.....	8.10
Painesville, Ohio.....	8.10
Conshohocken, Pa.....	8.25
Monessen, Pa.....	6.50
Pittsburgh, Pa.....	6.50
Fairmont, W. Va.....	6.65
Milwaukee, Wis.....	9.15

(b) *Coke shipped from all other points.* The maximum price, f. o. b. oven plant, for by-product coke sold for use in a blast furnace and shipped from points other than those listed in paragraph (a) of this section shall be (1) the weighted average price f. o. b. oven plant charged by the seller for such coke delivered during the first quarter of 1941, plus \$0.75 per net ton; or, (2) if the seller delivered no such coke during the first quarter of 1941, the price established by the Office of Price Administration after application by such person upon OPA Form 129:2. In establishing any such price, the Office of Price Administration shall give consideration to the weighted average prices charged by the applicant, its competitors, or persons situated in substantially similar circumstances for comparable grades of coke during the first quarter of 1941 and other relevant factors: *Provided, however,* That this paragraph (b) shall not apply to sales or shipments made after October 1, 1941 from oven plants located in the Mid-West at a price less than \$7.10 per net ton or to sales or shipments made after October 1, 1941 from plants located in the East at a price less than \$6.50 per net ton.

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

(b) *Additions to maximum prices for certain coke.* (1) In the case of a sale of by-product or retort gas coke produced in the Mid-West, a producer or distributor may add to the maximum prices determined in accordance with subparagraphs (1), (2) or (3) of paragraph (a) of this section a sum not to exceed \$1.10 per net ton.

(2) In the case of a sale of by-product or retort gas coke produced in the East, a producer or distributor may add to the maximum prices determined in accordance with subparagraph (1), (2) or (3) of paragraph (a) of this section a sum not to exceed \$0.50 per net ton.

8. In Section 10 (a), subparagraph (10) is added to read as follows:

(10) "East" includes all of the States along the Atlantic seaboard, the States

of Vermont and West Virginia, and that part of the State of Ohio east of a line running north and south through a point immediately west of Cleveland.

This amendment shall become effective January 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9323, 8 F.R. 4681)

Issued this 21st day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-1153; Filed, January 21, 1944; 4:43 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS  
[RFS 60, Amdt. 8]

GREEN COFFEE

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

Revised Price Schedule 50 is amended in the following respects:

1. The introductory text of § 1351.1 (b) is amended to read as follows:

(b) The specified maximum prices set out in paragraph (c) of this schedule include all commissions and charges to the points specified, except:

2. Section 1351.1 (b) (3) is added to read as follows:

(3) The specified maximum prices set out in paragraph (c) of this section must be reduced by the customary trade discounts allowed for cash or prompt payment; and by a deduction of 1% for weight shrinkage between the port of origin and port of entry, if the terms of the transaction are on the basis of shipping weights at the port of origin.

This amendment shall become effective January 23, 1944.

(56 Stat. 23, 758; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9323, 8 F.R. 4681)

Issued this 22d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-1193; Filed, January 22, 1944; 11:26 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3, Amdt. 111]

SUGAR RATIONING REGULATIONS

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. 1305, 2132, 2345, 5462, 6387, 6635, 8948, 10471; 8 F.R. 5477, 13024.

28 F.R. 14820, 15363, 15483, 15524, 15534, 15652, 16695, 16805, 16348, 16397, 16348; 9 F.R. 108, 574.

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

1. Section 1407.88 (h) is added to read as follows:

(h) On or before application for a provisional allowance, an industrial user who uses sugar in the production of jams, jelly, preserves, or marmalade not made with fruit, fruit juice, or tomatoes, must file with the Board a written report showing: (1) the amount of each such product produced by him during 1941; (2) the total amount of sugar used by him in each such product in 1941; and (3) the average amount of sugar used per pound of each such product produced by him in 1941.

2. Section 1407.241, Schedule A, Table VII is amended to read as follows:

TABLE VII—JAMS, JELLIES, PRESERVES, MARMALADES, AND FRUIT BUTTERS (INCLUDING IMITATIONS)

Product	Type of fruit	Quantity of sugar allowed, in pounds, per pound of finished product
Jams, jelly, preserves, or marmalade, including imitations (pounds).	Fresh or canned fruit, fruit juices, tomatoes, or fruit frozen without sugar.	.67
	Fruit frozen at ratio of fruit to sugar of:	
	3 to 1	.50
	4 to 1	.54
	5 to 1	.57
Fruit butter, including imitations (pounds).	Not made with fruit, fruit juice, or tomatoes.	.32
	Fresh or dried fruit	.32
All others	• • •	None

<sup>1</sup> For each pound of finished product the smaller of the two following amounts: (1) 100 per cent of average amount of sugar used per pound of same product during 1941; (2) .67 pounds of sugar.

This amendment shall become effective January 22, 1944.

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., Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 662, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 22d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-1196; Filed, January 22, 1944; 11:26 a. m.]

PART 1499—COMMODITIES AND SERVICES  
[MPR 165 as Amended, Supp. Service Reg. 25]

DISTRIBUTORS' COMMISSIONS

A statement of the considerations involved in the issuance of this supplementary service regulation has been filed with the Division of the Federal Register.\* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 25 is hereby issued.

§ 1499.2256 *Commissions paid to certain distributors.* (a) Persons who sell any of the commodities listed in paragraph (b) consigning them to distributors compensated on a commission basis, may pay to those distributors, and the distributors may charge, such rates of commission as may be agreed upon by the parties.

(b) *Coverage.* This regulation applies to commissions for distribution of the following items:

(1) Electric light bulbs.

This supplementary service regulation shall become effective January 28, 1944.

(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 22d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-1197; Filed, January 22, 1944; 11:26 a. m.]

PART 1429—POULTRY AND EGGS

[RMPR 269, Amdt. 22]

POULTRY

Correction

In F.R. Doc. 43-20761, appearing on page 95 of the issue for Tuesday, January 4, 1944, the eighth line of paragraph (b) should read: "per pound on quantity sales of 10,000 or".

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 18]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment

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

<sup>1</sup> 7 F.R. 6428, 6966, 8239, 8431, 8793, 8943, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 8506, 8873, 10671, 10939, 11754, 12023, 12710, 13302, 13472.

<sup>2</sup> 8 F.R. 16409, 16294, 16519, 16423.

has been issued and filed with the Division of the Federal Register.<sup>2</sup>

Maximum Price Regulation No. 426 is amended in the following respect:

1. Appendix H is added to section 15, Article III, to read as follows:

APPENDIX H—MAXIMUM PRICES FOR CERTAIN FRESH FRUITS AND VEGETABLES.

(a) *Explanation.* This appendix establishes maximum prices for certain sales of spinach, snap beans (green and wax), carrots, green peas, eggplant, green peppers, and cucumbers, and such other fresh fruits and vegetables as may later be added. (These will be referred to as "listed commodities".) It supersedes the provisions of Maximum Price Regulation No. 376<sup>3</sup> (except as otherwise provided) and all regional or district orders, issued under that regulation, which affect listed commodities.

Each of the listed commodities is covered by a separate table of prices. Provisions applying specially to a commodity are to be found in footnotes to the applicable table. Provisions applying to all the listed commodities are to be found in the paragraphs following the tables. The maximum mark-ups which may be added to f. o. b. or delivered maximum prices, as the case may be, for certain types of sales common to all the listed commodities, are set forth in a separate table of general applicability. Thus, for each listed commodity a special table and a general table must be referred to.

The provisions of this appendix do not apply to sales of any listed commodity in unbroken packages not exceeding one pound (net weight) for all listed commodities, except spinach, and five pounds (net weight) for spinach, which has been trimmed, cleaned, washed, or otherwise prepared for sale to the consumer ready for consumption without further preparation other than cooking. Insofar as applicable to these sales, the provisions of MPR 376 remain in effect.

The Office of Price Administration reserves the right to change the basing points named in this appendix at any time, or to establish new or additional basing points, without changing the maximum price, f. o. b. country shipping point.

(b) *Maximum price tables applicable to individual listed commodities.* The following tables state the maximum prices which apply to certain sales of listed commodities by growers, country shippers, and by intermediate sellers. (For other transactions by these sellers, see the table in paragraph (c) and the provisions of paragraphs (d) and (e).)

Except as specified for bulk sales, the maximum prices named in the tables of this paragraph include all costs of harvesting, hauling, and packing, and no additional charge may be made for containers.

Although f. o. b. shipping point maximum prices are named only for listed commodities shipped from certain states (see Column 5 in each case), all listed commodities are subject to the maximum prices named in Columns 6 and 7 of the following tables, regardless of where produced or shipped.

<sup>3</sup> 8 F.R. 5487, 7391.

TABLE 1—MAXIMUM PRICES FOR CARROTS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping points in California-Arizona	Maximum price for sales delivered to any wholesale receiving point in any quantity.	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer.
1.	Bunched carrots, full tops, in L. A. crates containing 72 bunches or more and with a minimum net weight of one pound per bunch.	L. A. crate	Jan. 10-May 31	\$3.00	\$3.00 plus freight (including 5% transportation tax from El Centro, California plus protective services) <sup>1</sup>	Col. 6 price plus 50 cents.
2.			June 1-Jan. 15	\$3.00	\$3.00 plus freight (including 5% transportation tax from El Centro, California plus protective services) <sup>1</sup>	Col. 6 price plus 50 cents.
3.	Bunched carrots, full tops, in L. A. crates containing less than 72 bunches and in all other containers. <sup>2</sup>	Per dozen bunches (minimum net weight per bunch—1 lb.).	Jan. 10-May 31	20 cents per dozen bunches.	Maximum price above (item 1) divided by 6.	Col. 6 price plus 15 cents per dozen bunches.
4.			June 1-Jan. 15	20 cents per dozen bunches.	Maximum price above (item 2) divided by 6. <sup>3</sup>	Col. 6 price plus 15 cents per dozen bunches.
5.	Clipped topped carrots (with minimum length of leaf stem of 1½ inches and a maximum length of leaf stem 4 inches.) sold in any container. <sup>3</sup>	Pound	Jan. 10-May 31	3.5 cents per pound.	Maximum price above (item 1) divided by 6.	Col. 6 price plus 1½ cent per pound.
6.			June 1-Jan. 15	3.5 cents per pound.	Maximum price above (item 2) divided by 6. <sup>3</sup>	Col. 6 price plus 1½ cent per pound.
7.	Carrots without tops or with a leaf stem up to 1½ inches in length sold in any container. <sup>3</sup>	Pound	Jan. 10-May 31	3.0 cents per pound.	Maximum price per pound above (item 5) minus ½ cent.	Col. 6 price plus 1½ cent per pound.
8.			June 1-Jan. 15	3.0 cents per pound.	Maximum price per pound above (item 6) minus ½ cent.	Col. 6 price plus 1½ cent per pound.

<sup>1</sup> Protective service allowance to be added for California-Arizona carrots shall be as follows: Jan. 10-March 31, 10 cents per L. A. crate; April 1-May 31, 20 cents per L. A. crate; June 1-November 30, 20 cents per L. A. crate; Dec. 1-Jan. 15, 10 cents per L. A. crate.  
<sup>2</sup> For all wholesale receiving points in California no allowance shall be added for protective services.  
<sup>3</sup> The maximum price for carrots sold in bulk (loose without containers) shall be 10 cents per dozen bunches and 1½ cents per pound for clipped or topped carrots less than the appropriate prices listed in Column 5, 6, or 7 above.  
<sup>4</sup> Carrots with full tops sold loose (not bunched) shall have the same maximum price per pound and provisions therefore as items 7 and 8.  
<sup>5</sup> For sellers covered by Column 6, see general provisions of this appendix.  
<sup>6</sup> The maximum price f. o. b. shipping point for bunched carrots weighing less than 1 pound per bunch shall be 4.2 cents per pound. The maximum price per pound for Column 6 shall be the delivered price determined for items 1 and 2 divided by 72. The maximum price per pound for Column 7 shall be the Column 6 price for items 1 and 2 plus 1¼ cents per pound.

TABLE 2—MAXIMUM PRICES FOR SPINACH

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping points in Texas	Maximum price for sales delivered to any wholesale receiving point in any quantity.	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer. <sup>4</sup>
1.	Spinach in bushel containers with a minimum net weight of 18 pounds or more.	Bushel	Sept. 1-June 30	\$1.15	\$1.15 plus freight (including 5% transportation tax from Crystal City, Texas plus 1 cent protective services) <sup>1</sup>	Col. 6 price plus 45 cents.
2.			July 1-Aug. 31	To be announced later.		
3.	Spinach in bushel containers with a net weight of less than 18 pounds and in all other containers. <sup>2</sup>	Pound	Sept. 1-June 30	6 cents per pound	Maximum price above (item 1) divided by 18.	Col. 6 price plus 2½ cent per pound.
4.			July 1-Aug. 31	To be announced later.		

<sup>1</sup> For all wholesale receiving points in that part of the State of Texas including and south of the following counties: Galveston, Harris, Waller, Washington, Lee, Bastrop, Travis, Blanco, Gillespie, Kerr, Edwards, and Val Verde, no allowance shall be added for protective services.  
<sup>2</sup> The maximum price for spinach sold in bulk (loose without containers) shall be 1½ cents per pound less than the price per pound listed in column 5, 6 or 7 above.  
<sup>3</sup> For the sellers covered by column 7, see general provisions of this appendix.

TABLE 3—MAXIMUM PRICES FOR GREEN PEAS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping points in California	Maximum price for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer. <sup>4</sup>
1.	Green peas in bushel containers with a net weight of 28 pounds or more.	Bushel	Sept. 1-Mar. 31	\$3.50	\$3.50 plus freight (including 5% transportation tax) from California, Calif., plus 12 cents for protective services. <sup>1</sup>	Col. 6 price plus 75 cents.
2.			Apr. 1-Aug. 31	\$2.50	\$2.50 plus freight (including 5% transportation tax) from Santa Barbara, Calif., plus 10 cents for protective services. <sup>1</sup>	Col. 6 price plus 75 cents.
3.	Green peas in bushel containers with a net weight of less than 28 pounds and in all other containers.	Pound	Sept. 1-Mar. 31	12.5 cents per pound.	Maximum price above (item 1) divided by 27.	Col. 6 price plus 2½ cents per pound.
4.			Apr. 1-Aug. 31	10.0 cents per pound.	Maximum price above (item 2) divided by 25.	Col. 6 price plus 2½ cents per pound.

<sup>1</sup> For all wholesale receiving points in California, the protective service allowance shall be 10 cents per bushel.  
<sup>2</sup> The maximum price for green peas sold in bulk (loose without containers) shall be 1 cent per pound less than the appropriate price per pound listed in column 5, 6 or 7.  
<sup>3</sup> For the sellers covered by column 7, see general provisions of this appendix.

TABLE 4—MAXIMUM PRICES FOR SNAP BEANS (GREEN OR WAX)

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col.	
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Florida and California.	Maximum prices for sales delivered to any wholesale receiving point in any quantity.	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, government procurement agency or institutional buyer. <sup>4</sup>	
1	Snap beans in bushel containers with a net weight of 28 pounds or more.	Bushel	Nov. 1-Dec. 31	\$3.25	\$3.25 plus freight (including 3% transportation tax) from Pompano, Florida plus 10 cents for protective services.	Col. 6 price plus 75 cents.	
2			Jan. 1-Feb. 29	\$3.50	\$3.50 plus freight (including 3% transportation tax) from Pompano, Florida plus 10 cents for protective services. <sup>4</sup>	Col. 6 price plus 75 cents.	
3			Mar. 1-Apr. 30	3.25	\$3.25 plus freight (including 3% transportation tax) from Pompano, Florida plus 10 cents for all markets east of and including Chicago, Illinois; and from San Jose, California plus 10 cents for all markets west of Chicago, Ill. <sup>1</sup>	Col. 6 price plus 75 cents.	
4			May 1-May 31	\$2.70	\$2.70 plus freight (including 3% transportation tax) from Pompano, Florida, plus 10 cents for all markets east of and including Chicago, Illinois; and from San Jose, California, plus 10 cents for all markets west of Chicago, Ill. <sup>2</sup>	Col. 6 price plus 75 cents.	
5			June 1-Oct. 31	To be announced later.			
6			Nov. 1-Dec. 31	11.6 cents per pound.		Maximum price above (Item 1) divided by 28.	Col. 6 price plus 2 1/4 cents per pound.
7			Jan. 1-Feb. 29	12.5 cents per pound.		Maximum price above (Item 2) divided by 28.	Col. 6 price plus 2 1/4 cents per pound.
8			Mar. 1-Apr. 30	11.6 cents per pound.		Maximum price above (Item 3) divided by 28.	Col. 6 price plus 2 1/4 cents per pound.
9			May 1-May 31	9.6 cents per pound.		Maximum price above (Item 4) divided by 28.	Col. 6 price plus 2 1/4 cents per pound.
10			June 1-Oct. 31	To be announced later.			

<sup>1</sup> Maximum price f. o. b. shipping point does not apply to California during the period Nov. 1-Feb. 29.

<sup>2</sup> For all wholesale receiving points within the State of Florida for the period Nov. 1 to May 31 and within California during the period Mar. 1-May 31 no allowance shall be added for protective services.

<sup>3</sup> The maximum price for snap beans sold in bulk (loose without containers) shall be 1 cent per pound less than the prices per pound listed in Column 5, 6 or 7.

<sup>4</sup> For sellers covered by Column 7, see general provisions of this Appendix.

TABLE 5—MAXIMUM PRICES FOR EGGPLANT

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col.
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Florida and California <sup>1</sup>	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer <sup>4</sup>
1	Eggplant in 1 1/2 bushel crates with a net weight of 45 pounds or more for sale in all wholesale receiving points east of and including Chicago, Illinois.	1 1/2 bushel crate	Jan. 1-July 15	\$3.40 (Florida)	\$5.40 plus freight (including 3% transportation tax) from Fort Myers, Florida plus 4 cents protective services.	Col. 6 price plus 80 cents.
2	Eggplant in bushel containers with a net weight of 30 pounds or more for sale in all wholesale receiving points east of and including Chicago, Illinois.	Bushel	Jan. 1-July 15	\$2.30 (Florida)	\$2.30 plus freight (including 3% transportation tax) from Fort Myers, Florida plus 8 cents protective services. <sup>3</sup>	Col. 6 price plus 75 cents.
3	Eggplant in 1 1/2 bushel crates with a net weight of less than 45 pounds and in bushel containers with a net weight of less than 30 pounds and in all other containers for sale in all wholesale receiving points east of and including Chicago, Illinois. <sup>3</sup>	Pound	Jan. 1-July 15	7.6 cents per pound Florida.	Maximum price for item 1 above divided by 45.	Col. 6 price plus 2 cents per pound.
4	Eggplant in lug boxes with a net weight of 20 pounds or more for sale in all wholesale receiving points west of Chicago, Illinois.	Lug	Jan. 1-July 15	\$1.80 (California)	\$1.80 plus freight (including 3% transportation tax) from Indio, California plus 5 cents protective services. <sup>3</sup>	Col. 6 price plus 40 cents.
5	Eggplant in lug boxes with a net weight of less than 20 pounds and in all other containers for sale in all wholesale receiving points west of Chicago, Illinois. <sup>3</sup>	Pound	Jan. 1-July 15	9.0 cents per pound (California).	Maximum price for item 4 above divided by 20.	Col. 6 price plus 2 cents per pound.

<sup>1</sup> The maximum prices f. o. b. shipping point in Column 5 listed for Items 1, 2 and 3 apply to eggplant produced in Florida and Items 4 and 5 apply to eggplant produced in California.

