FEDERAL REGISTER

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Washington, Tuesday, February 22, 1944

The President

PROCLAMATION 2605

THE FLAG OF THE UNITED STATES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

The flag of the United States of America is universally representative of the principles of the justice, liberty, and democracy enjoyed by the people of the United States; and

People all over the world recognize the flag of the United States as symbolic of the United States; and

The effective prosecution of the war requires a proper understanding by the people of other countries of the material assistance being given by the Government of the United States:

NOW, THEREFORE, by virtue of the power vested in me by the Constitution and laws of the United States, particularly by the Joint Resolution approved June 22, 1942, as amended by the Joint Resolution approved December 22, 1942, as President and Commander in Chief, it is hereby proclaimed as follows:

1. The use of the flag of the United States or any representation thereof, if approved by the Foreign Economic Administration, on labels, packages, cartons, cases, or other containers for articles or products of the United States intended for export as lend-lease aid, as relief and rehabilitation aid, or as emergency supplies for the Territories and possessions of the United States, or similar purposes, shall be considered a proper use of the flag of the United States and consistent with the honor and respect due to the flag.

2. If any article or product so labelled, packaged or otherwise bearing the flag of the United States or any representation thereof, as provided for in section 1, should, by force of circumstances, be diverted to the ordinary channels of domestic trade, no person shall be considered as violating the rules and customs pertaining to the display of the flag of the United States, as set forth in the Joint Resolution approved June 22, 1942, as amended by the Joint Resolution approved December 22, 1942 (U.S.C., Supp. II, title 36, secs. 171–178) for possessing, transporting, displaying, selling, or otherwise transferring any such article or product solely because the label, package, carton, case, or other container bears the flag of the United States or any representation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 18th day of February in the year of our Lord nineteen hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-eighth. [SEAL]

FRANKLIN D ROOSEVELT

By the President:

E. R. STETTINIUS, Jr.,
Acting Secretary of State.

[F. R. Doc. 44-2518; Filed, February 21, 1944; 11:47 a. m.]

PROCLAMATION 2606

RED CROSS MONTH, 1944

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the war has entered a decisive stage requiring the fullest measure of individual sacrifice;

WHEREAS the American National Red Cross is an auxiliary to the United States armed forces and, as such, is providing indispensable service to our troops throughout the world as well as to their families at home;

WHEREAS these wartime activities, including the collection of life-saving blood for the wounded, recreation work in military hospitals, provision of aid to families of servicemen, shipment of food parcels to prisoners of war, production of surgical dressings, operation of overseas clubs and recreation centers, and re-

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FEDERAL REGISTER

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cruitment of Army and Navy nurses, all combine to save countless lives, restore hope, and provide comfort for our fighting men;

WHEREAS, through its vast network of local chapters, this agency of our people simultaneously conducts an extensive program of training and community service, while continuing with tradi-

tional efficiency to lessen the distress of those overwhelmed by disaster; and

WHEREAS this agency is wholly dependent upon individual support and personal participation and is issuing its 1944 appeal to the entire citizenship for a minimum War Fund of $200,000,000;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America and President of the American National Red Cross, do hereby designate the month beginning March 1, 1944 as "Red Cross Month" and earnestly beseech my fellow Americans to observe it by opening their hearts to this humanitarian appeal in order that we may keep the Red Cross at the side of our fighting men and their dependents in their hour of greatest need.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 19th day of February, in the year of our Lord nineteen hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-eighth. [SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-2519; Filed, February 21, 1944; 11:47 a. m.]

EXECUTIVE ORDER 9424

ESTABLISHING IN THE UNITED STATES PATENT OFFICE A REGISTER OF GOVERNMENT INTERESTS IN PATENTS AND APPLICATIONS FOR PATENTS

WHEREAS there exists among the several executive departments and agencies a need for a more adequate source of information with respect to patent rights and interests owned or controlled by the United States Government; and

WHEREAS the establishment in the United States Patent Office, Department of Commerce, of a separate register for the recording of such patent rights and interests would meet this need and would be in the public interest:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

1. The Secretary of Commerce shall cause to be established in the United States Patent Office a separate register for the recording of all rights and interests of the Government in or under patents and applications for patents.

2. The several departments and other executive agencies of the Government, including Government-owned or Government-controlled corporations, shall forward promptly to the Commissioner of Patents for recording in the separate register provided for in paragraph 1 hereof all licenses, assignments, or other interests of the Government in or under patents or applications for patents, in accordance with such rules and regulations as may be prescribed pursuant to paragraph 4 hereof; but the lack of recordation in such register of any right or interest of the Government in or under any patent or application therefor shall not prejudice in any way the assertion of such right or interest by the Government.

3. The register shall be open to inspection except as to such entries or documents which, in the opinion of the department or agency submitting them for recording, should be maintained in secrecy: *Provided, however,* That the right of inspection may be restricted to authorized representatives of the Government pending the final report to the President by the National Patent Planning Commission under Executive Order No. 8977 of December 12, 1941,[1] and action thereon by the President.

4. The Commissioner of Patents, with the approval of the Secretary of Commerce, shall prescribe such rules and regulations as he may deem necessary to effectuate the purposes of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 18, 1944.

[F. R. Doc. 44-2415; Filed, February 19, 1944; 11:41 a. m.]

[1] 6 F.R. 6441.

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 52—REGULATIONS AFFECTING MILITARY RESERVATIONS

PRIVATE CEMETERIES WITHIN MILITARY RESERVATIONS

Section 52.24, pertaining to private cemeteries within the boundaries of military reservations, is added as follows:

§ 52.24 *Private cemeteries*—(a) *Within boundaries of military reservations owned in fee by United States*—(1) *General.* The policy of the War Department is to acquire title to all cemeteries within the boundaries of military reservations owned in fee by the United States whether or not the bodies are to be removed.

(2) *Removal of bodies.* If the cemetery will not interfere with construction, maintenance, and operation of the post, camp, station, or other installation of the War Department, the removal of bodies will not be required. When it has been determined that the cemetery will interfere with the proposed use of the reservation, the division engineer will taken action in accordance with existing policies and procedures.

(3) *Responsibilities for care, maintenance, and control*—(i) *Fencing, policing, and patrolling.* Commanding officers are responsible for protection of the cemetery by fencing, policing, and patrolling.

(ii) *Permits by commanding officers.* Commanding officers are encouraged and authorized to grant permission, whenever practicable, under such rules and regulations as may be deemed advisable, to families, friends, organizations, cemetery associations, or other proper parties to visit the cemetery, conduct religious ceremonies therein, remove bodies interred therein, and to perform maintenance work.

(iii) *Rights of burial.* There is no legal authority for granting permission for the interment of bodies in private cemeteries, title to which has been acquired by the United States in connection with the establishment of a military reservation.