<sup>2</sup> For all wholesale receiving points in California and Florida no allowance shall be added for protective services.

<sup>3</sup> The maximum price for eggplant sold in bulk (loose without containers) shall be 1 cent per pound less than the appropriate price per pound listed in Column 5, 6 or 7.

<sup>4</sup> For the sellers covered by Column 7, see general provisions of this Appendix.

TABLE C—MAXIMUM PRICES FOR SWEET PEPPERS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Florida and Arizona	Maximum prices for cars delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer <sup>3</sup>
1	Sweet peppers in 1½ bushel crates with a net weight of 45 pounds or more.	1½ bushel crates	Jan. 1-May 31	\$4.50	Col. 5 price plus freight (including 5% transportation tax) from Pompano, Florida plus 11 cents for protective services <sup>1</sup> for all markets east of and including Chicago, Illinois; and Nogales, Arizona plus 15 cents for all markets west of Chicago, Illinois.	Col. 6 price plus 50 cents. Col. 6 price plus 50 cents.
			June 1-July 15	\$3.65		
3	Sweet peppers in bushel containers with a net weight of less than 45 pounds or more.	Bushel	Jan. 1-May 31	\$3.20	Col. 5 price plus freight (including 5% transportation tax) plus 8 cents for protective services <sup>1</sup> for all markets east of and including Chicago, Illinois; and Nogales, Arizona plus 10 cents for all markets west of Chicago, Illinois.	Col. 6 price plus 75 cents.
4			June 1-July 15	\$2.45		
5	Sweet peppers in 1½ bushel crates with a net weight of less than 45 pounds and in bushel containers with a net weight of less than 30 pounds and in all other containers.	Pound	Jan. 1-May 31	10.6 cents per lb.	Maximum price above (item 1) divided by 45.	Col. 6 price plus 2 cents per pound.
6			June 1-July 15	8.1 cents per lb.		

<sup>1</sup> For all wholesale receiving points in the States of Florida and Arizona, no allowance shall be added for protective services.  
<sup>2</sup> The maximum price for peppers sold in bulk (loose without containers) shall be 1 cent per pound less than the prices per pound listed in column 5, 6 or 7 above.  
<sup>3</sup> For the sellers covered by column 7, see general provisions of this appendix.

TABLE D—MAXIMUM PRICES FOR CUCUMBERS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Florida and California	Maximum prices for cars delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer <sup>3</sup>	
1	Cucumbers in bushel containers with a net weight of 48 pounds or more.	Bushel	Nov. 1-Dec. 31	\$3.40	Col. 5 price plus freight (including transportation tax) from Washburn, Fla. plus 10 cents protective services <sup>1</sup> for all markets east of and including Chicago, Ill., and from Chula Vista, Calif. plus 10 cents for all markets west of Chicago, Ill.	Col. 6 price plus 75 cents. Col. 6 price plus 75 cents. Col. 6 price plus 75 cents.	
2			Jan. 1-Mar. 31	\$5.00			
3			Apr. 1-May 31	\$3.40			
4			June 1-Oct. 31	To be announced later.			
5	Cucumbers in lug boxes with a net weight of 28 pounds or more.	Lug	Nov. 1-Dec. 31	\$2.60	Col. 5 price plus freight (including 5% transportation tax) from Washburn, Florida plus 8 cents protective services <sup>1</sup> for all markets east of and including Chicago, Illinois; and from Chula Vista, California plus 8 cents for all markets west of Chicago, Illinois.	Col. 6 price plus 45 cents. Col. 6 price plus 45 cents. Col. 6 price plus 45 cents.	
6			Jan. 1-Mar. 31	\$2.00			
7			Apr. 1-May 31	\$2.00			
8			June 1-Oct. 31	To be announced later.			
9	Cucumbers in bushel containers with a net weight of less than 48 pounds and in lug boxes with a net weight of less than 28 pounds and in all other containers.	Pound	Nov. 1-Dec. 31	7.1 cents per pound	Maximum price for item 1 above divided by 48. Col. 6 price plus 15¢ cents per pound.	Col. 6 price plus 45 cents.	
10			Jan. 1-Mar. 31	10.4 cents per pound			Maximum price for item 2 above divided by 43. Col. 6 price plus 15¢ cents per pound.
11			Apr. 1-May 31	7.1 cents per pound			Maximum price for item 3 above divided by 43. Col. 6 price plus 15¢ cents per pound.
12			June 1-Oct. 31	To be announced later.			Maximum price for item 4 above divided by 43. Col. 6 price plus 15¢ cents per pound.

For all wholesale receiving points in California and Florida no allowance shall be added for protective services.  
<sup>1</sup> The maximum price for cucumbers sold in bulk (loose without containers) shall be 1 cent per pound less than the appropriate prices per pound listed in column 5, 6 or 7 above.  
<sup>2</sup> For the sellers covered by column 7, see general provisions of this appendix.

(c) Table of maximum markups applicable to all listed commodities. The following table states the maximum markups which may be added for certain distributive services. In each case, the maximum price shall be figured by adding the appropriate markup to the named f. o. b. or delivered maximum

price, as the case may be. In figuring maximum prices, markups may not be taken cumulatively.

*Example.* If a carlot receiver buys a carlot of snap beans delivered at the wholesale receiving point from a grower selling through a broker, the grower's ceiling price is the

maximum delivered price plus the broker's fee (not to exceed 1½¢ per bushel) and the carlot receiver's ceiling price on the receipt is the maximum carlot delivered price plus 40%. In other words, the broker's fee comes out of the 40% and is not added to it.

TABLE OF MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES TO BE ADDED TO MAXIMUM DELIVERED PRICES (SEE COL. 6 OF TABLES IN PARAGRAPH (B))

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10
Item No.	Commodity.	Unit <sup>1</sup>	Sales by a grower or a country shipper <sup>1</sup>		Sales by anyone, other than a grower or country shipper, who has purchased a carlot or trucklot, and sells such a carlot or trucklot unbroken.	Sales by carlots receivers in less-than-carlots or less-than-trucklots. (For sales by carlot receivers through terminal auction the markups named in Col. 4 shall be applied.)	Sales by secondary jobbers in any quantity delivered to the premises of the purchaser.	Sales by a service wholesaler delivered to the premises of any retail store, Government procurement agency, or institutional buyer, within the free delivery zone. <sup>2</sup>	
			Through a broker, shipper's sales agent or commission merchant in carlots or trucklots or through broker, shipper's sales agent, or terminal auction in less-than-carlot or less-than-trucklot.	Through a commission merchant in less than carlots or less than trucklots.				Half container or larger.	Less than half-container.
1.	Snap beans.	Bushel..... Other containers (or in bulk)..... 1½ bu. crate.....	\$0.11..... ¼¢ per lb.....	\$0.11..... ¼¢ per lb.....	\$0.11..... ¼¢ per lb.....	\$0.40..... ¼¢ per lb.....	\$0.75..... 2¼¢ per lb.....	\$0.75..... 2¼¢ per lb.....	3¼¢ per lb.
2.	Peppers.	Bushel..... Other containers (or in bulk)..... 1½ bu. crate.....	\$0.11..... ¼¢ per lb.....	\$0.50..... ¼¢ per lb.....	\$0.14..... ¼¢ per lb.....	\$0.50..... ¼¢ per lb.....	\$0.60..... 2¢ per lb.....	\$0.90..... 2¢ per lb.....	3¢ per lb.
3.	Egg plant.	Bushel..... Other containers (or in bulk)..... 1½ bu. crate.....	\$0.11..... ¼¢ per lb.....	\$0.40..... ¼¢ per lb.....	\$0.14..... ¼¢ per lb.....	\$0.50..... ¼¢ per lb.....	\$0.60..... 2¢ per lb.....	\$0.75..... 2¢ per lb.....	3¢ per lb.
4.	Cucumbers.	Bushel..... Other containers (or in bulk).....	\$0.11..... ¼¢ per lb.....	\$0.40..... ¼¢ per lb.....	\$0.11..... ¼¢ per lb.....	\$0.40..... ¼¢ per lb.....	\$0.75..... 1¼¢ per lb.....	\$0.75..... 1¼¢ per lb.....	2¼¢ per lb.
	Spinach.	Bushel..... Other containers (or in bulk)..... La crate..... Per dozen bunches..... Clipped 50¢ (in containers).....	\$0.07..... ¼¢ per lb.....	\$0.25..... ¼¢ per lb.....	\$0.07..... ¼¢ per lb.....	\$0.25..... ¼¢ per lb.....	\$0.45..... 2½¢ per lb.....	\$0.45..... 2½¢ per lb.....	3½¢ per lb.
6.	Carrots.	Topped 50¢ (in containers)..... Clipped and topped (in containers) per lb..... Bulk per lb.....	\$0.07..... ¼¢.....	\$0.25..... ¼¢.....	\$0.07..... ¼¢.....	\$0.25..... ¼¢.....	\$0.45..... ¼¢.....	\$0.45..... ¼¢.....	1.2¢ per lb.
7.	Peas.	Bushel..... Other containers (or in bulk).....	\$0.11..... ¼¢ per lb.....	\$0.40..... ¼¢ per lb.....	\$0.11..... ¼¢ per lb.....	\$0.40..... ¼¢ per lb.....	\$0.75..... 2¼¢ per lb.....	\$0.75..... 2¼¢ per lb.....	3¼¢ per lb.

<sup>1</sup> Charges determined under MPR 165 shall be used instead of those listed in this table if such charges are lower than the mark-ups listed.  
<sup>2</sup> Mark-ups listed in column 9 are on a full container basis (except where otherwise specified). Where the total quantity sold is a half-container or larger but less than a full container, the per pound or other unit mark-up shall be used, whether the goods are sold in a container or in bulk. Where the total quantity sold is in less than a half container, the per pound or unit mark-up in column 10 shall be used. Column 10 shall not apply to sales made in bulk.  
<sup>3</sup> The bushel and crate containers listed in this column must contain the minimum net weights specified in Column 2 of the applicable table in paragraph (b). For bushels and crates containing less than this minimum net weight the per pound mark-up shall apply.

(d) Provisions applicable to growers and country shippers—(1) Prohibition against certain payments. No grower or country shipper shall receive, and no person shall pay to any grower or country shipper, an amount in excess of the maximum price, f. o. b. country shipping point (if sold f. o. b.) or the maximum price for delivered sales (if sold delivered), regardless of the type of sale or the type of purchaser, and regardless of any prior or future commitment between buyer and seller, except for allowances made to growers and country shippers for sales through agents, and except as provided for sales by growers and country shippers delivered to premises of retail stores, government procurement agencies, institutional buyers and ultimate consumers. No person who does not pack and ship the listed commodity being priced and who does not regularly operate a packing and shipping plant for that commodity, shall purchase acreage at a price which, after the costs of harvesting, hauling and packing have been added, results in a price higher than the maximum price, f. o. b. shipping point, listed in the applicable table in paragraph (b).  
 Example.—Suppose a retailer wishes to buy an unharvested field of carrots from a grower. The amount which he pays the grower for the carrots, plus the cost of harvesting, hauling and packing, may not exceed the maximum price, f. o. b. shipping point, for carrots in the kind of container in which they are being packed, as set forth in the table for carrots in paragraph (b).  
 "Country shipper" means any person, including a grower, grower's cooperative, or

packer, who grades, sizes, packs or otherwise prepares the listed commodity being priced for shipment and who sells the commodity from a farm, orchard, grove or other country shipping point. A person who has the listed commodity packed or prepared for him for sale shall be deemed to be a "country shipper", and the country shipping point shall be deemed to be the place where the particular fruits or vegetables have been prepared for shipment.  
 "Ultimate consumer" means a person who buys the listed commodity being price for direct consumption. However, as used in this appendix, the term does not include a commercial, industrial, or institutional user or government procurement agency.  
 (2) Sales by country shippers or growers through brokers, shippers' sales agents, commission merchants or terminal auctions. (1) For sales of listed commodities by growers or country shippers in carlots or trucklots through a broker, shipper's sales agent or commission merchant or in less-than-carlots or less-than-trucklots through a broker or shipper's sales agent, the maximum price in each case is the maximum price, f. o. b. country shipping point or the maximum delivered price, as the case may be, for the listed commodity being priced, as named in the applicable table in paragraph (b), plus the actual commission or fee charged for the particular sale, not to exceed the maximum allowable commission, or fee which such selling agent may charge under Maximum Price Regulation No. 165\*  
 \* 8 F.R. 14990.

or the markup shown in Column 4 of the table in paragraph (c), whichever is lower.  
 "Broker", or "shipper's sales agent" means a person other than a commission merchant or a salaried representative of a grower or country shipper, who for a commission or fee sells the listed commodity being priced on behalf of his principal, without packing any part of the particular goods sold.  
 "Commission merchant" means a seller's agent who receives the listed commodity being priced and who, for commission or fee, sells it in a terminal market or other wholesale receiving point, and who performs the wholesale functions of unloading cars or trucks and selling in less than carlots or less than trucklots on behalf of his principal, or who sells carlots or trucklots on behalf of his principal.  
 "Commission" or "fee" means the charge made by an agent for services performed in connection with the sale of a listed commodity. No amount which the agent pays over to his principal shall be considered part of his fee or commission.  
 (ii) For sales of listed commodities by growers or country shippers through a commission merchant in less-than-carlots or less-than-trucklots, the maximum price in each case is the maximum delivered price for the listed commodity, as named in the applicable table in paragraph (b), plus the actual commission or fee charged for the particular sale, not to exceed the maximum allowable commission or fee which such selling agent may charge under Maximum Price Regulation No. 165 or the markup named in Column 5 of the table in paragraph (c), whichever is

lower. (For deliveries made in conveyances owned by the seller, see paragraph (iv), below).

*Example.* Assume that the maximum price for a carlot of carrots in L. A. crates delivered in a particular market is \$4.50 per crate. Assume that the commission merchant's actual fee (and his maximum fee under MPR 165) is 7% of the selling price, or \$0.34 per crate. The maximum markup in Column 5 of the table in paragraph (c) is \$0.50 per crate. The maximum price for sales through the commission merchant is therefore \$4.50 plus \$0.34 or \$4.84 per crate.

(iii) The maximum price in each case for sales by growers or country shippers through a terminal auction is the maximum delivered price, as named in the applicable table in paragraph (b), plus the respective actual commission or fees charged for the particular sale, not to exceed the maximum allowable commission or fee which the agent of the auction seller and which the auction company may charge under Maximum Price Regulation No. 165, plus any actual unloading charges in the terminal market, or, the markup named in Column 4 of the table in paragraph (c), whichever is lower.

"Terminal auction" means a place where, on the basis of competitive bidding open to any person who has established credit with the auction company or pays cash, the listed commodity being priced is sold in less-than-carlots or less-than-trucklots, by persons operating through a licensed sales organization, known as an "auction company", for whose services a fee is charged.

(iv) For sales by growers or country shippers delivered from the country shipping point in conveyances owned by the seller to retail stores where resale is made to ultimate consumers, to government procurement agencies, or to institutional buyers, the maximum price in each case is the price for the listed commodity named in Column 7 of the applicable table in paragraph (b). (For deliveries made in a conveyance not owned by the seller, see paragraphs (i), (ii), and (iii) above). For sales by growers or country shippers to ultimate consumers the maximum price is the applicable price for the listed commodity named in Column 7 of the applicable table in paragraph (b) multiplied by 1.33.

(e) *Maximum prices for sales by persons other than growers or country shippers.* (1) If any person other than a grower or country shipper purchases and resells a listed commodity in unbroken carlots or trucklots, the maximum price in each case is the maximum price f. o. b. country shipping point of the maximum delivered price, as the case may be, in the applicable table in paragraph (b) plus the markup named in Column 6 of the table in paragraph (c).

(2) The maximum price in each case for sales by persons other than growers and country shippers through a terminal auction is the maximum delivered price, as named in the applicable table in paragraph (b), plus the respective actual commission or fee charged for the particular sale, not to exceed the maximum allowable commission or fee which the agent of the auction seller and which the auction company may charge under Maximum Price Regulation No. 165, plus any actual unloading charges in the terminal market, or, the markup named in Column 4 of the table in paragraph (c), whichever is lower.

(3) The maximum price in each case for sales of less-than-carlots or less-than-trucklots by carlot or trucklot receivers is the maximum delivered price for the listed commodity in the applicable table of paragraph (b) plus the markup named in Column 7 of the table in paragraph (c). This price does not include delivery charges. If the seller makes delivery, he may also add the

amount which the appropriate regional or district office determines to be applicable to deliveries in these cases (see paragraph (f)).

"Carlot receiver" or "trucklot receiver" means a person who for his own account and profit buys the listed commodity being priced in unbroken carlots or unbroken trucklots for resale, in less-than-carlots or less-than-trucklots, to persons other than ultimate consumers. For sales of particular goods in unbroken carlots or trucklots, the seller shall not be considered a carlot receiver.

(4) The maximum price in each case for sales by secondary jobbers on a delivered basis is the maximum delivered price for the listed commodity in the applicable table in paragraph (b) plus the markup named in Column 8 of the table in paragraph (c). "Delivered" means delivered to the buyer's premises within the free delivery zone and, in the case of retailers, delivered to the retail store.

The maximum price in each case for sales by secondary jobbers not on a delivered basis is the maximum price for sales on a delivered basis less five cents per container for containers under 50 pounds (gross weight) and ten cents per container for containers 50 pounds or more (gross weight), except as these amounts may be changed by the appropriate regional or district office (see paragraph (f)).

"Secondary jobber" means a person other than a retailer who for his own account and profit purchases the listed commodity being priced in less-than-carlots or less-than-trucklots and resells it in any quantities.

(5) The maximum price in each case for sales by service wholesalers on a delivered basis is the maximum delivered price for the listed commodity in the applicable table in paragraph (b) plus the markup named in Column 9 of the table in paragraph (c). "Delivered" means delivered to the buyer's premises within the free delivery zone and, in the case of retailers, delivered to the retail store.

A service wholesaler, when selling the listed commodity being priced on a delivered basis in quantities of less than one-half-container, may add to the maximum delivered price for the listed commodity in the applicable table in paragraph (b) the markup named in Column 10 of the table in paragraph (c) but only if he has first offered to sell to the buyer on a full package basis.

The maximum price in each case for sales by service wholesalers not on a delivered basis is the maximum price for sales on a delivered basis less five cents per container for containers under 50 pounds (gross weight) and ten cents per container for containers 50 pounds or more (gross weight), except as these amounts may be changed by the appropriate regional or district office (see paragraph (f)).

"Service wholesaler" means a person who maintains a store or warehouse at which the listed commodity being priced is stored, or warehoused, who receives the commodity at the premises of his store or warehouse, who maintains at such store or warehouse facilities for cold storage, ripening, trimming, sorting, washing, packing and other handling of the listed commodity, who employs salesmen to call on the trade in the city or country points which he services, and who sells to retail stores, government procurement agencies or institutional buyers.

(6) The maximum price for sales by secondary jobbers or service wholesalers delivered to the premises of any purchaser located outside of the free delivery zone is the maximum delivered price in Column 6 of the applicable table in paragraph (b) plus the markup named in Columns 8, 9, or 10 of the table in paragraph (c), plus the cost of transportation, beyond the free delivery zone, ag-

ured at the lowest common or contract carrier rate for available transportation, from the seller's place of business to the premises of the purchaser. The amount added for transportation shall not exceed 25 cents per cwt. for the first 25 miles beyond the free delivery zone and five cents per cwt. for each successive 25 miles, and the total amount may not exceed 50 cents per cwt., except as these amounts may be changed by the appropriate regional or district office (see paragraph (f)).

(7) The maximum prices for sales of listed commodities by purveyors shall be those established by the regional or district offices (see paragraph (f)).

"Purveyor" means a person who (1) purchases the listed commodity being priced, (2) maintains facilities for washing, trimming, sorting, grading, repacking and warehousing, (3) employs salesmen to call on institutional and commercial users, (4) makes less-than-carlot or less-than-trucklot sales or less than original container sales, and (5) delivers within the metropolitan area surrounding and including the city, town, village, or other populated area in which his warehousing and selling facilities are located, (6) and performs such additional functions as may be defined by the appropriate regional or district office of the Office of Price Administration for the area in which the seller is located.

(1) *Adjustments by regional and district offices.* The authority delegated by section 2 of this regulation to the regional and district offices does not apply to the listed commodities covered by this appendix.

For the listed commodities, the regional offices of the Office of Price Administration, and such district offices as they in turn may authorize, are authorized:

(1) To determine the limits of the free delivery zone at any wholesale receiving point located within its jurisdiction and to adjust upwards or downwards the allowances provided in paragraphs (e) (4) and (e) (5) for sales by secondary jobbers and service wholesalers on a non-delivered basis and to adjust upwards or downwards the allowances for transportation beyond the free delivery zones named in paragraph (e) (6), at the lowest rates for customary and generally available means of transportation.

(2) To determine and publish orders announcing the maximum amounts which carlot or trucklot receivers may add to their maximum prices for deliveries made within the free delivery zone at that wholesale receiving point.

(3) On individual application, to adjust the maximum markups for carlot and trucklot receivers, but not to exceed the maximum markups for service wholesalers named in Column 9 of the table in paragraph (e). These adjustments shall be restricted to cases where the applicant demonstrates, to the satisfaction of the regional or district office, that he is performing substantial functions beyond those performed by carlot or trucklot receiver.

(4) To establish maximum markups for purveyors at wholesale receiving points located within its jurisdiction, not to exceed 125% of the maximum markups named for service wholesalers in Column 9 of the table in paragraph (e), and to add further limitation to the definition of the term "purveyor" in order to reflect any additional functions normally performed by such seller in the particular wholesale receiving point for which the markup is being fixed.

This amendment shall become effective January 31, 1944 as to maximum prices, f. o. b. shipping point and February 15, 1944 as to all other maximum prices.

(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 21st day of January 1944.

CHESTER BOWLES,  
Administrator.

Approved: January 17, 1944.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 44-1156; Filed, January 21, 1944;  
4:43 p. m.]

**PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS**

[RO 11, Amdt. 9 to Supp. 1]

**FUEL OIL RATIONING REGULATIONS**

A new subparagraph (5) is added to § 1394.9101 (b) as follows:

(5) In Zone D-1, the value of one unit represented by coupons numbered "4" and "5" on Class 4 coupon sheets, and the value of five units represented by coupons numbered "4" and "5" on Class 5 coupon sheets, and the value of twenty-five units represented by coupons numbered "4" and "5" on Class 6 coupon sheets are hereby fixed at ten (10) gallons, fifty (50) gallons, and two hundred fifty (250) gallons of fuel oil, respectively.

Amendment No. 9 to Supplement No. 1 (§ 1394.9101) shall become effective on January 25, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.; Pub. Law 421, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-0, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 24th day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-1252; Filed, January 24, 1944;  
11:59 a. m.]

**PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS**

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

**PROCESSED FOODS**

Section 1407.1102 (e) (1) (iv) is added to read as follows:

(iv) K, L and M may be used from February 1 to March 20, 1944, inclusive.

This amendment shall become effective January 28, 1944.

(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 24th day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-1251; Filed, January 24, 1944;  
11:59 a. m.]

<sup>1</sup> 9 F.R. 173.

**PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS**

[RO 9A, Amdt. 6]

**STOVES**

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

Ration Order 9A is amended in the following respects:

1. Section 3.1 (a) is amended by inserting the parenthetical phrase "(other than those set forth in paragraph (c) of this section)" after the word "person" in the first sentence thereof.

2. Section 3.1 (c) is added to read as follows:

(c) The following persons shall be deemed not to have dealer or distributor establishments:

(1) The Reconstruction Finance Corporation or any of its subsidiary corporations.

3. Section 6.7 is added to read as follows:

SEC. 6.7 *Transfer of stoves by the Reconstruction Finance Corporation.* (a) The Reconstruction Finance Corporation, or any of its subsidiary corporations (called the Corporation), may sell or otherwise transfer stoves in exchange for certificates for the number and types of stoves transferred. The Corporation shall, within 30 days after the sale or transfer, submit to the OPA District Office for the area in which the establishment of the transferee is located (1) the certificates obtained for the stoves sold or transferred and (2) a report on its official letterhead showing the number, by ration type, of the stoves transferred, the date of the transfer, and the name and address of the transferee.

4. Section 7.11 is added to read as follows:

SEC. 7.11 *Acquisition of stoves by the Reconstruction Finance Corporation—* (a) *No certificates required.* No certificates need be surrendered in exchange for stoves acquired, for transfer, by the Reconstruction Finance Corporation or any of its subsidiary corporations (called the Corporation). However, if the transferor is a dealer or distributor, the Corporation must, within 7 days after such acquisition, submit to the OPA District Office for the area in which the establishment of the transferor is located a report on its official letterhead showing the number, by ration type, of the stoves acquired, the date of acquisition and the name and address of the transferor.

(b) *Accounting for stoves transferred.* The District Office will forward the statement to the board for the area in which the transferor's establishment is located. If the transferor is not closing his establishment pursuant to section 9.4, the board will issue certificates to the trans-

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

<sup>1</sup> 8 F.R. 11564, 12749, 13060, 14049, 15254.

feror for the number and type of stoves transferred to the Corporation, after deducting the certificates, if any, owed it by the transferor because of excess inventory, or owed it for any other reason. If the transferor is closing his establishment, the statement shall be used to account for the stoves transferred by him to the Corporation.

This amendment shall become effective January 28, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562, and Supp. Dir. 1-S, 8 F.R. 6018)

Issued this 24th day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-1250; Filed, January 24, 1944;  
11:58 a. m.]

**PART 1499—COMMODITIES AND SERVICES**

[SR 15<sup>1</sup> to GMPPR, Amdt. 18]

**TELETYPE PAPERS**

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.\*

Supplementary Regulation No. 15 to the General Maximum Price Regulation is amended in the following respects:

Section 1499.75 (a) (11) is added to read as follows:

(11) *Teletype papers.* The Office of Price Administration may adjust the maximum prices established under the General Maximum Price Regulation for any producer of teletype papers who shows in an application for adjustment (i) that such maximum price subjects him to substantial hardship; (ii) that there exists or threatens to exist a general shortage of the essential supply of teletype papers; and (iii) that the adjustment requested is necessary to permit him to continue or expand his production of teletype papers. Applications for adjustment under this subparagraph are to be filed in accordance with the provisions of Revised Procedural Regulation No. 1.<sup>2</sup>

This amendment shall become effective January 27, 1944.

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

Issued this 24th day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-1253; Filed, January 24, 1944;  
11:59 a. m.]

<sup>1</sup> 7 F.R. 8959, 9819, 10584, 11006; 8 F.R. 1201, 6443, 8614, 9026, 11873, 13255, 13395, 13724, 15197, 16298, 16796, 17228.

<sup>2</sup> 7 F.R. 8961; 8 F.R. 3313, 3533, 6173.

Chapter XV—Board of War Communications

[Order 27-B]

PART 1722—PRECEDENCE FOR TELEGRAPH MESSAGES ESSENTIAL TO THE WAR EFFORT OR PUBLIC SAFETY

Whereas, the Board of War Communications has determined that the national defense and security and the successful conduct of the war demand that certain telegraph messages relating to the war effort and public safety be given preferred handling:

Now, therefore, by virtue of the authority vested in the Board by Executive Order No. 8964 of December 10, 1941 (6 F.R. 6367), prescribing regulations governing the preference and priority of communications, and by Executive Order No. 9089 of March 6, 1942 (7 F.R. 1777), prescribing regulations governing the use, control, supervision and closing of stations and facilities for wire communications:

It is hereby ordered as follows:

- Sec. 1722.1 Precedence.
- 1722.2 Procedure for indicating priorities.
- 1722.3 Other messages.
- 1722.4 Definition of domestic message.
- 1722.5 Priorities procedures.
- 1722.6 Violations.

AUTHORITY: §§ 1722.1 to 1722.6, inclusive, issued under E.O. 8964, 6 F.R. 6367; E.O. 9089, 7 F.R. 1777.

§ 1722.1 *Precedence.* Effective February 15, 1943, all wire-line telegraph, cable and radiotelegraph carriers shall upon specific designation by the sender give precedence in the handling of telegraph, cable, and radiotelegraph messages in accordance with the provisions of and in the order set forth below:

(a) *US Urgent.* To apply to domestic and international messages filed by the War and Navy Departments and to international messages filed by the State Department and the Federal Bureau of Investigation of the Department of Justice.

(b) *OP Priority.* To apply to domestic and international messages filed only by the War and Navy Departments.

(c) *Priority.* To apply to domestic and international messages filed by the State, War, or Navy Departments, the Federal Bureau of Investigation of the Department of Justice, and the Office of War Information, and to any other domestic message requiring immediate transmission for war purposes or to safeguard life or property and which relates to one or more of the following matters:

Immediate dangers due to the presence of the enemy.

Emergency communications in connection with actual military or naval requirements.

Hurricane, flood, earthquake, or other disaster.

Messages designated US Urgent, OP Priority, and Priority shall interrupt the transmission of all telegraph messages of lower precedence.

(d) *Rapid.* To apply to any domestic message which requires prompt transmission and delivery for the national defense and security, the successful conduct

of the war, or to safeguard life or property and which involves matters of the following type:

- Important governmental functions.
- Machinery, tools, or raw materials for war plants.
- Production, movement, and diversions of essential supplies.
- Maintenance of essential public services.
- Supply, movement, and diversion of food.
- Civilian defense or public health and safety.

§ 1722.2 *Procedure for indicating priorities.* The priority indicators "US Urgent", "OP Priority", "Priority", and "Rapid" should be written by the sender in the "To" space immediately before the address on messages being transmitted over commercial circuits. They are to be transmitted in plain language.

§ 1722.3 *Other messages.* Messages not designated with one of the foregoing priorities shall be handled in accordance with legally established classifications and tariffs on file with the Federal Communications Commission.

§ 1722.4 *Definition of domestic message.* As used in this order, domestic message means any telegraph message originating in the Continental United States and destined to a point in the Continental United States, Canada or Mexico.

§ 1722.5 *Priorities procedures.* The Federal Communications Commission is hereby requested and authorized in cooperation with the carriers concerned to evolve procedures and routines to effectuate the precedence and requirements set forth in this order.

§ 1722.6 *Violations.* Any sender of a telegraph message who willfully obtains or attempts to obtain priority for a telegraph message by fraudulently designating such message as a priority message or by furnishing false information to any telegraph carrier for the purpose of obtaining a priority, shall be subject to appropriate governmental action.

Subject to such further order as the board may deem appropriate.

BOARD OF WAR COMMUNICATIONS.  
JAMES LAWRENCE FLY,  
Chairman.

Attest: January 13, 1944.

HERBERT E. GASTON,  
Secretary.

[F. R. Doc. 44-1202; Filed, January 22, 1944; 11:40 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 140-A]

PART 95—CAR SERVICE

ATCHISON, TOPEKA AND SANTA FE RAILWAY CO. ET AL., EMPLOYER-EMPLOYEE AGREEMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its

office in Washington, D. C., on the 20th day of January 1944.

Upon further consideration of Service Order No. 140 (8 F.R. 10774-75) of July 30, 1943, and good cause appearing therefor:

It is ordered, That Service Order No. 140 (8 F.R. 10774-75) of July 30, 1943, (§ 95.22 of Title 49, C. F. R.), suspending employer-employee agreements, interpretations of said agreements, or practices established thereunder limiting train lengths be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., January 21, 1944; that a copy of this order and direction be served upon The Atchison, Topeka and Santa Fe Railway Company, the Union Pacific Railroad Company, and the California State railroad commission, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BRETTEL,  
Secretary.

[F. R. Doc. 44-1191; Filed, January 22, 1944; 11:07 a. m.]

[S. O. 141-A]

PART 95—CAR SERVICE

ATCHISON, TOPEKA AND SANTA FE RAILWAY CO., ET AL., EMPLOYER-EMPLOYEE AGREEMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of January, A. D. 1944.

Upon further consideration of Service Order No. 141 (8 F.R. 10775) of July 30, 1943, and good cause appearing therefor:

It is ordered, That Service Order No. 141 (8 F.R. 10775) of July 30, 1943 (§ 95.23 of Title 49, C. F. R.), suspending employer-employee agreements, interpretations thereof, or practices established thereunder limiting tonnage of trains drawn by two locomotives be, and it is hereby vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., January 21, 1944; that a copy of this order and direction be served upon The Atchison, Topeka and Santa Fe Railway Company, the State railroad commissions in Arizona and California, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Sec-

retary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register. By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-1192; Filed, January 22, 1944;  
11:07 a. m.]

### Notices

#### TREASURY DEPARTMENT.

Fiscal Service: Bureau of Public Debt.  
[1944 Dept. Circ. 732]

#### 0.90 PERCENT TREASURY NOTES OF SERIES D-1945

OFFERING OF NOTES

JANUARY 24, 1944.

I. *Offering of notes.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for notes of the United States, designated 0.90 percent Treasury Notes of Series D-1945, in exchange for Treasury Certificates of Indebtedness of Series A-1944, maturing February 1, 1944. The amount of the offering will be limited to the amount of such maturing certificates tendered and accepted.

II. *Description of notes.* 1. The notes will be dated February 1, 1944, and will bear interest from that date at the rate of 0.90 percent per annum, payable on a semiannual basis on September 1, 1944, and March 1, 1945. They will mature March 1, 1945, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes shall be subject to all Federal taxes, now or hereafter imposed. The notes shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. The notes will not be issued in registered form.

5. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve

Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of notes applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for notes allotted hereunder must be made on or before February 1, 1944, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series A-1944, maturing February 1, 1944, which will be accepted at par, and should accompany the subscription.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL]

D. W. BELL,  
Acting Secretary of the Treasury.

[F. R. Doc. 44-1236; Filed, January 24, 1944;  
11:41 a. m.]

#### DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

BOISE PROJECT, IDAHO

REVOCATION OF LAND WITHDRAWAL

DECEMBER 31, 1943.

The SECRETARY OF THE INTERIOR.

STR: From recent investigations in connection with the Boise project, the withdrawal of the hereinafter described land, withdrawn in the first form prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388) by departmental order of April 26, 1938, no longer appears necessary to the project.

It is therefore recommended that so much of said order as withdrew the land hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other land by said order or affect any other order withdrawing or reserving the land hereinafter listed.

BOISE PROJECT

BOISE MERIDIAN, IDAHO

T. 19 N., R. 1 E.,  
Sec. 32.

Respectfully,

H. W. BASHORE,  
Commissioner.

I concur: January 13, 1944.

JOEL DAVID WOLFSÖHN,  
Acting Commissioner of the  
General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,  
First Assistant Secretary.

JANUARY 6, 1944.

[F. R. Doc. 44-1231; Filed, January 24, 1944;  
10:13 a. m.]

General Land Office.

NEVADA

MODIFICATION OF GRAZING DISTRICT

*Correction*

The correction to F.R. Doc. 44-399 appearing on page 405 of the issue for Tuesday, January 11, 1944, is in error. The document is correct as originally printed on page 349 of the issue for Saturday, January 8, 1944.

Office of the Secretary.

[1917]

DIRECTOR OF GRAZING

DELEGATION OF AUTHORITY

Pursuant to the provisions of sections 161 and 3828, Revised Statutes (5 U.S.C. sec. 22 and 44 U.S.C. sec. 324, respectively), sections 2, 3 and 9 of the act of June 28, 1934 (48 Stat. 1270, 1273, 43 U.S.C. secs. 315a, 315b, and 315h), the act of June 23, 1938 (52 Stat. 1033, 43 U.S.C. sec. 315m-1), and Treasury Department Circular No. 369, revised August 26, 1942, it is hereby ordered as follows:

I. The Director of Grazing may hereafter act in relation to the following classes of matters without obtaining Secretarial approval, unless the Secretary in any particular matter determines otherwise, and subject in any event to an appeal to the Secretary in appropriate cases:

(a) The remission or refund of grazing fees in cases where because of range depletion due to severe drought or other causes the moneys involved have not been deposited in the Treasury as earned, and in cases involving earned moneys where the parties seeking relief are willing that

a credit be allowed on subsequent grazing fees.

(b) The execution and filing in the name of the United States of applications to appropriate water under State laws, where required in connection with stock-watering projects, and to secure easements or rights-of-way upon or over private lands, where improvements are erected.

(c) The acceptance of contributions toward the administration, protection and improvement of the districts.

(d) The approval of leases under the Pierce Act which involve the use of an approved form, cover small areas and are of minor importance.

(e) The approval of cooperative agreements effected under section 2 of the Taylor Grazing Act, where such agreements are to be made on forms which have been approved by the Secretary.

(f) The approval of travel advances to employees of the Grazing Service, where such advances do not exceed \$1,000.

(g) The annual authorization of publication, in certain newspapers in various public domain States, of notices of meetings and other such notices.

II. All general rules, regulations and instructions must be approved by the Secretary. This order does not affect the responsibility of the Solicitor for the review of legal questions.

III. This order is effective immediately, but matters now pending before the Department will be cleared as heretofore.

HAROLD L. ICKES,  
Secretary of the Interior.

JANUARY 18, 1944.

[F. R. Doc. 44-1152; Filed, January 21, 1944;  
12:43 p. m.]

## DEPARTMENT OF LABOR.

### Wage and Hour Division.

#### LEARNER EMPLOYMENT CERTIFICATES

##### ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942; 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as heré stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4293).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 23, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446) as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order of regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

#### APPAREL INDUSTRY

Hunter Brothers Company, Inc., Statesville, North Carolina; U. S. Navy woven shorts; 5 learners (T); effective January 18, 1944, expiring January 17, 1945.

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

American Pants Manufacturing Company, 306 East Main Street, Carbondale, Illinois; dress pants, semi-dress pants; 10 learners (T); effective January 20, 1944, expiring January 19, 1945.

Barrow Manufacturing Company, Candler Street, Winder, Georgia; Army and work pants; 10 percent (T); effective January 19, 1944, expiring January 18, 1945.

Bee-Bee Frocks, 3519 Troost Avenue, Kansas City, Missouri; children's pinafores; 5 learners (T); effective January 17, 1944, expiring January 16, 1945.

H. Bomze & Brother, Broad Street, Elmer, New Jersey; dresses; 3 learners (T); effective January 18, 1944, expiring January 17, 1945.

Ely & Walker Dress Factory, Vandalla, Missouri; dresses; 10 percent (T); effective January 22, 1944; expiring January 21, 1945.

Ely & Walker Shirt Factory, Kennett, Missouri; shirts; 10 percent (T); effective January 19, 1944, expiring January 18, 1945.

The Greenwich Garment Company, Inc., Mill Hollow, Greenwich, New York; cotton dresses; 10 percent (T); effective January 20, 1944, expiring January 19, 1945.