(iv) *Care and maintenance.* There is no authority of law for the expenditure of funds for the improvement of such cemeteries. It is the responsibility of the post commander, under the provisions of Army Regulations, to insure that the cemetery is kept in a clean and attractive condition. This responsibility of the post commander will be carried out by the post engineer and will include such maintenance work as may be necessary or incidental to the upkeep of the cemetery, including grounds, lawns, trees, shrubs, plants, roads, walks, drains, fences, and walls.

(b) *Within boundaries of military reservations leased by United States.* Areas leased by the United States for military purposes may contain private cemeteries. The United States as a general rule does not acquire any rights in such cemeteries unless the cemetery interferes with the administration of the area for military uses. In such cases, the rights of the interested parties are defined in an agreement made by and between the division engineer and the interested parties, upon the recommendation of the commanding officer. A copy of the agreement is furnished the commanding officer for his guidance in administering the area. Commanding officers will provide for protection of the cemetery by fencing, policing, and patrolling when necessary. (R.S. 161; 5 U.S.C. 22) [W. D. Cir. 64, 11 February 1944]

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

[F. R. Doc. 44-2411; Filed, February 19, 1944; 9:54 a. m.]

Chapter VII—Personnel

PART 78—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES

CAMPAIGN MEDALS FOR CURRENT WAR

Section 78.60, pertaining to campaign medals for the current war, is added as follows:

§ 78.60 *Campaign medals for current war*—(a) *Authorization.* The American, European-African-Middle Eastern, and Asiatic-Pacific campaign medals are authorized for award to members of the land and naval forces of the United States, including the Women's Army Auxiliary Corps, who, during any period from 7 December 1941, inclusive, and a date 6 months subsequent to the termination of the present war, shall have served outside the continental limits of the United States in any of the respec-

tive areas described in paragraph (d). See Executive Order 9265.

(b) *Supply.* (1) The manufacture of the medals authorized herein has been postponed until after the war.

(2) Individuals no longer in service may make application to The Adjutant General, War Department, Washington 25, D. C., for ribbons and service stars to which they may be entitled.

(c) *Eligibility.* (1) An individual's eligibility to wear the appropriate ribbon of a theater, except the American theater, is automatically established upon arrival therein under permanent change of station orders.

(2) An individual while in any theater, though not permanently assigned thereto, may establish eligibility to wear the appropriate theater ribbon, *Provided:*

(i) He engages in active combat operations against the enemy and is either:

(*a*) Awarded a combat decoration, or

(*b*) Furnished a certificate from a corps or higher commander or the commanding officer of an independent force, to the effect that he has participated in combat operations.

(ii) Or he serves in the theater for a period in excess of 30 consecutive days, or a total of 60 days not necessarily consecutive.

(3) In addition to the means provided in subparagraph (2) (i) of this paragraph, eligibility for the American theater ribbon is established by:

(i) Arrival, under permanent assignment orders, at a place of duty in the American theater outside the continental limits of the United States, or

(ii) Thirty consecutive days' service while permanently assigned to duty as a member of the crew of a vessel sailing ocean waters, even though the vessel may be based within the continental United States, or

(iii) Thirty consecutive days' service while permanently assigned as a member of the operating crew of an airplane required to make, and actually participating in, regular and frequent trips over ocean waters beyond the continental limits of the United States even though the airplane is based within the continental United States.

(d) *Theater boundaries*—(1) *American theater*—(i) *Eastern boundary.* From the North Pole, south along the 75th meridian west longitude to the 77th parallel north latitude, thence southeast through Davis Strait to the intersection of the 40th parallel north latitude and the 35th meridian west longitude, thence south along that meridian to the 10th parallel north latitude, thence southeast to the intersection of the Equator and the 20th meridian west longitude, thence south along the 20th meridian west longitude to the South Pole.

(ii) *Western boundary.* From the North Pole, south along the 141st meridian west longitude to the east boundary of Alaska, thence south and southeast along the Alaska Boundary to the Pacific Ocean, thence south along the 130th meridian to its intersection with the 30th parallel north latitude, thence southeast to the intersection of the Equator and the 100th meridian west longitude, thence south along the 100th meridian west longitude to the South Pole.

(2) *European-African-Middle Eastern theater*—(i) *Eastern boundary.* From the North Pole, south along the 60th meridian east longitude to its intersection with the eastern border of Iran, thence south along that border to the Gulf of Oman and the intersection of the 60th meridian east longitude, thence south along the 60th meridian east longitude to the South Pole.

(ii) *Western boundary.* Coincident with the east boundary of the American theater.

(3) *Asiatic-Pacific theater*—(i) *Eastern boundary.* Coincident with the west boundary of the American theater.

(ii) *Western boundary.* Coincident with the east boundary of the European-African-Middle Eastern theater.

(e) *Description of ribbons*—(1) *American theater.* A blue ribbon with the narrow stripes of United States colors (blue, white, and red) in the center, flanked by German colors (black and white), and Japanese colors (red and white).

(2) *European-African-Middle Eastern theater.* A green ribbon with narrow stripes of United States colors (blue, white, and red) in the center, flanked by Italian (green, white, and red), and German (black and white) colors within brown borders.

(3) *Asiatic-Pacific theater.* An orange ribbon with narrow stripes of United States colors (blue, white, and red) in the center, flanked by Japanese colors (red and white).

(f) *Service stars.* One bronze service star 3/16 inch in diameter will be worn on the pertinent service ribbon for participation in each battle or campaign of the United States Army announced in War Department General Orders. Where more than five bronze service stars have been earned, silver service stars 3/16 inch in diameter may be substituted for the bronze in the ratio of one to five. (R.S. 1296; 10 U.S.C. 1391 and E.O. 9265) [Cir. No. 62, W.D., 11 February 1944]

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

[F. R. Doc. 44-2412; Filed, February 19, 1944; 9:54 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51008]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

UNITED STATES GOODS RETURNED

Section 10.1 (b), Customs Regulations of 1943 (19 CFR 10.1 (b)), is hereby amended by substituting for the first and second sentences thereof the following:

If, in any case where the appraising officer's report does not show definitely that merchandise the value of which exceeds $100 is of domestic origin, the affidavit on customs Form 3311 has not been signed by the owner or ultimate consignee, the collector may require the affidavit to be executed on such form by the owner or ultimate consignee. Such affidavit shall be filed within three months after the date of the demand therefor upon the person in whose name the entry was filed. If the owner or ultimate consignee is a corporation, such affidavit may be signed by the president, vice-president, secretary, or treasurer of the corporation, or it may be signed by any employee or agent of the corporation who holds a power of attorney executed under the conditions outlined in § 8.19 and a certification by the corporation that such employee or other agent has or will have knowledge of the pertinent facts.