Lafayette Pants Company, 401 Lafayette Boulevard, Fredericksburg, Virginia; trousers; 10 percent (T); effective January 17, 1944, expiring January 16, 1945.

D. Lazar & Sons, 430 First Avenue, North, Minneapolis, Minnesota; trousers and

brooches; 2 learners (T); effective January 17, 1944, expiring January 16, 1945.

Mayfield Sewing Company, Mayfield, Pennsylvania; children's dresses; 5 learners (T); effective January 22, 1944, expiring January 21, 1945.

Oshkosh B'Gosh, Inc., 33 Otter Street, Oshkosh, Wisconsin; overalls, jackets, coveralls, jeans, work pants; 5 percent (T); effective January 21, 1944, expiring January 20, 1945.

Reade Manufacturing Company, 122 South Main Street, Memphis, Tennessee; men's shirts; 30 learners (T); effective January 24, 1944, expiring July 23, 1944.

The Standard Overall Company, Chase City, Virginia; work shirts, jackets, aprons; 10 percent (T); effective January 22, 1944, expiring January 21, 1945.

#### GLOVE INDUSTRY

William E. Seal & Company, East North Street, Millersburg, Pennsylvania; work gloves; 3 learners (T); effective January 20, 1944, expiring January 19, 1945.

#### HOSIERY INDUSTRY

Murray Hosiery Mills, Inc., 591 South Fourth Street, Murray, Kentucky; seamless hosiery; 15 learners (AT); effective January 17, 1944, expiring June 21, 1944.

Pilot Mountain Hosiery Mills, Inc., Pilot Mountain, North Carolina; seamless hosiery; 5 percent (T); effective January 18, 1944, expiring January 17, 1945.

#### TELEPHONE INDUSTRY

Central Iowa Telephone Company, Toledo, Iowa; to employ learners as commercial switchboard operators at its St. Ansgar exchange, located at St. Ansgar, Iowa; effective January 22, 1944, expiring January 21, 1945.

Central Iowa Telephone Company, 104½ East High Street, Toledo, Iowa; to employ learners as commercial switchboard operators at its State Center exchange, located at State Center, Iowa; effective January 22, 1944, expiring January 21, 1945.

Central Iowa Telephone Company, 304 Security Building, Cedar Rapids, Iowa; to employ learners as commercial switchboard operators at its Tama exchange, located at 211 West 4th Street, Tama, Iowa; effective January 22, 1944, expiring January 21, 1945.

Jasper County Telephone Company, 116 North Cullen Street, Rensselaer, Indiana; to employ learners as commercial switchboard operators at its Rensselaer exchange, located at 116 North Cullen Street, Rensselaer, Indiana; effective January 19, 1944, expiring January 18, 1945.

#### LIGHTED WEAR INDUSTRY

Quality Knitting Company, Inc., Stowe, Pennsylvania; men's knitted underwear; 5 percent (T); effective January 26, 1944, expiring January 25, 1945.

#### TEXTILE INDUSTRY

Liberty Throwing Company, Inc., Fringle Street & Zerby Avenue, Kingston, Pennsylvania; rayon yarns; 6 percent (AT); effective January 22, 1944, expiring July 21, 1944.

Liberty Throwing Company, Inc., 283 East Church Street, Nanticoke, Pennsylvania; rayon yarns; 6 percent (AT); effective January 22, 1944, expiring July 21, 1944.

Sauquelt Silk Company, Inc., 302 Fig Street, Scranton, Pennsylvania; nylon and rayon; 75 learners (AT); effective January 22, 1944, expiring July 21, 1944.

Signed at New York, N. Y., this 22d day of January 1944.

ISABEL FERGUSON,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 44-1234; Filed, January 24, 1944;  
11:16 a. m.]

LEARNER EMPLOYMENT CERTIFICATES  
ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

The World, 607 Utah Street, Hiawatha, Kansas; printing and publishing; one learner (T); casting mats for a learning period of 320 hours at 30 cents per hour; effective January 19, 1944, expiring July 19, 1944.

Signed at New York, N. Y., this 22d day of January 1944.

ISABEL FERGUSON,  
*Authorized Representative  
of the Administrator.*

[F. R. Doc. 44-1235; Filed, January 24, 1944;  
11:18 a. m.]

FEDERAL COMMUNICATIONS COM-  
MISSION.

[Docket No. 5948]

KOMA, INC.

NOTICE OF HEARING

In re application of KOMA, Inc. (KOMA); date filed, January 15, 1940; for construction permit; class of service, broadcast, class of station, broadcast; location, Oklahoma City, Oklahoma; operating assignment specified; frequency, 690 kc; power, 10 kw (DA—night and day); hours of operation, unlimited; (File No. B3-P-2703).

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing, in consolidation with Dockets 5949, 6560 and 6570 for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Com-

mission in its memorandum opinion dated April 27, 1942.

2. To determine the populations and areas that would be expected to gain or lose primary service, particularly from Station KOMA, operating as proposed, and what other broadcast services are available to those areas and populations.

3. To determine the character of the program service proposed to be rendered by Station KOMA.

4. To determine the extent of any interference which would result from the operation of Station KOMA as proposed to the services of Stations CMQ, Havana, Cuba, and XEN, Mexico, D. F.

5. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

6. To determine whether the granting of this application would be consistent with the terms of the North American Regional Broadcasting Agreement.

7. To determine, in view of the facts adduced under the foregoing issues, as well as the facts adduced in the issues in Dockets Nos. 5949 and 6560, whether public interest, convenience and necessity would be served by the granting of this application or the applications in Dockets Nos. 5949 and 6560, or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: KOMA, Incorporated, Radio Station KOMA, Biltmore Hotel, Oklahoma City 1, Oklahoma.

Dated at Washington, D. C., January 18, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,  
*Secretary.*

[F. R. Doc. 44-1203; Filed, January 22, 1944;  
11:36 a. m.]

[Docket No. 5949]

HUGH J. POWELL (KGGF)

NOTICE OF HEARING

In re application of Hugh J. Powell (KGGF); date filed, May 23, 1940; for construction permit; class of service, broadcast; class of station, broadcast; location, Coffeyville, Kansas; operating assignment specified; frequency, 690 kc; power, 1 kw (DA—Day and night); hours of operation, unlimited. (File No. B4-P-2883.)

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing, in consolidation with Dockets 5948, 6560 and 6570, for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942.

2. To determine the populations and areas that would gain or lose primary service, particularly from Station KGGF, operating as proposed, and what other broadcast services are available to those populations and areas.

3. To determine the character of the program service proposed to be rendered by Station KGGF.

4. To determine the populations and areas that would be expected to gain or lose primary service, particularly from Station KFEQ if Station KGGF should operate as proposed and what other broadcast services are available to those populations and areas.

5. To determine the extent of any interference which would result to the services of Station CMQ, Havana, Cuba, should Station KGGF operate as proposed.

6. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

7. To determine whether the granting of this application would be consistent with the terms of North American Broadcasting Agreement.

8. To determine whether, in view of the facts adduced under the foregoing issues, as well as the facts adduced under the issues in Dockets Nos. 5948 and 6560, public interest, convenience or necessity would be served through the granting of this application, or the applications in Dockets Nos. 5948 and 6560, or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Hugh J. Powell, Radio Station KGGF, Journal Building, Cor. 8th and Elm Streets, Coffeyville, Kansas.

Dated at Washington, D. C., January 18, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,  
*Secretary.*

[F. R. Doc. 44-1204; Filed, January 22, 1944;  
11:36 a. m.]

[Docket No. 6560]

HUGH J. POWELL (KGGF)

## NOTICE OF HEARING

In re application of Hugh J. Powell (KGGF); date filed, November 21, 1941; for, renewal of license; class of service; broadcast; class of station, broadcast; location, Coffeyville, Kansas. Operating assignment specified: Frequency, 690 kc; power, 500 w night; 1 kw day; hours of operation, unlimited; (File No. B4-R-710).

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing, in consolidation with Dockets 5948, 5949, and 6570, for the following reasons:

1. To determine the populations and areas presently receiving primary service from Station KGGF, as well as the other broadcast services that are available to those populations and areas.

2. To determine the character of the program service rendered by KGGF.

3. To determine the extent of the interference, if any, between Station KFEG and Station KGGF, as presently operated.

4. To determine what populations and areas, if any, within the normally protected contours of Stations KFEG and KGGF, are subject to objectionable interference, resulting from the present operation of these stations, and also, what other broadcast services, if any, are available to those populations and areas.

5. To determine whether the continued operation of Station KGGF on 690 kc with power of 500 w-1 kw LS, unlimited time would serve public interest, convenience or necessity.

6. To determine whether, in view of the facts adduced under the foregoing issues, as well as the facts adduced under the issues in Dockets 5948 and 5949, public interest, convenience or necessity would be served through the granting of this application, the applications in Dockets Nos. 5948 or 5949 or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Hugh J. Powell, Radio Station KGGF, Journal Building, Cor. 8th and Elm Streets, Coffeyville, Kansas.

Dated at Washington, D. C., January 18, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 44-1205; Filed, January 22, 1944; 11:36 a. m.]

[Docket No. 6570]

KOMA, Inc.

## NOTICE OF HEARING

In re application of KOMA, Incorporated (KOMA); date filed, January 15, 1944; for renewal of license; class of service, broadcast; class of station, broadcast; location, Oklahoma City, Oklahoma. Operating assignment specified: frequency, 1520 kc; power, 5 kw; hours of operation, unlimited. (File No. B3-R-469.)

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing, in consolidation with Dockets 5948, 5949, and 6560, for the following reasons:

1. To determine the populations and areas now receiving primary service from Station KOMA, operating on the frequency 1520 kc, 5 kw power, unlimited time, as well as what other broadcast services are available to those populations and areas;

2. To determine the extent of the interference, if any, which would be occasioned to a station operating at Guatemala City, Guatemala, on the frequency 1520 kc, with 12 kw power, unlimited time, from the continued operation of KOMA on 1520 kc, 5 kw power, unlimited time, at Oklahoma City;

3. To determine the extent of the interference, if any, which would be occasioned to the operation of Station WKBW at Buffalo, New York, on 1520 kc, with 50 kw power, unlimited time, directional antenna day and night, from the present operation of KOMA, Oklahoma City, Oklahoma, and what populations and areas, if any, within the normally protected contours of Station WKBW, are subject to objectionable interference by such operation of KOMA.

4. To determine whether a grant of this application would be consistent with the priority claims of the Government of Guatemala to the use of the frequency 1520 kc for operation at Guatemala City with the protection afforded a 1-A station under the standards set up in the North American Regional Broadcasting Agreement.

5. In the event it should be found that the present operation of KOMA causes interference to the Guatemala City station and WKBW, Buffalo, which is inconsistent with priority claims of Guatemala to the use of the frequency 1520 kc as recognized by the United States in its agreement to afford a station at Guatemala City the protection of a 1-A station, and the requirements of the Commission's Rules and Regulations and Standards of Good Engineering Practice, to determine whether public interest, convenience and necessity would be served by the continued operation of KOMA on 1520 kc upon condition that its radiations be reduced to such values as to afford the Guatemalan station protection as a 1-A station and to afford WKBW, Buffalo, New York, protection in accordance with the Commission's Rules and Regulations and Standards of Good Engineering Practice.

6. To determine whether the granting of this application would tend toward a

fair, efficient, and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934 as amended;

7. To determine, in view of the facts adduced under the foregoing issues, whether public interest, convenience, or necessity would be served by the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: KOMA, incorporated, Radio Station KOMA, Biltmore Hotel, Oklahoma City 1, Oklahoma.

Dated at Washington, D. C., January 20, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 44-1206; Filed, January 22, 1944; 11:36 a. m.]

[Docket No. 6571]

ALBERT STETSON, (KYCA) and KTAR

## NOTICE OF HEARING

In re application of Albert Stetson, Transferor; (KYCA); KTAR Broadcasting Company, Transferee, and licensee of Radio Station KTAR; for transfer of control of Southwest Broadcasting Company, licensee of Radio Station KYCA; class of service, broadcast; class of station, broadcast; location, Prescott, Arizona. Operating assignment specified frequency, 1490 kc.; power, 250 w.; hours of operation, unlimited. (File No. B5-TC-276.)

You are hereby notified that the Commission has examined the above-entitled application and has designated the matter for hearing for the following reasons:

1. To determine the qualifications of the transferee, KTAR Broadcasting Company, to control Southwest Broadcasting Company as licensee of Station KYCA, Prescott, Arizona.

2. To obtain full information with respect to transferee's acquisition of its interest in Southwest Broadcasting Company and with respect to all contracts, arrangements and understandings relating to the transfer of control proposed in the instant application.

3. To obtain full information with respect to the interests of the transferee, or any of its officers, directors, stockholders and employees in the operation of broadcast stations and network organizations.

4. To obtain full information with respect to transferee's interest in the Ari-

zona Broadcasting Company network and with respect to all contracts, arrangements and understandings which exist between the network company and licensees of broadcast stations.

5. To determine whether or not control of Southwest Broadcasting Company has been transferred without the consent of the Commission in violation of section 310 (b) of the Communications Act of 1934.

6. To determine whether or not approval of the proposed transfer would effect a concentration of control of media of mass communication in the State of Arizona contrary to the public interest.

7. To determine whether or not a substantial portion of the primary service area of Station KYCA is within the primary service area of Station KTAR, and whether or not approval of the proposed transfer of control of KYCA would be consistent with the provisions of § 3.35 of the Federal Communications Commission's rules.

8. To determine whether in view of the facts shown under the foregoing issues the granting of the above application would be in the public interest.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant, on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicants' addresses are as follows: Albert Stetson, Southwest Broadcasting Company, Radio Station KYCA, East Gurley Street, Prescott, Arizona; KTAR Broadcasting Company, Radio Station KTAR, Heard Building, 116 No. Central Ave., Phoenix, Arizona.

Dated at Washington, D. C., January 20, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 44-1207; Filed, January 22, 1944;  
11:36 a. m.]

#### FEDERAL TRADE COMMISSION

[Docket No. 4730]

INDIAN RIVER FRUIT & VEGETABLE DISTRIBUTORS, INC., AND FRANK C. SPADARO

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of January, A. D., 1944.

This matter being at issue and ready for the taking of testimony, and pursu-

ant to authority vested in the Federal Trade Commission.

*It is ordered*, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Monday, February 7, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in U. S. Court Room No. 5, Twelfth Floor, Post Office Building, Boston, Massachusetts.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-1171; Filed, January 22, 1944;  
11:11 a. m.]

[Docket No. 5060]

JAMES G. EXUM

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of January, A. D., 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered*, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Monday, February 21, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Basement Room No. 4, Federal Building, Rocky Mount, North Carolina.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-1172; Filed, January 22, 1944;  
11:11 a. m.]

[Docket No. 5089]

WILLIAM H. HOWE

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in

the City of Washington, D. C., on the 20th day of January, A. D., 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered*, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Tuesday, February 8, 1944, at 2 o'clock in the afternoon of that day (eastern standard time), in Court Room No. 5, Twelfth Floor, Post Office Building, Boston, Massachusetts.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-1173; Filed, January 23, 1944;  
11:12 a. m.]

[Docket No. 5050]

STANDARD BUSINESS INSTITUTE, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of January A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered*, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Wednesday, February 2, 1944, at ten o'clock in the forenoon of that day (central standard time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

A. N. ROSS,  
Acting Secretary.

[F. R. Doc. 44-1228; Filed, January 24, 1944;  
10:21 a. m.]

## INTERSTATE COMMERCE COMMISSION.

[S. O. 178, Gen. Permit 2]

## PERISHABLE FOOD SHIPMENTS

## RESTRICTIONS ON USE OF REFRIGERATOR CARS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 178 insofar as it applies to the furnishing or supplying of a refrigerator car or cars for loading with lard, lard compounds, lard substitutes, rendered pork fats, vegetable oil shortening, cooking and salad oil, animal tallow, dried fish, and dried or powdered skim milk, and concentrated citrus juice, destined to points in the States of Oregon, Washington, California, New Mexico, Arizona, Nevada, Idaho, Montana, and Utah, when originating at points in States east thereof, or transporting or moving a refrigerator car loaded with lard, lard compounds, lard substitutes, rendered pork fats, vegetable oil shortening, cooking and salad oil, animal tallow, dried fish, and dried or powdered skim milk, and concentrated citrus juice, destined to points in the States of Oregon, Washington, California, New Mexico, Arizona, Nevada, Idaho, Montana, and Utah, when originating at points in States east thereof, *Providing*, The waybills shall show reference to this general permit.

This permit shall become effective at 12:01 p. m., January 15, 1944.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of January, 1944.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 44-1190; Filed, January 22, 1944;  
11:07 a. m.]

## OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2944]

## WILHELM KIEL

In re: Real property and property insurance policy owned by Wilhelm Kiel.

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

1. That the last known address of Wilhelm Kiel, also known as William Kiel, is Braunschweig, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Wilhelm Kiel is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. Real property situated in Butler County, Ohio, particularly described as Lot No. Six Thousand Five Hundred Twenty-Nine (6529) as the same is known and designated on the Record Plat of the City of Middletown, County of Butler, and State of Ohio, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property.

b. All right, title and interest of Wilhelm Kiel in and to fire and extended insurance Policy No. 2393 issued by the Philadelphia Fire and Marine Insurance Company, incurring the premises described in subparagraph 3-a hereof;

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

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b, hereof.

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 13, 1944.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 44-1222; Filed, January 24, 1944;  
11:03 a. m.]

[Vesting Order 2953]

## SCHLOEMANN ENGINEERING CORP.

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

1. That all of the issued and outstanding capital stock of Schloemann Engineering Corporation, a corporation organized under the laws of the State of Delaware, and a business enterprise within the United States, consisting of 5,000 shares of no par value stock, is registered in the name of Karl Feller and is beneficially owned by Schloemann Aktiengesellschaft and is evidence of ownership and control of said business enterprise;

2. That Schloemann Aktiengesellschaft, whose principal place of business is Duesseldorf, Germany, is a corporation organized under the laws of Germany and is a national of a designated enemy country (Germany); and determining:

3. That Schloemann Engineering Corporation is controlled by Schloemann Aktiengesellschaft and is a national of a designated enemy country (Germany);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 5,000 shares of capital stock of Schloemann Engineering Corporation, registered in the name of Karl Feller, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

sion of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 15, 1944.

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

[F. R. Doc. 44-1233; Filed, January 24, 1944;  
11:03 a. m.]

## OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A-60]

### CERTAIN TAXICAB OPERATORS

#### COORDINATED OPERATIONS IN THE HINESVILLE, GA., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231) a copy of which plan is attached hereto as Appendix 2, and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Hinesville, Georgia, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

\* Filed as part of the original document.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Savannah, Georgia, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-60" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Savannah, Georgia.

8. This order shall become effective February 3, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of January 1944.

JOSEPH B. EASTMAN,  
*Director*  
*Office of Defense Transportation.*

#### APPENDIX 1

Porter Cab Company, Hinesville, Georgia.  
B & M Cab Company, Hinesville, Georgia.  
G & W Cab Company, Hinesville, Georgia.  
Howard Fletcher, Hinesville, Georgia.  
R. W. Wheeler, Hinesville, Georgia.  
J. H. Gibbs, Hinesville, Georgia.  
C. M. Peavy, Hinesville, Georgia.  
W. I. Stafford, Hinesville, Georgia.  
W. P. Williamson, Hinesville, Georgia.

[F. R. Doc. 44-1163; Filed, January 22, 1944;  
10:10 a. m.]