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: February 12, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-2391; Filed, February 18, 1944; 3:58 p. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners Loan Corporation

[Bulletin 254]

PART 402—LOAN SERVICE DIVISION

MISCELLANEOUS AMENDMENTS

Part 402 is amended as follows:

Section 402.16 (a) shall be amended to read as follows:

§ 402.16 *Reconditioning*—(a) *Advances for reconditioning.* The General Manager may authorize advances for the account of borrowers, vendees, and transferees to accomplish reconditioning of any nature whatsoever, including advances for reconditioning which has been partially or fully performed by home owners not in conformance with established regulations, provided such reconditioning is determined to be in the best interest of the Corporation in order to protect its security, to facilitate the collection of the indebtedness owing to the Corporation, or to promote the orderly liquidation of the assets of the Corporation; and may incur and approve the amount and payment of fees and expenses in connection with such advances, except legal fees and expenses which shall be incurred, approved, and paid as provided in Part 406 of this chapter.

The authority herein granted may be exercised, also, by the regional manager, with the advice of the regional counsel, in those cases where he determines that an advance for reconditioning is in the best interest of the Corporation in order to protect its security or to facilitate the collection of the indebtedness owing to the Corporation, *Provided,* The amount to be authorized (exclusive of legal and inspection fees) does not exceed $1,000.

Section 402.16-5 shall be added, which shall read as follows:

§ 402.16-5 *Incidental expenses.* All funds advanced by the Corporation to the home owner for expenses shall be included in the accepted and approved

form of the debt or lien instrument. If the advance is disallowed, the funds advanced by the Corporation for expenses shall be charged to the home owner's account pursuant to the provisions of Form 529-A-R7AB.

Repayment of advances. An advance to a home owner for reconditioning shall be repaid "on demand" or "in monthly instalments," as may be determined by the regional manager, who shall notify the regional accountant of the time and manner of the repayment plan. When the advance is to be repayable "in monthly instalments," the total period of repayment shall not exceed the unexpired term of the Corporation's loan, or as extended, nor the statutory period of limitations, and shall be fixed with reference to the estimated life of the reconditioning and the home owner's ability to repay.

Section 402.16-6 shall be amended to read as follows:

§ 402.16-6 *Home office approval.* If the amount of the advance to be authorized (exclusive of legal and inspection fees) exceeds $1,000, or, regardless of the amount, if the regional manager determines that any part of the advance for reconditioning is in the best interest of the Corporation in order to promote orderly liquidation of the assets of the Corporation, he shall forward the file, together with his recommendation, to the General Manager for determination.

In any cases wherein it appears that an advance may not be authorized due to any of the following circumstances, and the regional manager is of the opinion that it is to the best interest of the Corporation to grant an advance notwithstanding, the case may be submitted to the home office for the review and approval of the General Manager. Each such case shall be submitted to the Deputy General Manager in Charge of Loan Service and the Director of Reconditioning for their review and recommendation and to the legal department for advice:

1. Where the home owner cannot effect subordination or release of liens, except taxes and assessments, which are prior to the lien obtained for the advance;
2. Where it is impracticable to require the home owner to effect subordination or release of intervening liens;
3. Where, because of emergency or for other reasons, it is impracticable to require title examination;
4. Where it is impracticable or impossible to obtain the execution of the required security instrument by any or all parties in interest or title and the advance would not be secured as a lien under the Corporation's loan instrument. (In each such case, the file shall contain the opinion of the regional counsel as to the legal rights and remedies of the Corporation to establish and enforce a lien for such reconditioning as against any or all parties in interest or title.);
5. Where an advance cannot be made in full compliance with procedure regulations, or where the regional manager seeks the advice or the decision of the General Manager as to the eligibility of the home owner for an advance under § 402.16 (a).

Section 402.16-7 shall be added to read as follows:

§ 402.16-7 *Reports and legal advice.* In special cases, if the regional manager determines that Form R-4-D and/or an appraisal report is necessary prior to consideration by him, the case may be referred to the Reconditioning Section and/or the Appraisal Section for the desired reports. Ordinarily, the legal requirements will be indicated by the regional counsel in Block VI after authorization of an advance by the regional manager. However, in any special case where the regional manager requires it, Block VI may be completed prior to consideration of the case by the regional manager.

Title examination. Title examination is not required when the estimated cost of reconditioning is $500 or less. Title examination is required when the estimated cost of reconditioning is greater than $500, unless regional counsel waives title examination and certifies as his opinion that the advance will be secured as a lien under the Corporation's loan instrument and such lien will be prior to encumbrances, except taxes and assessments, which intervened or may intervene between the date of the Corporation's loan and the date of the additional lien to be obtained.

Where title examination is required and intervening liens are disclosed, the home owner shall effect subordination or discharge of all such liens, except liens for taxes and assessments, without expense to the Corporation. If the home owner is unable to effect subordination or release of such liens, the regional manager shall be notified.

Section 402.16-13 shall be added, which shall read as follows:

§ 402.16-13 *Advances for reconditioning partially or fully completed.* When application Form 529-A-R7AB requests an advance for reconditioning which has been partially or fully performed by a home owner not in conformance with the standard regulations, the case shall be reviewed by the control supervisor and the Analysis and Review Section, who shall make a recommendation to the regional manager. If the regional manager approves the further consideration of the advance, the case shall be referred to the regional reconditioning supervisor, who shall cause the necessary inspections to be made, and he shall indicate on the form whether the reconditioning has been performed in a satisfactory manner or whether it will be performed under the supervision of the Reconditioning Section. He also shall indicate the actual or estimated reasonable cost of the reconditioning. Acting upon the recommendations of the Loan Service Division and the information of the regional reconditioning supervisor, the regional manager may grant an advance for such repairs within the limitations of his authority.

Section 402.16-14 shall be added, which shall read as follows:

§ 402.16-14 *Catastrophe.* The General Manager is authorized in an emergency to raise the limitations of authority of the regional manager for the purpose of reconditioning properties which have been damaged or destroyed by flood, earthquake, cyclone, or other catastrophe, and is authorized to waive full compliance with the regulations insofar as a need exists. In each such situation, the Director of Reconditioning and the Deputy General Manager in Charge of Loan Service shall make recommendation to the General Manager.

Effective February 18, 1944.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 44-2383; Filed, February 18, 1944; 3:54 p. m.]

[Bulletin 255]

PART 405—RECONDITIONING SECTION

Part 405 in its entirety is amended to read as follows:

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405.00-3 Assignments.
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AUTHORITY: Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647: 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529.

§ 405.00 *Organization.* The Reconditioning Section shall function under the administrative direction and supervision of the General Manager and be under the immediate charge of a Director of Reconditioning who shall have necessary authority to carry out the rules and regulations of the Corporation relating to matters within the jurisdiction of the Section, and who shall establish qualification standards for all salaried and fee personnel of the Reconditioning Section who perform reconditioning functions of a technical nature, and shall be responsible for the establishment and approval of fees, and cause to be provided such qualified and competent salaried, W. A. E., and fee personnel as may be necessary.