[Supp. Order ODT 20A-61]

### CERTAIN TAXICAB OPERATORS

#### COORDINATED OPERATIONS IN KENTON, OHIO, AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231) a copy of which plan is attached hereto as Appendix 2, and it appearing that the operators propose, by the plan, to coordinate their

taxicab operations within the area of Kent, Ohio, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Canton, Ohio, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-61" and, unless otherwise directed, should be addressed to

the Division of Motor Transport, Office of Defense Transportation, Canton, Ohio.

8. This order shall become effective February 3, 1944 and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of January 1944.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.  
APPENDIX 1

W. L. Croop, d/b/a Portage Cab Co., 101 West Main Street, Kent, Ohio.

Herb Miller, d/b/a Kent Cab Co., 101 West Main Street, Kent, Ohio.

Robert Dietrich, 101 West Main Street, Kent, Ohio.

Gus P. Condos, 101 West Main Street, Kent, Ohio.

[F. R. Doc. 44-1164; Filed, January 22, 1944; 10:10 a. m.]

[Supp. Order ODT 3, Rev. 148]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN TULSA AND CHELSEA, OKLA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by The Chief Freight Lines Company, a corporation, Kansas City, Missouri, and Yellow Transit Co., a corporation, Oklahoma City, Oklahoma, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582), a copy of which plan is attached hereto as Appendix 1,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this

order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-148," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 27, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of January 1944.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 44-1225; Filed, January 23, 1944; 8:50 a. m.]

[Supp. Order ODT 3, Rev. 149]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN SAN ANTONIO AND MARION, TEX.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by L. E. Hensley, doing business as Hensley Freight Lines, Marion, Texas, and Red Arrow Freight Lines, Inc., Houston, Texas, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582), a copy of which plan is attached hereto as Appendix 1,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not

<sup>1</sup>Filed as part of the original document.

be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised 149," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 27, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of January 1944.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 44-1226; Filed, January 24, 1944;  
9:56 a. m.]

[Supp. Order ODT 3, Rev. 150]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS  
IN NEBRASKA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Walter Petersen, doing business as Nielsen & Petersen, Grand Island, Nebraska, On-Time Transfer Company, a corporation, Omaha, Nebraska, Matthew Leo McKeone, doing business as Red Ball Transfer Company, Omaha, Nebraska, Union Freightways, doing business as Union Transfer Company, a corporation, Omaha, Nebraska, Thomas Shanahan, doing business as Wahoo Transfer, Wahoo, Nebraska, and Watson Bros. Transportation Co., Inc., Omaha, Nebraska, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582), a copy of which plan is attached hereto as Appendix 1,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to

conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate

the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-150," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 27, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of January 1944.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 44-1227; Filed, January 24, 1944;  
9:57 a. m.]

[Supp. Order ODT 3, Rev. 151]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KANSAS  
CITY AND ST. LOUIS, MO.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Byers Transportation Company, a Corporation, Kansas City, Missouri, and Roadway Express, Inc., Akron, Ohio, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582), a copy of which plan is attached hereto as Appendix 1,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

<sup>1</sup>Filed as part of the original document.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-151," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 27, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of January 1944.

JOSEPH B. EASTMAN,  
Director

Office of Defense Transportation,

[F. R. Doc. 44-1222; Filed, January 24, 1944;  
9:55 a. m.]

[Supp. Order ODT 3, Rev-152]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS  
IN ILLINOIS AND IOWA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Churchill Truck Lines, a corporation, of Meadville, Missouri,

and Orscheln Bros. Truck Lines, Inc., a corporation, of Moberly, Missouri, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14532) a copy of which plan is attached hereto as Appendix 1,<sup>2</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any provision of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with terms of this order, and shall prosecute such applications with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers'

<sup>2</sup> Filed as part of the original document.

possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised 152," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 23, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of January 1944.

JOSEPH B. EASTMAN,  
Director

Office of Defense Transportation.

[F. R. Doc. 44-1223; Filed, January 24, 1944;  
9:55 a. m.]

[Supp. Order ODT 3, Rev-153]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN SYRACUSE AND OSWEGO, N. Y.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by The Western Express Company, a corporation, and George W. Brown, doing business as Brown's Express, both of Syracuse, New York, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694, 8 F.R. 4660, 14532) a copy of which plan is attached hereto as Appendix 1,<sup>2</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and con-

tinue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-153," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 28, 1944 and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate,

Issued at Washington, D. C., this 24th day of January 1944.

JOSEPH B. EASTMAN,  
Director

Office of Defense Transportation.

[F. R. Doc. 44-1224; Filed, January 24, 1944;  
9:56 a. m.]

[Supp. Order ODT 3, Rev-154]

COMMON CARRIER

COORDINATED OPERATIONS BETWEEN PATCHOGUE AND NEW YORK CITY, N. Y.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by James DeVito and Carl DeVito, copartners, doing business as DeVito Bros. Express, Patchogue, New York, Joseph Schmitt and Albert Schmitt, copartners, doing business as Long Island Flower Transportation Co., Bayport, New York, and Paul Otto Schiel, Bayport, New York, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582) a copy of which plan is attached hereto as Appendix 1,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar

act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised 154," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 28, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of January 1944.

JOSEPH B. EASTMAN,  
Director

Office of Defense Transportation.

[F. R. Doc. 44-1219; Filed, January 24, 1944;  
9:51 a. m.]

[Supp. Order ODT 3, Rev-155]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KANSAS CITY, MO., AND SALINA, KANS.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Ash Truck Lines, Inc., Kansas City, Missouri, Yellow Transit Co., a corporation, Oklahoma City, Okla-

<sup>1</sup> Filed as part of the original document.

homa, and P F Felten and R. J. La-Benne, doing business as Kansas Transport Freight Lines, Salina, Kansas, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582) a copy of which plan is attached hereto as Appendix 1, and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute

such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised, 155," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 23, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of January 1944.

JOSEPH B. EASTMAN,  
Director

Office of Defense Transportation.

[F. R. Doc. 44-1220; Filed, January 24, 1944; 9:52 a. m.]

[Supp. Order ODT 3, Rev-157]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN PORTS IN OREGON, WASHINGTON AND IDAHO

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the carriers named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582) a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law,

and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-157," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 23, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of January 1944.

JOSEPH B. EASTMAN,  
Director

Office of Defense Transportation.

<sup>1</sup> Filed as part of the original document.

## APPENDIX I

James B. Jones, an individual, doing business as Jones Hauling Company, 1906 S. E. 10th Avenue, Portland, Ore.

Columbia Commercial Transport Co., a corporation, 604 N. E. 21st Avenue, Portland, Ore.

St. Johns Motor Express Co., a corporation, 7220 N. Burlington Avenue, Portland, Ore.

R. A. Heintz Jr., an individual, doing business as Interstate Heavy Hauling Co., 8101 N. E. Union Avenue, Portland, Ore.

Lee Blakkolb, an individual, doing business as Western Heavy Hauling Company, 6208 N. E. Killingsworth, Portland, Ore.

Willamette Hauling Company, a corporation, 1726 N. Flint, Portland, Ore.

Pihl Transfer & Storage Co., a corporation, 1231 N. W. Hoyt, Portland, Ore.

Kenneth Poorman Company, a corporation, 1835 S. E. Grand Avenue, Portland, Ore.

[F. R. Doc. 44-1221; Filed, January 24, 1944; 9:54 a. m.]

[Supp. Order ODT 3, Rev-158]

## COMMON CARRIERS

## COORDINATED OPERATIONS BETWEEN POINTS IN NEBRASKA AND IOWA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Theodore E. Bies, an individual, doing business as Bies Transfer, of Tekamah, Nebraska, LeRoy Enstrom, an individual, doing business as Enstrom Transfer, of Oakland, Nebraska, John G. Jensen, an individual, doing business as Fairway Transfer, of Blair, Nebraska, and Union Transfer Company, a corporation, of Omaha, Nebraska, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582), a copy of which plan is attached hereto as Appendix 1,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary

<sup>1</sup> Filed as part of the original document.

to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-158," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 28, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of January 1944.

JOSEPH B. EASTMAN,  
Director,  
Office of Defense Transportation.

[F. R. Doc. 44-1215; Filed, January 24, 1944; 9:50 a. m.]

[Supp. Order ODT 3, Rev-159]

## COMMON CARRIERS

## COORDINATED OPERATIONS BETWEEN POINTS IN NEBRASKA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by James Davison, an individual, doing business as Beatrice Motor Freight, of Beatrice, Nebraska, Earl R. McKay, an individual, doing business as Crete Freight Lines, of Crete, Nebraska, J. H. Horney, an individual, doing business as Horney Freight Lines, of Tobias, Nebraska, C. C. McKay, an individual, doing business as McKay Freight Line, of Fairbury, Nebraska, and Union Transfer Company, a corporation, doing business as Union Freightways, of Omaha, Nebraska, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582), a copy of which plan is attached hereto as Appendix 1,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transporta-

tion capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-159," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 28, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of January 1944.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 44-1216; Filed, January 24, 1944;  
9:50 a. m.]

[Supp. Order ODT 3, Rev-161]

#### COMMON CARRIERS

#### COORDINATED OPERATIONS BETWEEN POINTS IN NEBRASKA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by R. W. Newman, an individual, doing business as Hastings Transfer Company, of Hastings, Nebraska, and Walter Petersen, an individual, doing business as Nielsen & Petersen, of Grand Island, Nebraska, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582), a copy of which plan is attached hereto as Appendix 1,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at

all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-161," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 28, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of January 1944.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 44-1218; Filed, January 24, 1944;  
9:59 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

WATER HEATERS, ETC.

[Order A-2 Under LFR 123, Amdt. 11]

#### ADJUSTMENT OF MANUFACTURER PRICES

Amendment No. 11 to Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 183. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

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

Paragraph (a) (11) is added to read as follows:

(11) *Direct-fired gas side-arm water heaters, plumbing brass specialty fittings, asbestos packed plug cocks, and furnaces and stove pipe and elbows—(i) Scope of this subparagraph.* This subparagraph permits the granting of relief to manufacturers of the following commodities who are unable to maintain production under their existing maximum prices whenever there is a general shortage in the essential supply, or the loss of the sellers production would result in higher prices to consumers. The extent of relief to be granted under each provision is set forth in subdivision (ii).

(a) *Direct-fired gas side-arm heaters.* The term "direct-fired gas side-arm heaters" means a heater designed for gas-firing, with copper or cast-iron coils as heating vessels, customarily enclosed in a cast-iron or steel jacket and commonly referred to in the trade as a gas-fired side-arm heater.

(b) *Plumbing brass specialty fittings.* The term "plumbing brass specialty fittings" means fittings manufactured from brass which are used principally as a

<sup>1</sup> Filed as part of the original document.

medium to join lead pipe to cast-iron pipe, or lead pipe to steel pipe, and are used primarily in a sanitary plumbing system. The term includes but is not limited to solder nipples, solder vent tees, solder bushings, and ferrules.

(c) *Asbestos packed plug cocks.* The term "asbestos packed plug cocks" means a manually-operated device manufactured from cast-iron, to control the rate of flow of either liquid or vapors, in which the shut-off mechanism is separated from the body of the device by means of asbestos packing vulcanized in place, or by means of a vulcanized one-piece asbestos bushing of the same contours as the shut-off mechanism.

(d) *Furnace and stove pipe and elbows.* The term "furnace and stove pipe and elbows" means a circular conductor, manufactured from 24, 26, 28, or 30 gauge metal, to be used either as straight pipe or as a device to alter the direction of such straight pipe and which is commonly used to convey vapors, fuels, or smoke from furnaces, stoves, or other heating appliances, to the atmosphere, either direct or through chimneys or flues.

(ii) *Extent of relief to be granted.*

(a) Whenever it appears that a shortage exists or threatens to exist in the essential supply of any of the commodities specified above and that a manufacturer of any such commodity is unable to maintain his production at his maximum price or prices, the Office of Price Administration may, either on application for adjustment in accordance with the provisions of Procedural Regulation No. 1, or on its own motion, by order, adjust his maximum price or prices by an amount necessary to permit maintenance upon a basis which will cover the cost to manufacture and sell the commodity; or

(b) Whenever it appears that the loss of a manufacturer's production of any of the commodities specified above would force his customers to resort to higher priced sources of supply and that the manufacturer is unable to maintain his production at his maximum price or prices, the Office of Price Administration may, either on application for adjustment in accordance with the provisions of Revised Procedural Regulation No. 1, or on its own motion, by order, adjust his maximum price or prices by an amount necessary to permit maintenance upon a basis which will cover the cost to manufacture and sell the commodity: *Provided, however,* That in no instance will the manufacturer's maximum price be increased to a price in excess of the general level of prices prevailing for alternative sources, of supply of the same commodity.

For the purpose of this subparagraph the term "cost to manufacture and sell" shall include the cost of material, labor, maintenance, supplies, power, taxes (other than State and Federal income taxes), insurance, workmen's compensation taxes, royalties, depreciation and depletion (wherever practicable as determined by the Bureau of Internal Revenue in the computation of Federal income taxes), other manufacturing expenses,

and reasonable costs for selling and administration properly applicable to the particular commodity. Expenses not related to the manufacturing and selling of the particular commodity will be excluded.

(iii) *Filing of applications.* Applications under this subparagraph should be filed in accordance with the provisions of Revised Procedural Regulation No. 1.

Before filing an application for adjustment, each applicant shall obtain from the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., a statement of the specific information that will be necessary in order that the application may receive attention.

(iv) *Passing on of permitted increase by levels beyond the producer.* In issuing adjustment orders under this subparagraph, the Price Administrator will, wherever required, provide the extent to which any increase permitted under this subparagraph, by way of adjustment, may be added to the maximum price or prices of sellers other than the manufacturer.

This Amendment No. 11 to Order No. A-2 shall become effective January 24, 1944.

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.

(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 22d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-1201; Filed, January 22, 1944;  
11:27 a. m.]

[Rev. Order 19 Under RPS 41, Amdt. 3]

STEEL CASTINGS AND RAILROAD SPECIALTIES  
AUTHORIZATION OF MAXIMUM PRICES

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

Paragraph (a) of Revised Order No. 19 is amended by changing the date "January 15, 1944" wherever it appears in said paragraph to "January 16, 1944".

This Amendment No. 3 becomes effective as of December 15, 1943.

(Pub. Laws 1421, 729, 77th Cong. E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-1254; Filed, January 24, 1944;  
11:58 a. m.]

STARCH AND DEXTRINE PRODUCTS

[Order 11 Under 19a of GMFR]

ORDER AUTHORIZING ADJUSTABLE PRICING

Requests for a change in manufacturers' maximum prices for sales of starch

and dextrine products made by the wet corn milling process is now pending before the Office of Price Administration and will require extended consideration. Maximum prices for those sales are now determined under the provisions of the General Maximum Price Regulation, § 1499.19a of which provides for the issuance of the order in appropriate circumstances permitting deliveries under prices to be adjusted upward after delivery.

Starch and dextrine products made by the wet corn milling process have a great variety of uses as a necessary raw material in such highly technical processes as production of iron, steel, textiles and paper products. However, manufacturers are contending that their operation is not profitable because of substantial increases in the price of their basic ingredient, namely corn, and the continued production and distribution of starch and dextrine products are threatened.

The Price Administrator has found that authority to use adjustable pricing for manufacturers' bulk sales of starch and dextrine products made by the wet corn milling process, pending final action on the requests for change in the maximum prices, is necessary to promote the production and distribution of these essential products. He has found further that such authorization would not interfere with the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. Therefore, in accordance with § 1499.19a of the General Maximum Price Regulation, *It is ordered, That:*

(a) Manufacturers of starch and dextrine products made by the wet corn milling process may make sales and deliveries thereof in containers of more than ten pounds' capacity, and purchasers may buy and receive such products at prices to be adjusted upward after delivery to amounts not in excess of maximum prices established by final action upon the pending requests for change in prices, such action to be by denial of the requests or by the issuance of a price regulation or amendment granting increases in maximum prices for those products. Prior to such final action no payment for sales of starch or dextrine products made by the wet corn milling process should be made or received in excess of maximum prices prevailing at the date of delivery.

(b) This order shall be automatically revoked upon the effective date of a price regulation or amendment issued by the Office of Price Administration increasing maximum prices for manufacturers' sales in bulk of starch and dextrine products made by the wet corn milling process or upon denial of the pending requests for change in those prices. It may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 24, 1944.

Issued this 24th day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-1255; Filed, January 24, 1944;  
11:58 a. m.]

**Regional and District Office Orders.**

[Region V Order G-1 Under TMAPR 28]

**MODIFICATION OF PRICES OF CERTAIN LISTED VEGETABLES IN DALLAS REGION**

Order No. G-1 under Temporary Maximum Price Regulation No. 28. Certain perishable fruits and vegetables.

For the reasons set forth in the opinion issued simultaneously herewith and under authority vested in the Regional Administrator, Region V, of the Office of Price Administration, by § 1439.251 of Temporary Maximum Price Regulation No. 28, it is hereby ordered.

(a) The purpose of this order is to establish definite maximum prices for the following fresh vegetables hereinafter referred to as "listed commodities" when such vegetables are produced or sold in Region V, of the Office of Price Administration:

- (1) Snap beans.
- (2) Carrots.
- (3) Cabbage.

(b) The maximum price which a "country shipper" may charge or receive

for a "listed commodity" is the dollars and cents price set forth in Table A of this order, f. o. b. "country shipping point."

(c) A "country shipper" is any person, other than such farmers as are exempt under § 1439.254 of Temporary Maximum Price Regulation No. 28, whose name appears on the railroad bill of lading as the shipper the first time the particular vegetable or vegetables move by rail transportation.<sup>1</sup>

"Country shipping point" means the first place in or near the producing area where the "listed commodity" is loaded on cars for rail shipment.<sup>2</sup>

The prices set forth in the following Table A are f. o. b. "country shipping point" as that term is defined in this order but apply only to "country shipping points" where the produce is grown within Region V. The "country shipping point" prices set out in this Table A shall apply, regardless of the quantity sold.

(d) Table A—Maximum "country shipping point" prices.

Commodity	Type package	Maximum price
Cabbage (all fresh, including but not limited to Red, Savoy, and Texas Round types).	50 lb. sacks.....	\$2.25 per sack.
	100 lb. sacks.....	\$4.25 per sack.
	LA Crates (85 lbs.).....	\$3.75 per crate.
	½ LA crates (44 lbs.).....	\$2.25 per crate.
	Bulk.....	\$75.63 per ton.
Carrots (all fresh).....	LA crates (6 doz. bunches) <sup>1</sup> .....	\$3.63 per crate.
	LA crates (8 doz. bunches) <sup>1</sup> .....	\$3.75 per crate.
	Bunches in bulk or in all other types of containers. <sup>1</sup>	\$9.45 per doz. bunches.
	Bulk carrots (topped or clipped top).....	\$3.03 per cwt.
Snap beans (all fresh).....	Bushel hamper (minimum net weight, 55 lbs.).....	\$4.23 per bushel.
	All other containers of bulk.....	\$9.14 per lb.

<sup>1</sup> Minimum weight of bunch carrots shall be 13 lbs. per dozen bunches. Whenever a seller sells carrots in bunches of lighter weight, the maximum price shall be reduced in proportion to the reduction in the weight.

(e) The maximum price which a "terminal seller" may charge or receive for a "listed commodity" shall be the actual cost to such "terminal seller" of the "listed commodity," multiplied by 1.035: *Provided*, That such maximum price shall not exceed the "country shipping point" price established by Table A, plus "freight" from the "country shipping point" from which the "listed commodity" was shipped to the "terminal seller," times 1.035.

A "terminal seller" or a "car lot distributor" is a person who receives or purchases vegetables, either for his own account or for the account of another person, and who customarily sells ex-track, ex-truck or ex-shipping shed, at the terminal market, and who does not customarily warehouse or deliver beyond the terminal market area.

The "freight" which may be added to the "shipping point" price in determining the ultimate maximum price of a "terminal seller" or a "car lot distributor" means the freight on a particular quantity of the "listed commodity" calculated on car lot rail freight rates (including using the car when required) from the "country shipping point" involved to the destination involved in the particular transaction.

(f) A wholesaler shall determine his maximum price Wednesday of each week for each "listed commodity" before he

commences sales on such Wednesday, and such price shall remain his maximum price until the Wednesday of the week following such determination. He shall determine his maximum price as follows:

(1) Determine whether he be a "service wholesaler," a "retailer-owned cooperative wholesaler," or a "cash and carry wholesaler."

(2) Determine whether he be a "first wholesaler" or a "second or subsequent wholesaler."

(3) Look in Table B for the multiplier in the column shown for the type of wholesaler which he has found that he is.

(4) Multiply this figure found in Table B times "his cost," as that is explained below.

<sup>1</sup> Whenever the first time a listed commodity is shipped, it moves by common carrier truck, then the country shipper is the person (other than such farmers as are exempted under § 1439.254 of Temporary Maximum Price Regulation No. 28), whose name appears on the common carrier truck bill of lading as shipper the first time the particular vegetable or vegetables move by common carrier. Likewise, in such circumstances the country shipping point shall be the point at which such vegetables were loaded on the common carrier truck the first time they moved by common carrier.

In figuring the maximum price which "his cost" as follows:

If he be a "first wholesaler," it shall be the net invoice cost to him from his supplier if that be a delivered price, or such cost plus freight if it be a f. o. b. price, for the largest single purchase of the "listed commodity" made by such wholesaler during the seven-day period preceding the Wednesday on which he is fixing prices: *Provided*, That such price does not exceed his supplier's ceiling price as determined by this order and, *Provided further* That if such wholesaler purchased the particular "listed commodity" from a farmer or other person in a transaction not covered by this order, "his cost" shall in no event exceed the maximum "shipping point" price provided in Table A, plus car lot freight from the "country shipping point" to such wholesaler.

If he be a "second or subsequent wholesaler," "his cost" shall be the cost of the "first wholesaler," (as that term is explained above), who sold the particular lot of the "listed commodity" on which he is determining his maximum price.

A "service wholesaler" means a wholesaler, not retailer-owned, who distributes vegetables for resale to retailers, or to commercial, industrial or institutional users, and who customarily delivers to purchasers.

A "retailer-owned cooperative wholesaler" means either a nonprofit organization or a corporation of which 51% or more of the capital stock is owned by its retail customers, and which distributes vegetables.

A "cash and carry wholesaler" means a wholesaler, not retailer-owned, who distributes vegetables for resale to retailers, or to commercial, industrial or institutional users, and who does not customarily deliver to purchasers.

"First wholesaler" means the first wholesaler, whether "service," "retailer-owned cooperative," or "cash and carry" who sells a particular lot of a "listed commodity."

"Second or subsequent wholesaler" means any wholesaler who purchases a "listed commodity" from another wholesaler.

(g) Table B—Figures to be multiplied by wholesaler's cost in determining maximum prices under this order for wholesalers.

First wholesaler:	
"Service wholesaler".....	1.175
"Retailer-owned cooperative wholesaler".....	1.035
"Cash and carry wholesaler".....	1.035
Second wholesaler:	
"Service wholesaler".....	1.23
"Retailer-owned cooperative wholesaler".....	1.20
"Cash and carry wholesaler".....	1.20

(h) "Truckers." A "trucker" selling a "listed commodity" to wholesalers shall determine his maximum price as though he were a "terminal seller" or a "car lot

<sup>2</sup> Freight as used in this instance means the amount of freight actually paid by such wholesaler (including using the car if required).

"distributor."<sup>3</sup> A "trucker" selling to retailers shall determine his maximum price as though he were a "first wholesaler."<sup>3</sup>

(i) *Sales at retail.* A retailer shall determine his maximum price for each "listed commodity" Thursday of each week before he commences selling, and such price shall remain his maximum price until the Thursday of the week following such determination. He shall determine such price in the following manner:

(1) Determine the net cost to him of the particular "listed commodity" in the manner explained below.

(2) If such "listed commodity" be snap beans or carrots, he shall multiply his net cost by 1.39.

(3) If such "listed commodity" be cabbage, instead of multiplying such net cost to him by 1.39, he shall multiply his net cost by 1.50.

The resulting figure is his maximum price.

In determining the net cost to him the retailer buying from any person (other than a farmer or other person in a transaction not governed by this order) shall take the net invoice cost to him of his largest single purchase of the particular "listed commodity" during the seven days preceding the Thursday on which he is determining such prices.

If the retailer purchased such "listed commodity" from a farmer or other person in a transaction not governed by this order, the net cost to him shall be computed in the same manner as though he had purchased from other suppliers, except that such net cost shall not exceed the maximum "country shipping point" price provided in Table A of this order, plus freight figured at car lot rate (including icing the car if required) from the "country shipping point" to such retailer.

(j) All sellers, when they compute their maximum prices, shall compute them for the unit of sale which they wish to use. If this unit is different than the unit upon which their purchase price was determined, they shall first compute the net cost to them of the unit which they wish to sell, and then apply their mark-up, as provided hereinabove, in this order.

In figuring such prices, all sellers other than retailers shall carry their figures

<sup>3</sup> If such "trucker" purchases the particular "listed commodity" from a farmer in a transaction not regulated by this order, in determining such price he shall use as the "country shipping point" the rail head nearest, by road, to the farm on which the particular "listed commodity" was grown. The freight element to be used by such trucker shall be computed on the basis of carlot freight rate (including icing the car if required) from the country shipping point so determined to the point where such trucker sells the listed commodity.

out to the second decimal place. Sales by such sellers of single units where a fractional cent of one-half cent or more is involved may adjust the price upward to the nearest cent, and where the fractional cent is less than one-half, they shall adjust the price down to the nearest cent. In sales of more than one unit, the actual maximum price shall be multiplied by the number of units, and if any fractional cent results, they may be adjusted up or down, as above stated.

When such sales are made by retailers, they shall adjust the maximum price of the individual unit to the nearest one-half cent. In sales of single units wherein the maximum price is a fraction of a cent, they may adjust upward to the nearest cent. But in multiple sales they may only adjust the total sales price upward to the nearest cent.

(k) If any person in Region V sells a quantity of a listed commodity which was grown outside of Region V, he may determine the maximum price according to the mark-up formula established in this order, using as his cost the actual cost to him of the largest single purchase of such commodity during the appropriate period: *Provided*, That the first person located in Region V who sells such commodity grown outside Region V shall not take as his cost any price which exceeds the ceiling price of his supplier, if that be a delivered price, or such ceiling price plus freight (including car icing if required) if that be an f. o. b. price.

(l) Sellers of listed commodities for which maximum prices are established by this order shall make all records pertaining to the determination of the maximum prices of such listed commodities available to their purchasers upon request.

(m) During the period from the effective date of this order to the first Wednesday following such effective date, wholesalers shall determine their maximum prices of "listed commodities" by using as a basis of computing their actual cost the last purchase which they made prior to the effective date of this order. In computing their maximum prices on the first Wednesday after the effective date of this order, they shall use as a basis for such computation the actual cost (not to exceed their supplier's ceiling prices as provided in this order) of the largest single purchase of the particular "listed commodity" made by such wholesaler during the period from the effective date of this order to such Wednesday.

(n) During the period from the effective date of this order to the first Thursday following such effective date, retailers shall determine their maximum prices of "listed commodities" by using as a basis of computing their actual cost the last purchase which they made prior to the effective date of this order. In computing their maximum prices on the

first Thursday after the effective date of this order, they shall use as a basis for such computation the actual cost (not to exceed their supplier's ceiling prices as provided in this order) of the largest single purchase of the particular "listed commodity" made by such retailer during the period from the effective date of this order to such Thursday.

(o) All sales of "listed commodities" exempt by Temporary Maximum Price Regulation No. 28, as it now exists, or as it may be hereafter amended, are exempt from this order.

(p) Unless the context otherwise requires, or unless specifically defined in this order to the contrary, the terms used in this order shall be defined as they are in the Emergency Price Control Act of 1942, as amended, and as defined in Temporary Maximum Price Regulation No. 28.

(q) All orders adjusting the maximum prices of any sellers of "listed commodities" covered by this order heretofore issued by the Regional Office, of the Office of Price Administration, Region V, or any state or district office in such Region V, are revoked, effective on the effective date of this order.

(r) This order may be revoked or amended at any time by the Office of Price Administration.

(s) This order shall become effective at 12:01 a. m. on Saturday, March 20, 1943, and shall expire simultaneously with the expiration of Temporary Maximum Price Regulation No. 28, as now amended or as hereafter amended.

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

Issued at Dallas, Texas, this the 18th day of March 1943.

MAX McCULLOUGH,  
Regional Administrator,

[F. R. Doc. 44-1148; Filed, January 21, 1944;  
1:42 p. m.]

[Region V Order G-1 Under TMPR 28,  
Amdt. 1]

#### MODIFICATION OF PRICES OF CERTAIN LISTED VEGETABLES IN DALLAS REGION

Amendment 1 to Order G-1 under Temporary Maximum Price Regulation 28. Certain perishable fruits and vegetables.

For the reasons set forth in the opinion issued simultaneously herewith and under authority vested in the Regional Administrator of Region V, of the Office of Price Administration, by § 1430, 251 of Temporary Maximum Price Regulation 28, *It is hereby ordered*, That General Order 1 under Temporary Maximum Price Regulation 28 be, and the same is, hereby amended as follows:

Section (d) of such order is hereby amended to read as follows:

(d) Table A—Maximum "country shipping point" prices.

Commodity	Type package	Maximum price
Cabbage (all fresh, including but not limited to Red, Savoy, and Texas Round types) in Vermilion, Arcadia, Evangeline, Avozelles, Catahoula, Franklin, and Madison Parishes of Louisiana, and all other parishes in Louisiana lying south and east thereof.	50 lb. sacks.....	\$2.40 per cask.
	100 lb. sacks.....	\$4.75 per cask.
	LA crates (85 lbs.).....	\$4.15 per crate.
	1/2 LA crates (44 lbs.).....	\$2.40 per crate.
	Bulk.....	\$51.69 per ton.
All other points in Region V.....	50 lb. sacks.....	\$2.65 per cask.
	100 lb. sacks.....	\$4.95 per cask.
	LA crates (85 lbs.).....	\$4.35 per crate.
	1/2 LA crates (44 lbs.).....	\$2.65 per crate.
	Bulk.....	\$75.69 per ton.
Carrots (all fresh).....	LA crates (6 doz. bunches) 1.....	\$3.69 per crate.
	LA crates (8 doz. bunches) 1.....	\$4.75 per crate.
	Bunches in bulk or in all other types of containers. 1.....	\$3.75 per crate.
	Bulk carrots (topped or clipped top).....	\$3.69 per cwt.
Snap Beans (all fresh).....	Bushel hamper (minimum net weight 50 lbs.).....	\$4.70 per bushel.
	All other containers of bulk.....	\$9.14 per lb.

1 Minimum weight of bunch carrots shall be 13 lbs. per dozen bunches. Whenever a seller sells carrots in bunches of lighter weight, the maximum price shall be reduced in proportion to the reduction in the weight.

This Amendment 1 to General Order 1 under Temporary Maximum Price Regulation 28 shall become effective at 12:01 a. m. Saturday, April 24, 1943.

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

Issued at Dallas, Texas, this the 23d day of April 1943.

MAX McCULLOUGH,  
Regional Administrator

[F. R. Doc. 44-1149; Filed, January 21, 1944; 12:47 p. m.]

[Region V Order G-1 Under TMPR 28, Amdt. 2]

MODIFICATION OF PRICES OF CERTAIN LISTED VEGETABLES IN DALLAS REGION

Amendment No. 2 to Order No. G-1 under temporary maximum price regulation No. 28. Certain perishable fruits and vegetables.

Under authority vested in the Regional Administrator of Region V of the Office of Price Administration by § 1439.251 of Temporary Maximum Price Regulation No. 28, *it is hereby ordered*, That General Order No. I under Temporary Maximum Price Regulation No. 28 be and the same is hereby amended as follows:

Section (s) of such order is hereby amended to read as follows:

(s) This order shall become effective at 12:01 a. m. on Saturday, March 20, 1943.

This Amendment No. 2 to General Order No. I under Temporary Maximum Price Regulation No. 28 shall become effective at 12:01 a. m. Saturday, April 24, 1943.

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

Issued at Dallas, Texas, this the 23d day of April 1943.

MAX McCULLOUGH,  
Regional Administrator.

[F. R. Doc. 44-1150; Filed, January 21, 1944; 12:47 p. m.]

[Region V Order G-1 Under TMPR 28, Amdt. 3]

MODIFICATION OF PRICES OF CERTAIN LISTED VEGETABLES IN DALLAS REGION

Amendment No. 3 to Order No. G-1 under Temporary Maximum Price Regulation No. 28. Certain perishable fruits and vegetables.

For the reasons set forth in the opinion issued simultaneously herewith, and under authority vested in the Regional Administrator of Region V of the Office of Price Administration by § 1439.251 of Temporary Maximum Price Regulation No. 28 and under the provisions of Maximum Price Regulation No. 376 and at the request of the Administrator of the Office of Price Administration, Washington, D. C., *it is hereby ordered*, That General Order No. I under Temporary Maxi-

Commodity	Type package	Maximum prices
Carrots (all fresh).....	LA crates containing a minimum of 6 doz. bunches, each bunch weighing not less than 1 lb. Bunches in bulk or bunches in any other type container except LA crates containing 6 doz. or more bunches.	\$3.50 per crate.
	Bulk carrots (topped or clipped top).....	\$3.50 per cwt.
Snap beans (all fresh).....	Bushel hamper (minimum net weight, 50 lbs.).....	\$4.70 per bushel.
	All other containers or bulk.....	\$9.14 per lb.

This amendment No. 3 to General Order No. 1 under Temporary Maximum Price Regulation No. 28 shall become effective at 12:01 a. m. Thursday, December 2, 1943.

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

Issued at Dallas, Texas, this the 29th day of November 1943.

MAX McCULLOUGH,  
Regional Administrator.

[F. R. Doc. 44-1151; Filed, January 21, 1944; 12:47 p. m.]

[Region V Order G-1 Under RMPR 123]

SOLID FUELS IN ST. LOUIS, MO., AND PARTS OF ST. LOUIS COUNTY, MO.

Correction

In F.R. Doc. 44-255, appearing at page 322 of the issue for Friday, January 7,

Maximum Price Regulation No. 28 be and the same is hereby amended as follows:

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

(b) The maximum price which a "country shipper" may charge or receive for a listed commodity is the dollars and cents price set forth in Table A of this order, f. o. b. "country shipping point" except that Salinas, California, shall be considered the "country shipping point" for carrots.

(2) Section (c) is hereby amended to read as follows:

(c) A "country shipper" is any person, other than such farmers as are exempt under § 1439.254 of Temporary Maximum Price Regulation No. 28, whose name appears on the railroad bill of lading as the shipper the first time the particular vegetable or vegetables move by rail transportation.<sup>1</sup>

"Country shipping point" means the first place in or near the producing area where the "listed commodity" is loaded on cars for rail shipment, except that Salinas, California, shall be deemed country shipping point for carrots regardless of where they are actually produced or sold.<sup>2</sup>

The prices set forth in the following Table A are f. o. b. "country shipping point" as that term is defined in this Order, but, except as to carrots, apply only to "country shipping points" where the produce is grown within Region V. The "country shipping point" prices set out in this Table A shall apply regardless of the quantity sold.

(3) Section (d) is hereby amended to read as follows:

(d) Table A—Maximum "country shipping point" prices.

1944, the second item under I (B) of the Maximum Price Schedule in the center column of page 323 should read:

2. Egg, nut and pea, top size not exceeding 3" bottom size 2 1/4" and larger..... 6.30

The ninth line of paragraph (1) (2) appearing on page 324, should read: "or the price charged, the dealer shall"

<sup>1</sup> Whenever the first time a listed commodity is shipped, it moves by common carrier truck, then the country shipper is the person (other than such farmers as are exempted under § 1439.254 of Temporary Maximum Price Regulation No. 28), whose name appears on the common carrier truck bill of lading as shipper the first time the particular vegetable or vegetables move by common carrier. Likewise, in such circumstances the country shipping point shall be the point at which such vegetables were loaded on the common carrier truck the first time they moved by common carrier.

## LIST OF COMMUNITY CEILING PRICE ORDERS

The following order under General Order 51 was filed with the Division of the Federal Register on January 15, 1944.

## REGION V

San Antonio, Order No. G-7, filed 9:52 a. m.

The following orders under General Order 51 were filed with the Division of the Federal Register on January 17, 1944.

## REGION III

Charleston, Order No. 1-F, Amendment No. 3, filed 3:19 p. m.  
 Cincinnati, Order No. 1-F, Amendment No. 8, filed 3:12 p. m.  
 Cincinnati, Order No. 1-F, Amendment No. 10, filed 3:10 p. m.  
 Cincinnati, Order No. 1-F, Amendment No. 11, filed 3:10 p. m.  
 Cleveland, Order No. F-1, Amendment No. 10, filed 3:11 p. m.  
 Cleveland, Order No. F-3, Amendment No. 8, filed 3:11 p. m.  
 Cleveland, Order No. F-4, Amendment No. 6, filed 3:12 p. m.  
 Cleveland, Order No. F-5, Amendment No. 2, filed 3:12 p. m.  
 Escanaba, Order No. 1-F, Amendment No. 7, filed 3:19 p. m.  
 Escanaba, Order No. 1-F, Amendment No. 8, filed 3:19 p. m.  
 Escanaba, Order No. 1-F, Amendment No. 9, filed 3:20 p. m.  
 Escanaba, Order No. 1-F, Amendment No. 10, filed 3:20 p. m.  
 Escanaba, Order No. 3-F, Amendment No. 6, filed 3:20 p. m.  
 Escanaba, Order No. 3-F, Amendment No. 7, filed 3:21 p. m.  
 Escanaba, Order No. 3-F, Amendment No. 8, filed 3:21 p. m.  
 Escanaba, Order No. 5-F, Amendment No. 6, filed 3:21 p. m.  
 Escanaba, Order No. 5-F, Amendment No. 7, filed 3:21 p. m.  
 Louisville, Order No. 1-F, Amendment No. 12, filed 3:12 p. m.  
 Louisville, Order No. 2-F, Amendment No. 6, filed 3:13 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 4, filed 3:16 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 5, filed 3:16 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 6, filed 3:16 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 7, filed 3:16 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 8, filed 3:16 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 9, filed 3:16 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 10, filed 3:17 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 11, filed 3:17 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 12, filed 3:17 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 13, filed 3:17 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 14, filed 3:17 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 15, filed 3:17 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 16, filed 3:17 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 17, filed 3:18 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 17, filed 3:18 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 18, filed 3:18 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 19, filed 3:18 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 20, filed 3:18 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 21, filed 3:18 p. m.