Field staff. The activities of the Reconditioning Section in the field shall be conducted by regional reconditioning supervisors functioning under the executive authority of managers of their respective offices and assisted by adequate staffs of assistants, inspectors and clerical personnel. Questions of a technical nature shall be submitted by reconditioning supervisors to reconditioning officials next superior for instructions. Copies of all correspondence shall be sent to the managers of the respective offices.

§ 405.00-2 *Fee inspectors not employees.* A fee inspector is not an agent or an employee of the Corporation. He is a party who has contracted with the Corporation for the performance of certain enumerated services for an agreed fee. A fee inspector is not authorized to obligate the Corporation in any manner, except where specifically authorized by regulations or by an official duly authorized to grant such authority.

Qualifications and duties. Architects, engineers, builders, or other qualified persons, where practicable and to the best interests of the Corporation, shall be engaged on a fee basis for all types of cases, to make any necessary inspections of properties; to prepare sketches for minor reconditioning; to prepare specifications; to furnish cost estimates; to certify approval or disapproval of the reconditioning construction work; and to perform such other special assignments as hereinafter provided. Each applicant for such fee assignments must execute an approved application form.

§ 405.00-3 *Assignments.* Assignments may be made to any approved fee inspector, irrespective of (1) previous salary employments by the Corporation, (2) present W. A. E. employment by the Corporation, or (3) previous salaried or W. A. E. service on cases reassigned: *Provided,* That fee service shall not be performed on the same day as W. A. E. employment by the Corporation. The services rendered by the fee inspector shall be conducted under the immediate supervision of the regional reconditioning supervisor or a salaried employee designated by him to exercise such supervision. Reconditioning inspections may be made either on a fee or salaried basis by a qualified inspector at the discretion of the regional reconditioning supervisor.

§ 405.00-4 *Fees.* The regional manager and regional reconditioning supervisor shall recommend the fees to be established for fee inspection service to the Director of Reconditioning, for submission to and final approval by the General Manager. The fees shall include all incidental costs, such as mileage, photographs, plans, and all expenses incidental to the service to be rendered on each type of case. The approved schedule of fees established in accordance with the procedure shall be used by the regional reconditioning supervisor in determining the fees to be paid to the inspector, except when such supervisor determines a lower fee adequate for the service to be performed.

§ 405.00-5 *Fees limited.* An individual fee employee shall not receive assignments for inspection services as heretofore described in this part, the compensation for which would exceed $500 in any given month. Under exceptional circumstances where the best interests of the Corporation require it, the Director of Reconditioning may remove temporarily the limit of $500, upon the recommendation of the regional manager and regional reconditioning supervisor. Individual contracts for architectural or engineering services for plans or supervision, or both, will not be included in the computation of the $500 limit of fees for inspection services.

§ 405.00-6 *Fee architects and engineers.* When the scope of the reconditioning work requires the preparation of sketches or working drawings, together with special specifications, if any, in order to visualize properly the work before the case can be advanced for further consideration, approved architects or engineers may be employed on a fee basis pursuant to the following regulations.

Mortgagor cases. The home owner may cause to be prepared at his own expense such drawings and special specifications for approval of the regional reconditioning supervisor; or, if the home owner so elects, the supervisor may assign a fee architect or engineer for said service, provided the contemplated reconditioning first receives a tentative approval by the regional manager. The fee, with the consent and approval of the owner, shall be established as hereinafter provided.

Acquired property cases. In all cases where architectural or engineering services are engaged by the Corporation on acquired properties or properties in the process of being acquired, architectural and engineering services shall not be contracted for until the case has received preliminary approval by the regional manager and approval by him for the fee recommended to be paid.

§ 405.00-7 *Fees for architectural engineering services.* Fees for architectural and engineering services, including the preparation of sketches, working drawings, specifications, and supervision, shall be established by the regional reconditioning supervisor with the approval of the regional manager, and in no instances shall be in excess of the prevailing fee or fees fixed and established by local professional societies. In cases involving advances to home owners, such fees shall be included in the advance and charged to the home owner's account. In the event the reconditioning work is not executed after preliminary approval by the regional manager, and an advance for reconditioning is not made to the home owner, the Corporation may advance the fee, subject to the approval of the Director of Reconditioning, not to exceed 2½% of the estimated cost of the work, *Provided,* The amount so advanced shall not exceed the sum of $75, and, further, that the sketches or working drawings and specifications submitted shall have been approved by the regional reconditioning supervisor. In all cases of acquired properties or properties in the process of being acquired, payments of fees shall be in accordance with the amount and terms of the fee contract approved by the regional manager, both for partial and fully completed cases.

§ 405.00-8 *Fee work unsatisfactory.* If the work of any fee inspector, fee architect, or fee engineer is unsatisfactory, the regional reconditioning supervisor shall withhold payment of any fees for such work, direct that no more work be assigned to such individual, and report the same to the Director of Reconditioning.

PROCEDURE AND FUNCTIONS

§ 405.00-11 *Standards.* The Reconditioning Section shall formulate and establish, under approved procedure, standards of specifications for materials, equipment, and workmanship, and maintain a technical reconditioning service available to mortgagors and to the several divisions of the Corporation.

Master specifications. Unless otherwise specifically provided for in the regulations of reconditioning operations of the Corporation, where the cost of reconditioning exceeds $25 the master specifications, with any addenda approved by the Director of Reconditioning, are required in the preparation of specifications, reports, and agreements.

In such preparations, the scope of the reconditioning shall be listed under the appropriate trade classifications, and reference made to the applicable section and paragraph of the master specifications governing the nature of the reconditioning.

Any individual job specification prepared otherwise than in accordance with

master specifications is subject to the review and approval of the regional reconditioning supervisor, or persons appointed by him, before the award of the contract.

§ 405.00–12 *Execution of forms.* The regional manager is authorized to execute on behalf of the Corporation all reconditioning contracts and reconditioning forms in all cases where the expenditure or advance has been authorized in accordance with the regulations. The regional manager may request, in the manner now or hereafter provided, the appointment of deputies to execute forms on his behalf, to exercise any authority, and to perform any duties vested in or required of the regional manager with respect to reconditioning operations; *Provided, however,* That such deputation is limited to the regional reconditioning supervisor and employees of the Reconditioning Section recommended by him. The foregoing limitations with respect to the persons who may be appointed deputies shall not apply to the appointment of deputies to approve, on behalf of the regional manager, vouchers for reimbursement of travel expense and transportation rental, and shall not be construed as prohibiting the appointment of employees of the Property Management Division to execute, as deputies for the regional manager, reconditioning forms when used by that Division in the performance of maintenance repairs.