Grand Rapids, Order No. F-1, Amendment No. 22, filed 3:18 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 23, filed 3:18 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 24, filed 3:18 p. m.  
 Grand Rapids, Order No. F-1, Amendment No. 25, filed 3:18 p. m.  
 Saginaw, Order No. 2-F, filed 3:10 p. m.  
 Saginaw, Order No. 3-F, filed 3:11 p. m.

## REGION IV

Jackson, Order No. 1-F, Amendment No. 18, filed 3:15 p. m.  
 Jacksonville, Order No. 2-F, Amendment No. 5, filed 3:14 p. m.  
 Memphis, Order No. 4-F, Amendment No. 15, filed 3:14 p. m.  
 Montgomery, Order No. 3-F, Amendment No. 2, filed 3:15 p. m.  
 Montgomery, Order No. 4-F, Amendment No. 1, filed 3:15 p. m.  
 Richmond, Order No. 3-F, Amendment No. 2, filed 3:14 p. m.  
 Savannah, Order No. 1-F, Amendment No. 17, filed 3:14 p. m.  
 Savannah, Order No. 2-F, Amendment No. 12, filed 3:13 p. m.  
 Savannah, Order No. 3-F, Amendment No. 10, filed 3:13 p. m.  
 Savannah, Order No. 4-F, Amendment No. 9, filed 3:13 p. m.

## REGION V

Fort Worth, Order No. 9, filed, 3:16 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-1160; Filed, January 21, 1944; 4:47 p. m.]

## LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Order 51 were filed with the Division of the Federal Register on January 18, 1944.

## REGION II

Altoona, Order No. 8, Amendment No. 1, filed, 4:32 p. m.  
 Pittsburgh, Order No. 5, Amendment No. 1, filed, 4:32 p. m.

## REGION III

Escanaba, Order No. 5-F, Amendment No. 8, filed, 4:25 p. m.  
 Escanaba, Order No. 5-F, Amendment No. 9, filed, 4:25 p. m.  
 Escanaba, Order No. 5-F, Amendment No. 10, filed, 4:25 p. m.  
 Escanaba, Order No. 6-F, Amendment No. 5, filed, 4:26 p. m.  
 Escanaba, Order No. 6-F, Amendment No. 6, filed, 4:26 p. m.  
 Escanaba, Order No. 6-F, Amendment No. 7, filed, 4:26 p. m.  
 Escanaba, Order No. 6-F, Amendment No. 8, filed, 4:26 p. m.  
 Escanaba, Order No. 6-F, Amendment No. 9, filed, 4:27 p. m.  
 Escanaba, Order No. 7-F, Amendment No. 5, filed, 4:27 p. m.  
 Escanaba, Order No. 7-F, Amendment No. 6, filed, 4:27 p. m.  
 Escanaba, Order No. 7-F, Amendment No. 7, filed, 4:27 p. m.  
 Escanaba, Order No. 7-F, Amendment No. 8, filed, 4:27 p. m.  
 Escanaba, Order No. 7-F, Amendment No. 9, filed, 4:28 p. m.  
 Escanaba, Order No. 8-F, Amendment No. 5, filed, 4:28 p. m.  
 Escanaba, Order No. 8-F, Amendment No. 6, filed, 4:28 p. m.  
 Escanaba, Order No. 8-F, Amendment No. 7, filed, 4:28 p. m.

Escanaba, Order No. 8-F, Amendment No. 8, filed, 4:28 p. m.  
 Escanaba, Order No. 8-F, Amendment No. 9, filed, 4:28 p. m.  
 Escanaba, Order No. 17, Amendment No. 2, filed 4:30 p. m.  
 Escanaba, Order No. 19, Amendment No. 2, filed, 4:29 p. m.  
 Escanaba, Order No. 20, Amendment No. 1, filed, 4:29 p. m.  
 Indianapolis, Order No. 12, filed, 4:30 p. m.  
 Indianapolis, Order No. 13, filed, 4:30 p. m.  
 Indianapolis, Order No. 14, filed, 4:31 p. m.  
 Indianapolis, Order No. 15, filed, 4:31 p. m.  
 Indianapolis, Order No. 16, filed, 4:31 p. m.  
 Indianapolis, Order No. 17, filed, 4:32 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-1159; Filed, January 21, 1944; 4:47 p. m.]

## LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Order 51 were filed with the Division of the Federal Register on January 19, 1944:

## REGION I

Massachusetts, Order No. 7, Amendment No. 5, filed, 9:28 a. m.  
 Massachusetts, Order No. 8, Amendment No. 5, filed 9:28 a. m.  
 Massachusetts, Order No. 9, Amendment No. 5, filed 9:28 a. m.  
 Massachusetts, Order No. 9, Amendment No. 6, filed 9:28 a. m.  
 Concord, Order No. 10, Amendment No. 1, filed, 9:30 a. m.

## REGION II

Albany, Order No. 10, Amendment No. 2, filed, 9:13 a. m.  
 Albany, Order No. 12, Amendment No. 1, filed, 9:14 a. m.  
 Altoona, Order No. 9, Amendment No. 1, filed, 9:13 a. m.  
 District of Columbia, Order No. 7, Amendment No. 1, filed, 9:14 a. m.  
 Philadelphia, Order No. 7, Amendment No. 1, filed, 10:43 a. m.  
 Maryland, Order No. 10, Amendment No. 2, filed, 9:14 a. m.  
 Maryland, Order No. 11, Amendment No. 2, filed, 9:15 a. m.  
 Maryland, Order No. 12, Amendment No. 2, filed, 9:15 a. m.  
 Newark, Order No. 7, Amendment No. 1, filed, 9:16 a. m.  
 New York, Order No. 9, Correction, filed, 9:16 a. m.  
 New York, Order No. 9, Amendment No. 1, filed, 9:16 a. m.  
 New York, Order No. 9, Amendment No. 2, filed, 9:17 a. m.  
 New York, Order No. 10, Correction, filed, 9:18 a. m.  
 New York, Order No. 10, Amendment No. 1, filed, 9:18 a. m.  
 New York, Order No. 10, Amendment No. 2, filed, 9:33 a. m.  
 New York, Order No. 11, Correction, filed, 9:33 a. m.  
 New York, Order No. 11, Amendment No. 1, filed, 9:34 a. m.  
 New York, Order No. 11, Amendment No. 2, filed, 9:35 a. m.  
 Scranton, Order No. 9, Amendment No. 1, filed, 9:33 a. m.  
 Syracuse, Order No. 12, Amendment No. 2, filed, 9:30 a. m.  
 Syracuse, Order No. 13, Amendment No. 2, filed, 9:32 a. m.  
 Syracuse, Order No. 14, Amendment No. 2, filed, 9:32 a. m.

Syracuse, Order No. 15, Amendment No. 1, filed, 9:33 a. m.  
Trenton, Order No. 9, Amendment No. 2, filed, 9:30 a. m.  
Trenton, Order No. 10, Amendment No. 2, filed, 9:30 a. m.

## REGION III

Cincinnati, Order No. 3-F, filed, 10:55 a. m.  
Charleston, Order No. 1-F, Amendment No. 4, filed, 10:58 a. m.  
Charleston, Order No. 1-F, Amendment No. 5, filed, 10:58 a. m.  
Charleston, Order No. 2-F, Amendment No. 3, filed, 10:56 a. m.  
Charleston, Order No. 3-F, Amendment No. 1, filed, 10:55 a. m.  
Columbus, Order No. 3-F, Amendment No. 1, filed, 10:45 a. m.  
Columbus, Order No. 4-F, filed, 11:00 a. m.  
Columbus, Order No. 5-F, filed, 11:00 a. m.  
Columbus, Order No. 6-F, filed, 11:00 a. m.  
Escanaba, Order No. 1-F, Amendment No. 11, filed, 9:25 a. m.  
Escanaba, Order No. 2-F, Amendment No. 6, filed, 9:25 a. m.  
Escanaba, Order No. 2-F, Amendment No. 7, filed, 9:26 a. m.  
Escanaba, Order No. 2-F, Amendment No. 8, filed, 9:26 a. m.  
Escanaba, Order No. 2-F, Amendment No. 9, filed, 9:27 a. m.  
Escanaba, Order No. 2-F, Amendment No. 10, filed, 9:27 a. m.  
Escanaba, Order No. 3-F, Amendment No. 9, filed, 9:22 a. m.  
Escanaba, Order No. 3-F, Amendment No. 10, filed, 9:22 a. m.  
Escanaba, Order No. 4-F, Amendment No. 6, filed, 9:29 a. m.  
Escanaba, Order No. 4-F, Amendment No. 7, filed, 9:25 a. m.  
Escanaba, Order No. 4-F, Amendment No. 8, filed, 9:22 a. m.  
Escanaba, Order No. 4-F, Amendment No. 9, filed, 9:22 a. m.  
Escanaba, Order No. 4-F, Amendment No. 10, filed, 9:23 a. m.  
Escanaba, Order No. 14, Amendment No. 2, filed, 9:24 a. m.  
Escanaba, Order No. 15, Amendment No. 2, filed, 9:24 a. m.  
Escanaba, Order No. 16, Amendment No. 2, filed, 9:24 a. m.  
Lexington, Order No. 1-F, Amendment No. 11, filed, 11:02 a. m.  
Lexington, Order No. 1-F, Amendment No. 12, filed, 11:02 a. m.  
Lexington, Order No. 2-F, Amendment No. 4, filed, 11:01 a. m.  
Lexington, Order No. 2-F, Amendment No. 5, filed, 11:01 a. m.  
Lexington, Order No. 3-F, Amendment No. 3, filed, 11:03 a. m.  
Cincinnati, Order No. 1-F, Amendment No. 12, filed, 10:55 a. m.

## REGION IV

Jackson, Order No. 1-F, Amendment No. 19, filed, 10:54 a. m.  
Memphis, Order No. 4-F, Amendment No. 16, filed, 11:03 a. m.  
Raleigh, Order No. 2-F, Amendment No. 1, filed, 11:04 a. m.  
Raleigh, Order No. 3-F, filed, 11:04 a. m.  
South Carolina, Order No. 1-F, Amendment No. 11, filed, 10:43 a. m.  
South Carolina, Order No. 2-F, Amendment No. 3, filed, 10:45 a. m.

## REGION V

Arkansas, Order No. 4-F, filed, 10:50 a. m.  
Arkansas, Order No. 5-F, filed, 10:50 a. m.  
Arkansas, Order No. 6-F, filed, 10:51 a. m.  
Dallas, Order No. 1-F, filed, 10:51 a. m.  
Dallas, Order No. 2-F, filed, 10:52 a. m.  
Dallas, Order No. 3-F, filed, 10:53 a. m.  
New Orleans, Order No. G-13, Amendment No. 1, filed, 10:42 a. m.

New Orleans, Order No. G-14, Amendment No. 1, filed, 10:42 a. m.  
New Orleans, Order No. G-15, Amendment No. 1, filed, 10:43 a. m.  
New Orleans, Order No. G-16, Amendment No. 1, filed, 10:43 a. m.  
San Antonio, Order No. G-8, filed, 9:36 a. m.  
Shreveport, Order No. 1-F, filed, 11:03 a. m.  
Shreveport, Order No. 2-F, filed, 11:04 a. m.  
Wichita, Order No. 1-F, filed, 10:53 a. m.

## REGION VI

Milwaukee, Order No. 3, Amendment No. 8, filed, 11:06 a. m.  
Milwaukee, Order No. 10, Amendment No. 6, filed, 11:06 a. m.  
Moline, Order No. 20, filed, 9:27 a. m.  
Moline, Order No. 25, filed, 10:57 a. m.  
Sioux Falls, Order No. 11, Amendment No. 1, filed, 10:42 a. m.

## REGION VII

Utah, Order No. F-1, filed, 10:45 a. m.

## REGION VIII

San Diego, Order No. 1-F, Amendment No. 16, filed, 10:54 a. m.  
Spokane, Order No. 23, filed, 11:06 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-1153; Filed, January 21, 1944;  
4:47 p. m.]

## LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Order 51 were filed with the Division of the Federal Register on January 20, 1944.

## REGION I

Massachusetts, Order No. 11, Amendment No. 3, filed, 10:30 a. m.  
Massachusetts, Order No. 11, Amendment No. 4, filed, 10:30 a. m.  
Massachusetts, Order No. 12, Amendment No. 3, filed, 10:30 a. m.  
Massachusetts, Order No. 12, Amendment No. 4, filed, 10:31 a. m.  
Massachusetts, Order No. 12, Amendment No. 5, filed, 10:31 a. m.  
Massachusetts, Order No. 13, Amendment No. 2, filed, 10:31 a. m.

## REGION II

Trenton, Order No. 9, Amendment No. 3, filed, 10:25 a. m.  
Trenton, Order No. 10, Amendment No. 3, filed, 10:26 a. m.  
Williamsport, Order No. 8, Amendment No. 1, filed, 10:25 a. m.  
Williamsport, Order No. 9, Amendment No. 1, filed, 10:25 a. m.  
Williamsport, Order No. 10, Amendment No. 1, filed, 10:25 a. m.

## REGION III

Escanaba, Order No. 1-F, Amendment No. 12, filed, 10:31 a. m.  
Escanaba, Order No. 2-F, Amendment No. 11, filed, 10:32 a. m.  
Escanaba, Order No. 3-F, Amendment No. 11, filed, 10:32 a. m.  
Escanaba, Order No. 4-F, Amendment No. 11, filed, 10:32 a. m.  
Escanaba, Order No. 5-F, Amendment No. 11, filed, 10:33 a. m.  
Escanaba, Order No. 6-F, Amendment No. 10, filed, 10:33 a. m.  
Escanaba, Order No. 7-F, Amendment No. 10, filed, 10:33 a. m.  
Escanaba, Order No. 8-F, Amendment No. 10, filed, 10:33 a. m.

Columbus, Order No. 7-F, filed, 10:23 a. m.  
Louisville, Order No. 1-F, Amendment No. 13, filed, 10:27 a. m.  
Louisville, Order No. 2-F, Amendment No. 7, filed, 10:23 a. m.

## REGION IV

Memphis, Order No. 4-F, Amendment No. 14, filed, 10:26 a. m.

## REGION V

Arkansas, Order No. 1-F, filed, 10:23 a. m.  
Arkansas, Order No. 2-F, filed, 10:29 a. m.  
Arkansas, Order No. 3-F, filed, 10:30 a. m.  
Houston, Order No. 1-F, filed, 10:23 a. m.  
Houston, Order No. 2-F, filed, 10:23 a. m.  
Lubbock, Order No. 1-F, filed, 10:27 a. m.  
Fort Worth, Order No. 6-F, filed, 10:25 a. m.

## REGION VI

North Platte, Order No. 4, Amendment No. 1, filed, 10:33 a. m.  
North Platte, Order No. 6, Amendment No. 1, filed, 10:33 a. m.  
Des Moines, Order No. 4A, Amendment No. 2, filed, 10:22 a. m.  
Des Moines, Order No. 5A, Amendment No. 2, filed, 10:22 a. m.  
Des Moines, Order No. 6, Amendment No. 2, filed, 10:22 a. m.  
Des Moines, Order No. 7, Amendment No. 2, filed, 10:23 a. m.  
Des Moines, Order No. 8, Amendment No. 2, filed, 10:23 a. m.  
Des Moines, Order No. 9, Amendment No. 2, filed, 10:23 a. m.

## REGION VIII

Los Angeles, Los Angeles-5, Amendment No. 3, filed, 10:34 a. m.  
Los Angeles, Los Angeles-5, Amendment No. 4, filed, 10:36 a. m.  
Los Angeles, Los Angeles-6, Amendment No. 3, filed, 10:34 a. m.  
Los Angeles, Los Angeles-6, Amendment No. 4, filed, 10:36 a. m.  
Los Angeles, Los Angeles-7, Amendment No. 3, filed, 10:34 a. m.  
Los Angeles, Los Angeles-7, Amendment No. 4, filed, 10:36 a. m.  
Los Angeles, Los Angeles-8, Amendment No. 3, filed, 10:36 a. m.  
Los Angeles, Los Angeles-8, Amendment No. 4, filed, 10:37 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-1157; Filed, January 21, 1944;  
4:47 p. m.]

[Region V Order G-7 Under 18 (c), Amdt. 1]

FIREWOOD IN CERTAIN COUNTIES OF DALLAS AND FORT WORTH, TEX., DISTRICTS

## Correction

In F. R. Doc. 44-240, appearing on page 324 of the issue for Friday, January 7, 1944, the tenth line of subdivision (ii) on page 325 should read: "cubic feet when four foot wood is cut".

[Region VIII Order G-78 Under 18 (c), Rev.]

## FRESH GREEN BONES IN CALIFORNIA

Order revoking Order No. G-78 under § 1499.18 (e), as amended, of the General Maximum Price Regulation. Adjusted maximum prices for sales of fresh green bones in the State of California.

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, Order No. G-78 under § 1499.18 (c), as amended, of the General Maximum Price Regulation, is hereby revoked.

This order shall become effective January 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9326, 8 F.R. 4681)

Issued this 14th day of January 1944.

BEN C. DUNIWAY,  
Acting Regional Administrator.

[F. R. Doc. 44-1162; Filed, January 20, 1944; 2:29 p. m.]

[Region II Order G-2 Under SR 15 and MPR 280]

FLUID MILK IN DESIGNATED CITIES IN N. Y.

Order No. G-2 under § 1499.75 of Supplementary Regulation No. 15 to the

General Maximum Price Regulation, and under § 1351.807 of Maximum Price Regulation No. 280, as amended. Maximum prices for specific food products. Adjustment of the wholesale and retail prices of fluid milk for the City of Binghamton, and the towns of Binghamton, Conklin, Dickenson, Fenton, Kirkwood, Union and Vestal in Broome County, New York.

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 § 1499.75 of Supplementary Regulation No. 16, and § 1351.807 of Maximum Price Regulation No. 280, as amended, and pursuant to a directive from the Director of Economic Stabilization, *It is hereby ordered, That:*

(a) The maximum price for the sale and delivery in glass or paper containers of fluid milk into store, out-of-store, and to-the-home, in that portion of Broome County, New York, which consists of the City of Binghamton, Conklin, Dickenson, Fenton, Kirkwood, Union and Vestal, shall be the applicable adjusted maximum price specified below:

(d) Where the adjusted maximum price is a unit figure containing a fraction of a cent, the seller must multiply such fractional unit figure by the total number of units in each sale or series of sales for which a single collection is made. Where the resulting amount contains a fraction of a cent, or where only one unit is sold, the seller shall adjust the maximum price to the nearest full cent, except that if the fraction should be a half-cent, the seller shall adjust the maximum price to the next higher full cent (for example, a maximum price of 8½¢ for one unit shall be adjusted to 9¢ for one unit, 17¢ for two units, and 26¢ for three units, etc.).

(e) This order is subject to revocation or amendment by the Regional Administrator or by the Price Administrator at any time hereafter, either by special order or by price regulation issued hereafter, or by supplementary order which may be contrary hereto.

(f) *Geographical applicability.* This order applies to all sales of fluid milk within the geographical limits of the City of Binghamton, Conklin, Dickenson, Fenton, Kirkwood, Union and Vestal, in Broome County, New York.

(g) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, issued by the Office of Price Administration, shall apply to other terms herein.

(h) *Definitions.* (1) "Fluid milk" means cow's milk produced, processed, distributed and sold for consumption in fluid form as whole milk and shall include flavored milk.

(2) "Grade A Pasteurized" milk and all other types of milk specified herein shall have the meanings prescribed for such types of milk by the appropriate statutes, orders, or regulations of the State of New York, unless such definitions are superseded by statutes, orders or regulations of that political subdivision of the State of New York within which each or all of such types of milk are sold and delivered.