§ 405.00–13 *Contractors.* The performance of all reconditioning under the supervision of the Reconditioning Section shall be conducted through qualified and approved contractors. Upon application by qualified contractors, whether an individual, partnership, or Corporation, the regional reconditioning supervisor is authorized to approve such applicants as contractors to perform reconditioning services, and is authorized to terminate the services of such approved contractors for cause or when no longer required. To qualify as a contractor, the applicant shall be honest, dependable, and cooperative; shall possess experience, financial responsibility, organization, and equipment facilities, and shall comply with other regulations prescribed as necessary to perform the reconditioning services required by the Corporation.

§ 405.00–15 *Workmen's compensation.* In order to qualify as an approved contractor, an applicant must show evidence of compliance with the State Workmen's Compensation Law when the legal department advises that the compensation law is compulsory and that the contractor is subject to the operation of such law.

§ 405.00–16 *Public liability insurance.* In order to qualify as an approved contractor, the applicant must show evidence of carrying public liability insurance when the legal department advises that the state law imposes upon the owner of a property legal liability to the public for the negligent acts of an independent contractor, his employees, assignees, or agents. In the absence of such legal liability, the regional reconditioning supervisor, with the concurrence of the regional manager, may require the contractor to provide public liability insurance if it is determined that appreciable hazards exist in a particular case.

Waiver of insurance. The requirements of this section may be waived in any case in which the regional reconditioning supervisor, with the concurrence of the regional manager, determines it is necessary or advisable in the interests of the Corporation.

§ 405.00–21 *Job specifications.* Upon receipt of instructions to proceed with the approved reconditioning, the regional reconditioning supervisor shall review the file upon which the approval has been based. If the case has been processed previously on a desk estimate or preliminary inspection, or the case is already authorized and the supervisor deems such data sufficient for the preparation of accurate specifications, he may order their preparation, but in those cases where such data is inadequate, a field inspection shall be ordered to procure proper information for the preparation of specifications.

In those cases where plans and specifications are prepared by fee architects or engineers, the regional reconditioning supervisor shall review such plans and specifications before inviting bids, and determine that same have been prepared to include the authorized scope of work in accordance with the minimum standards of the Reconditioning Section, and that the estimated cost thereof is reasonable and within the authorized amount.

§ 405.00–22 *Mechanical tests.* In certain instances it may be necessary to obtain a mechanical test of the plumbing, heating, or electrical systems. In any case in which the regional reconditioning supervisor deems it advisable, he may order a mechanical test on an approved form from a contractor, inspector, or other qualified person. Wherever feasible, such test should be made prior to the award of contract. In cases under the jurisdiction of the Property Management Division, the expense for such services shall be based upon the approved schedule of costs.

§ 405.00–23 *Special services.* In certain cases it may be necessary to perform services of a special character, such as termite or pest control, roofing examinations, mechanical tests, orchard pruning, sanitation, and similar inspections or services. In such cases the fees applicable for such service shall be negotiated, based upon the approved schedule of fees and expense.

§ 405.00–24 *Bids.* It is the general policy of the Corporation to solicit bids only from qualified and approved contractors. In the event such contractors are not available in the locality, or where the Director of Reconditioning otherwise authorizes, the regional reconditioning supervisor may solicit bids and award contract to a contractor other than an approved one.

Invitation to bid. In all cases where the Corporation engages the contractor, the invitation to bid shall be in rotation as to class or type of contractor so as to provide equitable distribution of reconditioning cases among all contractors: *Provided, however,* That this practice may be waived by the regional reconditioning supervisor in those localities where the number of contractors is limited, or where an emergency condition exists where contractors are not available, or refuse or are unwilling to submit bids. In mortgagor cases, the invitation to bid shall be obtained from qualified and approved contractors selected by the home owner. The Corporation reserves the right to reject any or all bids, and in cases where the bid submitted appears unreasonable or excessive, the regional reconditioning supervisor, where he deems it to the best interests of the Corporation, may solicit additional bids without the necessity of rejecting former bid or bids. A statement shall accompany the voucher disclosing the reason for soliciting the additional bids thus obtained.

Competitive bids. On jobs in excess of $50, competitive bids shall be solicited from two or more contractors, except in cases of emergency repairs or where it is impossible or impracticable to obtain bids or where necessary to effect an immediate sale or tenancy, or in any other cases authorized by the regulations. A statement shall accompany the voucher, disclosing the reason and justification for waiver of competitive bids.

§ 405.00–25 *Award of contracts.* It is the general policy of the corporation to award reconditioning contracts to the lowest acceptable bidder. In cases where the Corporation engages the contractor, a contract may be awarded to a higher bidder when authorized under the regulations or when, upon the written recommendation of the regional reconditioning supervisor, the regional manager determines that it is advantageous for the Corporation to accept a higher bid. In home owner cases, a contract may be awarded to a higher bidder if the home owner deposits with the Corporation the difference between the lowest bid and the higher bid.

Separate contracts. Due to climatic and other justifiable conditions, a separate contract may be awarded for that portion of the reconditioning which can be performed immediately, and an additional contract may be awarded later for the remainder. Where it is to the Corporation's interest, the regional reconditioning supervisor may recommend the award of a separate contract for work of a particular trade or for the purchase and installation of refrigerators, ranges, shades, linoleum, and other fixtures or equipment.

§ 405.00–26 *Reconditioning extras and credits.* Where the need for extra reconditioning arises subsequent to the award of contract and during the progress of the reconditioning, the regional manager, within the limitations hereinafter prescribed, may authorize generally, or in specific cases, regional reconditioning supervisors, or salaried or fee reconditioning inspectors, to award supplementary contracts for extras or credits, providing the total amount of the original and

supplementary contracts shall not exceed the sum authorized for reconditioning in any case unless a greater amount than originally authorized is approved.

When authorized, the regional reconditioning supervisor or inspector may direct the contractor to begin the performance of the extra reconditioning immediately after obtaining a supplemental contract executed by the contractor. Such extra reconditioning shall be evidenced on the supplemental contract form or approved substitute and shall be transmitted to the regional manager or the deputized regional reconditioning supervisor for execution. Competitive bids are not required in the award of extra contracts.

Acquired property cases. On properties under the jurisdiction of the Property Management Division or on properties upon which a sale is completed and reconditioning was previously authorized, the regional manager may authorize generally, in writing or verbally in specific cases, reconditioning supervisors or reconditioning inspectors to award a contract for extra reconditioning, provided that the cost thereof shall not exceed $100 in those cases where the amount originally authorized was $500 or less, and *Provided,* That the cost of such items or extras shall not exceed $200 in those cases where the amount originally authorized exceeded $500. These amounts are in addition to the amount originally authorized.