(3) "To the home" means a sale and delivery of fluid milk at retail from an inventory stocked in trucks or other conveyances operated by driver-salesmen over regular routes, and shall not include a sale of fluid milk at retail by a grocery store, meat market, dairy store or other establishment which delivers fluid milk separately or together with other purchases.

(4) "Out of store" means a sale of fluid milk at retail by a grocery store, meat market, dairy store, or other establishment which delivers fluid milk separately or together with other purchases, and shall include a sale of fluid milk at retail by a milk distributor at his plant or place of business.

(h) That part of Order No. G-9 issued by the Regional Administrator of Region II, pursuant to § 1499.18 (c) of the General Maximum Price Regulation which adjusts the maximum prices for sales and deliveries of fluid milk within Area III, defined in Order G-9 as consisting of the

Type of fluid milk	Type of delivery	Container size	Adjusted maximum price per container (in cents)
Grade A—raw and pasteurized	Into store	Quart	12
		Pint	17
		Half-pint	14
	Out of store	Quart	14
		Pint	18
		Half-pint	15
To the home	Quart	15	
	Pint	14	
Special milk—Guernsey and Jersey—raw and pasteurized	Into store	Pint	18
		Quart	14
		Pint	18
	Out of store	Quart	16
		Pint	18½
		Pint	16
To the home	Quart	15	
	Pint	18½	
Certified milk—raw and pasteurized	Into store	Quart	15
		Pint	17
	Out of store	Quart	17
		Pint	19½

<sup>1</sup> Where permitted by Food Distribution Order No. 11 issued by the Food Distribution Administration.  
<sup>2</sup> For single delivery of one container.  
<sup>3</sup> For single delivery of two or more containers.

(b) The maximum prices for the sale and delivery in other than glass or paper containers at wholesale to stores, hotels, restaurants and institutions of Grade A raw fluid milk and Grade A Pasteurized fluid milk in that portion of Broome County, New York, which consists of the City of Binghamton, and the towns of Binghamton, Conklin, Dickenson, Fenton, Kirkwood, Union and Vestal, shall be the applicable adjusted maximum price specified below:

Type of fluid milk	Quantity	Adjusted maximum price per quart
Grade A—raw and pasteurized	Single delivery of 40 quarts or more	\$0.1075
	Single delivery of less than 40 quarts	.1175

(c) The maximum price for the sale and delivery of each type of fluid milk other than those types specified herein shall be the maximum price established for the seller by the General Maximum Price Regulation plus the amount set forth below for the appropriate type of delivery and container size.

Type of delivery	Container size	Amount to be added
Into store	Quart	None
	Pint	1½
	½ pint	1½
Out of store	Quart	None
	Pint	1½
	½ pint	1½
To the home	Quart	None
	Pint	1
	Pint	None

<sup>1</sup> Where permitted by Food Distribution Order No. 11 issued by the Food Distribution Administration.

City of Binghamton, and the towns of Binghamton, Conklin, Dickenson, Fenton, Kirkwood, Union and Vestal in Broome County, New York, is hereby revoked and superseded by this Order No. G-2.

This order shall become effective, January 22, 1944.

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

Issued this 18th day of January 1944.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-1198; Filed, January 22, 1944; 11:27 a. m.]

[Region II Order G-11 Under MFR 329]

FLUID MILK IN DESIGNATED CITIES IN N. Y.

Order No. G-11 under Maximum Price Regulation No. 329, as amended. Purchases of milk from producers for resale as fluid milk. Adjustment of the maximum price for purchases of fluid milk from producers in the city of Binghamton, the towns of Binghamton, Conklin, Dickinson, Fenton, Kirkwood, Union and Vestal, all in Broome County, New York.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, as amended and pursuant to a directive issued by the Director of the Office of Economic Stabilization, *It is hereby ordered:*

(a) The maximum price at which a purchaser in the course of trade or business may purchase or receive from a producer Grade A Class 1 fluid milk, which is thereafter resold as such in that portion of Broome County in the State of New York, known as the Triple Cities Area, shall be the higher of either of the following:

(1) The maximum price established under Maximum Price Regulation No. 329, as amended or

(2) \$3.30 per cwt., f. o. b. purchaser's receiving or processing plant for such milk having a butterfat content of 3.5% plus or minus 4¢ for each 1/10 of 1% butterfat content in excess of or below 3.5%, as the case may be.

(b) *Definitions.* When used in this order, the term:

(1) "Grade A Class 1 fluid milk" shall have the meanings prescribed by the Sanitary Code, Chapter 3 (Revised to February 26, 1941) established by the Public Health Council of the State of New York, and issued by the New York State Department of Health.

(2) "F. o. b. purchaser's receiving or processing plant" means delivery to a receiving or processing plant which is either owned by the purchaser or in which, with respect to the particular purchase, the Grade A Class 1 fluid milk purchased from the producer is actually received by such purchaser.

(3) "The Triple Cities Area" means that portion of Broome County in the State of New York which consists of the

corporate limits of the city of Binghamton and the towns of Binghamton, Conklin, Dickinson, Fenton, Kirkwood, Union and Vestal, all in Broome County in the State of New York.

(c) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of Emergency Price Control Act of 1942, as amended, shall apply to other terms herein.

(d) *Geographical applicability.* This order applies to all purchases of Grade A Class 1 fluid milk pursuant to which a purchaser receives physical delivery within the geographical limits of Region II and which is thereafter sold as Grade A Class 1 fluid milk by such purchaser in the Triple Cities Area as indicated in paragraphs (a) and (b) (3) hereof.

(e) This order may be revoked, amended or corrected at any time.

(f) This order has been approved by the Administrator of the War Foods Administration.

This order shall become effective the 22d day of January 1944.

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

Issued January 18, 1944.

DANIEL P. WOOLLEY,  
Regional Administrator

[F. R. Doc. 44-1199; Filed, January 22, 1944; 11:28 a. m.]

[Region II Order G-9 Under 16 (c), Amtd. 3]

FLUID MILK IN BROOME COUNTY, N. Y.

Amendment No. 3 to Order No. G-9 under § 1499.18 (c) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of section (d) of Order No. G-9, issued under § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered,* That paragraph (a) of said order be amended by deleting therefrom that part of the schedule listed therein designated as "Area III" and the types of milk, types of delivery, container sizes and adjusted maximum prices set forth therefor and that paragraph (h) (5) also be deleted from said order.

This amendment to Order No. G-9 shall become effective January 22, 1944.

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

Issued this 18th day of January 1944.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-1200; Filed, January 22, 1944; 11:28 a. m.]

[Region VII Order G-22 Under RMFR 122]

SOLID FUELS IN DESIGNATED UTAH TRADE AREAS

Correction

In F.R. Doc. 44-234, appearing at page 328 of the issue for Friday, January 7, 1944, the fourth entry under Subdistrict

1, Castlegate, in Table II, Part 1, in paragraph (d) (2) should read: "7-3 x 1 1/2 nut"

Part 2 of Table II should read as follows:

PART 2—TOD TOWN DELIVERED PRICES

Kind and size	Per ton	Per 1/2 ton
Bituminous coal produced in District 28:		
Subdistrict 1, Castlegate:		
22-15" lump	\$3.70	\$4.75
23-10 x 3 stove	8.00	4.70
25-8 x 3 stove	8.20	4.50
27-3 x 1 1/2 nut		
28-1 1/2 x 1 pea		
Treated	7.50	4.10
Untreated	7.25	4.05
311-1 x 0 chucks		
Treated	16.80	3.75
Untreated	16.25	3.60

\* Slack prices are based on domestic sales. On sales for commercial use the maximum prices of slack shall be the listed prices less 25 cents.

SMALLER WAR PLANTS CORPORATION.

CARROLL WAR INDUSTRIES

RECOMMENDATION OF FORMATION OF WAR PRODUCTION ASSOCIATION

Carroll War Industries, Westminster, Maryland, is a War Production Association comprising seven companies, having light and medium machine shop facilities, and woodworking equipment and facilities for the production of cabinets and general millwork, as listed in Appendix I. The purpose of this association is to combine the facilities and skills of the member companies for the manufacture of articles, equipment, supplies and materials for war and essential civilian requirements, and more particularly for the manufacture of products involving high precision light and medium general purpose machine shop work, and wooden items, together with their metal components. The activities of the association will relate solely to war and essential civilian work and will terminate within six months after the end of the war.

In my opinion the formation and operation of Carroll War Industries is appropriate to the fulfillment of the purposes of Public Law 603-77th Congress, approved June 11, 1942 (56 Stat. 351) and Executive Order No. 6891 of September 4, 1941. I have therefore approved the Plan of Organization, Procedure, and Objectives of Carroll War Industries,<sup>1</sup> and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law 693-77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said plan is requisite to the prosecution of the war (See Certificate 192, *infra*)

Issued at Washington, D. C., this 6th day of January 1944.

ALBERT M. CARTER,  
Acting Chairman,  
Smaller War Plants Corporation.

<sup>1</sup> Filed as part of the original document.

## APPENDIX I

## Name and Address and Regular Commercial Business

National Advertising Co., 265 E. Main Street, Westminster, Maryland, Sign parts and tools.

Hanover Machine Corporation, Hanover, Pennsylvania, Manufacturers of canning machinery.

Stonesifer's Liberty Heights Machine Shop, Westminster, Maryland, Light and medium machine shop.

Bair and Hollinger Woodworking Co., Union Mills, Maryland, Antique reproductions and cabinet ware.

Halter's Woodworking Shop, Uniontown, Maryland, Lawn furniture and kitchen equipment.

Ebaugh's Mill Work Shop, Westminster, Maryland, Mill and cabinet work.

Monroe R. Pfoutz Woodworking Shop, Union Bridge, Maryland, Mill work and furniture reproduction.

[F. R. Doc. 44-1166; Filed, January 22, 1944; 10:56 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-808]

## PENNSYLVANIA ELECTRIC CO.

## SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER ACCOUNTING ENTRIES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 20th day of January 1944.

Pennsylvania Electric Company, a subsidiary of Associated Electric Company, a registered holding company, having filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 6 (b) and 12 (c) thereof; said application-declaration, as amended, being concerned with the refinancing of the 34,000 shares of 5.10% Series A preferred stock of the company by the issuance of a like number of shares of 4.40% Series B preferred stock; and

The Commission, on November 19, 1943, having ordered that the aforesaid application-declaration, as amended, be granted and permitted to become effective, subject to the reservation of jurisdiction to pass upon the accounting entries to be made upon the books of Pennsylvania Electric Company (Holding Company Act Release No. 4700); and

Pennsylvania Electric Company having submitted the accounting entries which it proposes to record on its books in respect to the transactions which affect it; and

The Commission having considered the matter and it appearing that the jurisdiction reserved as to the proposed accounting entries should be released;

It is hereby ordered, That the jurisdiction reserved in the order of November 19, 1943, in the above matter be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-1170; Filed, January 22, 1944; 11:02 a. m.]

[File No. 70-847]

## MILWAUKEE ELECTRIC RAILWAY &amp; TRANSPORT CO. AND WISCONSIN ELECTRIC POWER CO.

## NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of January, 1944.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Milwaukee Electric Railway & Transport Company, a wholly-owned subsidiary of Wisconsin Electric Power Company, and by Wisconsin Electric Power Company, a subsidiary of The North American Company, a registered holding company; and

Notice is further given that any interested person may not later than February 1, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint declaration or application, as filed or as amended, may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

The Milwaukee Electric Railway & Transport Company proposes (a) to redeem on March 1, 1944 at par plus accrued interest \$200,000 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 8,000 shares of its capital stock of the aggregate par value of \$800,000 from Wisconsin Electric Power Company. Wisconsin Electric Power Company seeks authorization to surrender the bonds and the stock on the basis described.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-1167; Filed, January 22, 1944; 11:01 a. m.]

[File Nos. 70-850, 70-846]

## GENERAL GAS AND ELECTRIC CORP., ET AL.

## NOTICE OF FILING AND ORDER CONSOLIDATING HEARING THEREON WITH PREVIOUSLY SCHEDULED HEARING

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 20th day of January, 1944.

In the matter of General Gas & Electric Corporation, File No. 70-850; Virginia Electric and Power Company, Virginia Public Service Company, and Engineers Public Service Company, File No. 70-846.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by General Gas & Electric Corporation (Gengas), a registered holding company, and direct subsidiary of Trustees of Associated Gas and Electric Corporation (Trustees), also a registered holding company.

This declaration embraces transactions which are complementary to filings with this Commission by Engineers Public Service Company (Engineers), Virginia Electric and Power Company (Veeco) and Virginia Public Service Company (VPS) primarily concerned with the merger of VPS into Veeco (File No. 70-846), and regarding which a notice of filing and order for hearing was issued by the Commission on January 13, 1944 (Holding Company Act Release No. 4837).

All interested persons are referred to said declaration which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized below:

Gengas presently owns 782,000 shares of \$1 per share par value common stock of VPS, which is all of the common stock of VPS presently issued and outstanding. Gengas also asserts a claim to \$1,165,166.67 in cash held by the New York Trust Company as escrow agent under an agreement between VPS, Gengas, and the New York Trust Company, dated June 5, 1942. This cash represents the proceeds of \$1,200,000, aggregate principal amount of First Mortgage and Refunding 20-year 5% Gold Bonds, Series B, of VPS, formerly held by Gengas, and reacquired by VPS, for the said \$1,165,166.67 (97% of par and accrued interest), pursuant to an order of this Commission entered May 22, 1942. By its order of November 3, 1943, this Commission directed the return of the escrowed fund to VPS (Holding Company Act Release No. 4654). This claim and the common stock of VPS are hereinafter referred to as the "interest" of Gengas in VPS.

As part of a program by which Veeco, a non-affiliate of Gengas, proposes to acquire the properties of VPS, Gengas has entered into an agreement with Veeco and its parent, Engineers, a registered holding company, wherein, among other things, it is proposed, subject to certain conditions, that Gengas sell its interest in VPS for an aggregate consideration of not to exceed \$2,500,000, of which \$1,000,000 is immediately payable in cash, and an additional amount not to exceed \$1,500,000 is to be paid, over a period of not to exceed five years, in the event that the earnings of Veeco exceed certain specified amounts subsequent to the merger therein of VPS.

The filing has designated section 12 (d) of the act and Rule U-44 promulgated thereunder as being applicable to

the proposed transactions and states that the nature of the interest being sold is such as to make the use of competitive bidding impracticable.

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 said declaration shall not be permitted to become effective except pursuant to further order of this Commission;

The Commission having on January 13, 1944, issued a notice of filing and order for hearing setting a public hearing for February 1, 1944, at 10 o'clock, a. m., e. w. t., regarding the filings of Vepco, VPS and Engineers submitted in connection with the transactions which these companies propose to undertake to effectuate the merger of VPS and Vepco; and it appearing that these matters and the matters embraced by the instant declaration are concerned with common matters of law and fact;

*It is ordered,* That the hearing on the instant declaration be consolidated with the hearing heretofore set in Engineers Public Service Company, et al., File No. 70-846, and that a hearing on these consolidated matters be held on February 1, 1944, at 10 o'clock, a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which said hearing will be held. At such hearing cause shall be shown why such declarations should be permitted to become effective and such applications granted;

*It is further ordered,* That the Secretary of this Commission shall serve notice of said hearing by mailing copies of this order to the above named party and that notice of said hearing be given to all other persons by publication of a copy of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with this proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before January 29, 1944, his request or application therefor, as provided by Rule XVII of the Rules of Practice of this Commission;

*It is further ordered,* That Richard Townsend, or any other officer or officers of this Commission designated by it for that purpose, shall preside at such hearing. 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, without limiting the scope of the issues presented by said declaration, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed sale by Gengas of its interest in VPS meets the requirements of section 12 of the act and applicable rules promulgated thereunder;

2. Whether or not, under the circumstances, compliance with the requirements of paragraphs (b) and (c) of Rule U-50 is necessary or appropriate in connection with the sale of the securities of VPS by Gengas;

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 connection with the proposed transactions;

4. Whether, in all other respects, the proposed transactions outlined above comply with all of the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 44-1168; Filed, January 22, 1944;  
11:01 a. m.]

[File Nos. 812-192, 812-193, 812-194]

PROVIDENTIA, LTD., ET AL.

NOTICE OF AND ORDER FOR HEARING AND ORDER  
CONSOLIDATING PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of January, A. D. 1944.

In the matter of Providentia, Ltd., The Nineteen Corporation, Instoria, Inc., File Nos. 812-192, 812-193, 812-194.

Applications having been filed by Providentia, Ltd., The Nineteen Corporation and Instoria, Inc., under and pursuant to section 6 (c) of the Investment Company Act of 1940, for orders granting an extension to November 30, 1944, of exemptions from all the provisions of the Investment Company Act heretofore granted to applicants and extended to February 2, 1944, by order of the Commission dated January 30, 1943;

It appearing to the Commission that said applications are related and present questions of law and fact common to each of said applications;

*It is ordered,* That the proceedings on the three applications be and the same hereby are consolidated;

*It is further ordered,* Pursuant to section 40 (a) of said act, that a hearing on the consolidated matter be held on January 31, 1944, at 10:00 o'clock in the forenoon of that day in Room 318 in the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania;

*It is further ordered,* That Charles S. Lobingier, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on this matter. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicants and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 44-1169; Filed, January 22, 1944;  
11:01 a. m.]

[File No. 812-344]

SOUTHWEST CONSOLIDATED CORPORATION

NOTICE 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 22nd day of January, A. D., 1944.

Southwest Consolidated Corporation, having filed an application pursuant to the provisions of section 6 (c) of the Investment Company Act of 1940 for an order exempting it from (1) the provisions of section 30 (a) of said act and Rule N-30A-1 promulgated thereunder insofar as said section and Rule require the filing of annual reports with the Commission; (2) the provisions of section 30 (b) of said act and Rule N-30B1-1 promulgated thereunder insofar as said section and Rule require the filing of quarterly reports with the Commission; and (3) the provisions of section 30 (d) of said act and Rule N-30D-1 promulgated thereunder insofar as said section and Rule require the transmission of semi-annual reports to stockholders; or in the alternative, for an order pursuant to section 8 (f) of said act declaring that Southwest Consolidated Corporation has ceased to be an investment company within the meaning of the act;

*It is ordered,* Pursuant to section 40 (a) of said act that a hearing on the aforesaid application be held on January 31, 1944, at 10:15 o'clock, a. m., eastern war time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania.

*It is further ordered,* That Charles S. Lobingier, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant, and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 44-1239; Filed, January 21, 1944;  
10:13 a. m.]

## WAR PRODUCTION BOARD.

[Certificate 192]

## CARROLL WAR INDUSTRIES

## APPROVAL OF FORMATION OF WAR PRODUCTION ASSOCIATION

## The ATTORNEY GENERAL:

I submit herewith a recommendation of the Acting Chairman of the Smaller War Plants Corporation concerning the plan of organization, procedure, and ob-

jectives of Carroll War Industries,<sup>1</sup> Westminster, Maryland, organized for the purpose of manufacturing articles, equipment, supplies and materials for war and essential civilian requirements.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the plan referred to in the recommendation; and after con-

<sup>1</sup> *Supra.*

sultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such plan is requisite to the prosecution of the war.

Dated: January 19, 1944.

DONALD M. NELSON,  
*Chairman.*

[F. R. Doc. 44-1165; Filed, January 23, 1944;  
10:55 a. m.]