Extras; home owner cases. On properties securing liens of the Corporation or sold by the Corporation where the sum of the original reconditioning contract amount, together with the cost of the extra, does not exceed the amount of the original authorization, the regional manager may authorize such extra reconditioning. If the sum of the original contract amount, together with the cost of the extra, exceeds the amount of the original authorization, the regional manager may authorize such extra reconditioning with the concurring approval of the home owner. Authorized extra reconditioning shall be evidenced on an approved supplemental contract form. Competitive bids are not required.

Credits. Where the need arises for the omission from the contract of certain reconditioning in connection with properties securing liens of the Corporation, or properties acquired or sold by the Corporation, the regional manager may authorize the regional reconditioning supervisor, either generally in writing or verbally in specific cases, to effect a credit in a fair and reasonable amount. The agreement for the omission of reconditioning shall be evidenced on an approved supplemental contract form and shall be signed by the home owner and contractor.

§ 405.00–27 *Partial payments.* Where the amount of a reconditioning contract is substantial, or where full performance of the contract is delayed or prevented because of conditions beyond the control of the contractor, such as weather, strikes or other exceptional circumstances, the regional manager is authorized to effect partial payment to the contractor in an amount not to exceed 85% of the fair and reasonable cost of the completed reconditioning. In any such case, the regional manager may require a performance and payment bond or other acceptable indemnity, at the contractor's expense, in such form as prescribed by the Legal Department. In the event such indemnity is not required, the prescribed evidence for avoidance of mechanics' liens shall be obtained.

§ 405.00–33 *Chattels.* When requested, the reconditioning section shall inspect and determine the value of any chattels used in connection with any property upon which the Corporation holds a mortgage or other lien, or in connection with any property under the jurisdiction of the Property Management Division. The regional reconditioning supervisor shall make recommendations as to whether it is to the Corporation's interest to permit removal or to settle or acquire any lien upon or interest in any such chattel as provided in Part 406.

ACQUIRED PROPERTY CASES

§ 405.01–4 *Work order cases.* In maintenance cases referred to the Reconditioning Section, where the estimated cost of maintenance, reconditioning materials, or services does not exceed $50, the regional reconditioning supervisor may contact a qualified contractor, mechanic, or material dealer by telephone or other means and negotiate a reasonable price within the amount authorized for such work, materials, or services, and may undertake to have it performed or delivered immediately. In such cases, a description of the work, materials, or services, and the cost thereof shall be prepared on a form approved for such purpose.

§ 405.01–6 *Receivership cases.* Receivership cases of reconditioning will arise on properties under the jurisdiction of a local court, wherein the court has appointed a receiver to assume custody of the property. In such cases, the technical assistance and facilities of the Reconditioning Section may be made available to receivers by the regional manager with the advice of regional counsel.

§ 405.01–7 *Manager's approval.* After approving the required reconditioning, the regional manager shall direct written authorization with appropriate instructions to the regional reconditioning supervisor on an approved form, advising him of the scope of work to be undertaken and the amount approved therefor, with instructions to proceed with the reconditioning. Such authorization, when received by the reconditioning section, shall constitute full authority for the regional reconditioning supervisor to proceed with the preparation of specifications, obtaining bids, and awarding reconditioning contracts.

§ 405.01–11 *Reconditioning by purchaser.* In cases where the agreement for sale provides for reconditioning to be performed by the purchaser at his expense, inspection of the property shall be made as may be determined necessary by the regional manager. In such cases where the nature and scope of work are minor repairs or maintenance items, the inspection may be made by a representative of the Loan Service Division, but in cases where the work is technical or of a structural nature the inspection shall be made by a reconditioning inspector. In the event the work is not being satisfactorily performed or has not been satisfactorily completed, such fact, together with recommendations, shall be reported promptly to the regional manager.

MAINTENANCE PERFORMED BY CONTRACT BROKERS

§ 405.01–15 *Assistance by reconditioning section.* In the performance of authorized maintenance repairs and purchase of equipment incidental thereto by contract brokers for properties in their charge, the regional reconditioning supervisor shall provide the broker with technical advice, the technical facilities and all required forms and instructions of the Reconditioning Section, in order to assist contract brokers in the preparation of suitable specifications, awarding of contracts, and supervision of work in accordance with established reconditioning practices, and the procurement of contractors' receipts, releases, and waivers of lien, as required.

§ 405.01–16 *Obtaining of bids by brokers.* Contract brokers shall prepare suitable specifications on Form R–26 in those cases which must be submitted for the approval of the regional manager. At least two competitive bids shall be obtained for the work, except where the cost thereof does not exceed $50 or where it is not practicable to secure such bids because of the urgency of the situation, the limited number of available contractors willing to submit bids, or for other reasons. The contract broker shall forward the bids, together with his recommendations through the Reconditioning Section to the regional manager for consideration.

§ 405.01–17 *Review by reconditioning supervisor.* The recommendation of the contract broker respecting maintenance repairs or equipment incidental thereto shall be referred to the Reconditioning Section. The regional reconditioning supervisor shall review and approve such recommendations as being in conformance with minimum standards and adequate to meet the requirements of the case, both architecturally and structurally, and, in the case of mechanical equipment, as adequate for the purpose intended; and the estimated costs or bids as being fair and reasonable.

§ 405.01–20 *Work authorized on bids.* Upon authorization of maintenance repairs or the purchase of equipment, a copy of the contract shall be forwarded to the regional reconditioning supervisor, and the appropriate authorization forms, together with two approved copies of the contract, shall be forwarded to the contract broker, who shall deliver one copy of the contract to the contractor with instructions to proceed with the work.

§ 405.01–21 *Work authorized on estimates.* In cases where the regional

manager's authority to proceed with the work was predicated on estimates submitted by the contract broker, the broker shall be instructed to obtain bids, and forward same through the Reconditioning Section to the regional manager for approval and signature.

§ 405.01-22 *Completion report.* Upon completion of the repairs, the broker shall inspect the property and, if completed to his satisfaction, shall indicate his approval on one of the executed copies of the contract form, and shall forward the file, including the copy of the contract certified as to completion and the contractor's combination receipt and mechanics' lien release on the approved form, to the regional reconditioning supervisor for review, to determine compliance with prescribed procedure, verification of cost, and for the preparation of vouchers and assembly of all final papers.

RECONDITIONING ADVANCES

§ 405.02-1 *Inspections.* When an application for an advance for reconditioning is referred to the regional reconditioning supervisor, he shall cause an inspection of the property to be made by an inspector, who shall indicate the extent, necessity, estimated cost, including incidental expenses, and other technical or pertinent information. He also shall obtain from the home owner, if available, the names of the contractors to be used for bidding purposes.

§ 405.02-3 *Reconditioning authorized.* After approval of the advance, the case shall be returned to the regional reconditioning supervisor, who shall authorize the preparation of specifications and soliciting of bids from approved contractors selected by the home owner, if he so desires. When bids are obtained, the case shall be referred to the legal department, if required. When so required, the legal department shall cause to be executed and recorded, if necessary, the appropriate debt and lien instruments and the appropriate contract forms. In cases not required under the regulations to be referred to the legal department, the Reconditioning Section shall obtain the execution of all required forms.

Before the reconditioning contract is awarded, the contractor and the home owner shall execute the approved contract forms unless the regional manager has been authorized to sign a contract with the contractor on behalf of the Corporation. Upon execution of all required forms, the contract shall be awarded and notice forwarded to the Accounting Division on an approved form, and the regional reconditioning supervisor shall make assignment of the case to a salaried or fee inspector for intermediate and final inspections.

§ 405.02-4 *Completion.* Upon completion of the reconditioning and its acceptance by the home owner and by the Corporation, the case, including all necessary forms, shall be forwarded for payment, after review by the legal department if required.

§ 405.02-6 *Home owner providing labor.* When an advance for necessary repairs or other reconditioning has been approved in accordance with the regulations of the Corporation, and the home owner requests permission to provide the labor in connection therewith, the regional reconditioning supervisor shall investigate the qualifications and reliability of the person who is to perform the labor and make recommendations to the regional manager. If the regional manager determines to permit the home owner to provide the labor, a contingency allowance shall be included in the advance to assure the Corporation of satisfactory performance of the reconditioning by the home owner, and the regional manager, on behalf of the Corporation, may enter into a contract with the home owner on a form approved for the purpose. The home owner, where practicable, should be required to submit bids for all materials in accordance with the bid requirements of the regulations.

Completion. The reconditioning work shall be performed under the supervision of the Reconditioning Section. When the work has been completed to the satisfaction of the Reconditioning Section and the home owner has satisfactorily complied with the provisions and covenants contained in the contract, the bills for materials and all costs other than labor shall be paid in compliance with the regular procedure for reconditioning, and the Reconditioning Section, through the regional manager, shall notify the regional accountant of the amount of the unexpended portion of the advance, which shall be credited to the home owner's account. The total cost of labor and materials shall not exceed the advance authorized. The regional manager, with the advice of the regional counsel, at his discretion, may authorize payment of material bills prior to the final completion of the work when the circumstances justify.

Default. In the event the home owner fails or refuses to provide the labor to complete the reconditioning, he may contract with persons acceptable to the Corporation to perform the remainder of the labor, which shall be paid for by the home owner from his personal funds, or, when approved by the regional manager, from funds available in the advance; or the regional manager may contract with suitable persons to complete the work under such terms and conditions as the regional manager, with the advice of the regional counsel, shall deem to be for the best interest of the Corporation. When any funds from the advance are used to pay for any portion of the labor, only the unexpended portion of the advance shall be credited to the home owner's account.

§ 405.02-7 *Approval by home owner.* In any case where the home owner refuses to approve the reconditioning after completion, the Corporation, except as otherwise provided, shall make payment to the contractor only in the event the contractor has reduced his claim to judgment. In any case where it is impractical or impossible to obtain the home owner's approval of the reconditioning after completion because of death, incompetency, or other disability, legal or otherwise, and the cost of such reconditioning is included in and secured by the Corporation's lien instrument, the regional manager, upon the advice of the regional counsel, may authorize payment to the contractor or direct any other appropriate action.

§ 405.02-8 *Emergency cases.* In the event reconditioning of an emergency nature is required immediately to protect the Corporation's security, the regional manager shall refer the case to the Reconditioning Section, with authorization to proceed with the reconditioning.

§ 405.02-9 *Abandoned properties.* In the event repairs are necessary to protect vacant, unoccupied, or abandoned properties, the regional manager may process any such case under the regulations governing emergency repairs.

§ 405.02-10 *Award in unusual cases.* In the event the home owner or other parties are uncooperative or unavailable, or there are other disabilities, legal or otherwise, the regional manager may cause a contract to be awarded on behalf of the Corporation under emergency conditions.

INSURANCE LOSS RESTORATION

§ 405.03-1 *Inspection and reports; home owner cases.* When an insurance loss case is referred to the Reconditioning Section, the inspection shall make a complete and detailed report of necessary repairs to effect restoration, estimate the cost thereof, obtain a statement as to the home owner's wishes concerning restoration, and submit same to the Reconditioning Supervisor. A copy of the cost report may be given to the home owner for adjustment purposes if he so requests: *Provided,* That the home owner is informed by the inspector that the furnishing of such copy in no way commits the Corporation to apply the loss proceeds to the restoration of the security property.

§ 405.03-3 *Restoration commenced by home owner prior to inspection.* If the inspection reveals that restoration by the home owner has been commenced without the prior knowledge of the Corporation a report shall be prepared in the same manner as though the repairs had not been started and shall include a report of the scope and amount of work which the home owner contemplates and which is specified in any contract then under way. If the work to be performed by the home owner appears sufficient to satisfactorily restore the security property, this fact shall be included on the report form. The regional reconditioning supervisor shall make such additional inspection assignments as he may deem necessary to protect the Corporation's interests. If the work is not being performed in a satisfactory manner, the regional reconditioning supervisor shall submit the report and his recommendations to the regional manager, forwarding a copy to the control supervisor.

Where it appears that the restoration is being satisfactorily performed, and upon the receipt of appropriate forms executed by the home owner and con-

tractor, lien waivers or releases, as required by the legal department, shall be obtained by the regional reconditioning supervisor, who shall cause to be prepared appropriate vouchers and other final papers. Upon completion of the case, the regional reconditioning supervisor shall indicate on the insurance loss settlement form the expenditures that have been made, and forward it to the Control Supervisor.

§ 405.03-4 *Restoration fully completed by home owner prior to inspection.* Where the inspection reveals the restoration has been fully completed without the prior knowledge of the Corporation, the inspector shall prepare a report, indicating thereon the cost necessary to effect proper restoration, the scope and amount of work which is specified on the contract between the home owner and contractor, and in addition he shall prepare and obtain the proper receipts, releases, or waivers as required by the legal department. The inspector shall inform the home owner and the contractor that the obtaining by the Corporation of the proper receipts, releases, and waivers required by the legal department is not to be understood as in any way committing the Corporation to apply the loss proceeds to the restoration of the security property. The inspector shall certify on his report whether the total cost of restoration incurred by the home owner is commensurate with the amount of reconditioning which was performed in restoring the security property and whether the restoration has been satisfactorily completed.

§ 405.03-5 *Submission of reports and recommendations to control supervisor.* All reports and other forms shall be returned by the inspector to the regional reconditioning supervisor, who shall review and submit his recommendations to the control supervisor, except that receipts, releases, and waivers as required by the legal department may be retained by the Reconditioning Supervisor pending the regional manager's decision regarding the application of the loss proceeds.

§ 405.03-6 *Application of loss proceeds to restoration.* Upon receipt of the regional manager's authorization for the application of the loss proceeds to the restoration of the security property, the Reconditioning Supervisor, where restoration has not been undertaken or completed by the home owner previously, shall approve the award of the contract and conduct of the work, within the amount of insurance funds available, to a contractor of the home owner's choice, acceptable to the Corporation, and otherwise shall handle the case in accordance with reconditioning procedure. Upon completion of the work and execution of an approval by the home owner, such form, together with receipts, releases, and waivers as required by the Legal Department and the inspector's final report and acceptance of the work, shall be sent to the Reconditioning Section for preparation of vouchers and other final papers. When the Reconditioning Section has completed the processing of the case, the regional reconditioning supervisor shall indicate on the copy of the authorization the expenditures which have been made, and shall return such form to the control supervisor.

§ 405.03-7 *Modification procedure.* Modifications of this procedure are permitted by the regional manager when home owners desire to undertake restoration themselves with contractors and contracts of their own choice, provided the Reconditioning Section reviews and approves the specifications and contracts presented by the home owner and provided that such deviation from procedure does not jeopardize the interests of the Corporation. When the home owner utilizes the facilities of the Reconditioning Section, the Reconditioning Supervisor shall make the customary final inspection assignment to a reconditioning inspector, providing also for as many intermediate inspections as may be appropriate to the size and scope of the restoration contract.

§ 405.03-8 *Supplementing loss proceeds; escrow account.* If the restoration contract is in an amount in excess of the insurance funds available, the home owner will be required to place an amount equal to the difference between the amount of the restoration contract and the insurance funds available in escrow for disbursement, according to approved procedure. An advance, however, may be made to the home owner to supplement insurance loss proceeds for the restoration of the security property; such advances shall be made in accordance with Part 402 of this chapter.

§ 405.03-9 *Restoration during foreclosure.* Insurance losses on properties in process of foreclosure shall be handled, with the advice of the regional council, as far as practicable under the same procedure as prescribed for losses on home owner properties. In the event the property is under the management of a broker, the case shall be processed in accordance with procedure prescribed for properties under the jurisdiction of the Property Management Division.

§ 405.03-10 *Insurance losses and restoration; Corporation owned properties.* In the event a Corporation-owned property is not in charge of a contract broker or, if in charge of a broker, the broker does not effect the repairs, or the cost of restoration is in excess of the broker's authority to incur expenses, as provided in Part 403 of this chapter, the case shall be assigned to the Reconditioning Section for processing in accordance with the usual procedure governing the reconditioning of properties under the jurisdiction of the Property Management Division. Where a property is owned by the Corporation, vouchers covering restoration costs shall be defined as "loss restoration," and shall have indicated thereon the cost of restoration attributable to the loss by fire, windstorm, or other hazard.

CONSENT TO MAKE IMPROVEMENTS

§ 405.04-1 *Cases processed by the reconditioning section.* In connection with a request by a home owner for the Corporation's consent to the making of alterations or improvements to, or the removal or demolition of, a property securing indebtedness to the Corporation, where the estimated cost of alterations or improvements or the value of the property to be removed or demolished exceeds $1,000, the control supervisor shall forward the case to the regional reconditioning supervisor, who shall review the request and, if he considers it necessary or desirable, shall cause an inspection report to be made and shall make his recommendation on the appropriate form. Such inspection, if required, shall be made by a salaried inspector if available; otherwise, the inspection may be made by a fee inspector and the cost of such inspection charged to the home owner's account. In the event the estimated cost of alterations or improvements, or the value of the property to be removed or demolished, does not exceed $100, the regional manager, if he considers it necessary or advisable, may assign the case to the regional reconditioning supervisor for review and recommendation.

The assignment of the case to the Reconditioning Section shall include a statement of the proposed alterations or improvements, or the improvements to be removed or demolished, and any other pertinent information relating to such reconditioning.

§ 405.04-2 *Inspections.* If an inspection report is considered necessary or desirable, the inspector shall visit the property and in conference with the home owner determine, if appropriate, (a) the extent and character of the proposed alterations or improvements; (b) the cost thereof; (c) the manner of accomplishing and paying for such alterations or improvements; and (d) the extent and character of the proposed removal or demolition of the improvements. The inspector shall report his general opinion as to whether the proposed alterations or improvements, or the removal or demolition of the improvements, will impair, decrease, or destroy the value or utility of the premises in any way.

§ 405.04-3 *Consent granted.* Whenever a consent for alterations and removals is approved by the regional manager and the character or extent of the alterations or improvements affects the interest of the Corporation, he shall direct the Reconditioning Section to provide observation of the work undertaken by the home owner. The Reconditioning Supervisor shall assign the case to a salaried inspector if available, or a fee inspector, for the purpose of observing and ascertaining that the interest and security of the Corporation are protected. Upon completion of the alterations or improvements or the removal or demolition thereof, the inspector shall make a final report to the Reconditioning Supervisor.

PARTIAL RELEASES, CONDEMNATION, AND SUBSTITUTION OF SECURITY

§ 405.04-5 *Property visit.* The inspector shall visit the property and in conference with the borrower determine, (a) the extent and effect of the proposed construction work; (b) the cost

thereof; (c) the manner in which the owner proposes to accomplish same, whether by contract or himself; (d) the manner in which he proposes to pay the contractor; and (e) his apparent ability to provide the funds. The inspector shall report his opinion respecting the likelihood of the borrower's accomplishing the construction successfully at the cost contemplated and in such a manner as will not create any structural or architectural damage to the Corporation's interest, and the possibility of mechanics' and materialmen's liens arising. After a review of the inspector's report, the regional reconditioning supervisor shall forward his comments and recommendations, together with the case file, to the regional manager.

Effective February 18, 1944.

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 44-2390; Filed, February 18, 1944; 3:54 p. m.]

TITLE 32—NATIONAL DEFENSE

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 3071—OVERHEAD TRAVELING CRANES

[General Preference Order M-225, Revocation]

Section 3071.1 *General Preference Order M-225* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

The production and delivery of overhead traveling cranes remain subject to all other applicable regulations and orders of the War Production Board. The subject matter of General Preference Order M-225 is now covered by General Scheduling Order M-293 and overhead traveling cranes now appear on Table 12 of that order.

Issued this 19th day of February 1944.

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

[F. R. Doc. 44-2416; Filed, February 19, 1944; 11:36 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP-Reg. 5, Direction 17]

MOTION PICTURE THEATRES

The following direction is issued pursuant to CMP Regulation 5:

Motion picture theatres may use the preference rating AA-2 and the allotment symbol MRO for the minimum necessary maintenance and repair of electronic equipment already installed in the theatre. The AA-2 rating may not be used for repair of projection equipment (except sound-heads) or other theatre equipment or to obtain minor capital additions.

Issued this 19th day of February 1944.

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

[F. R. Doc. 44-2417; Filed, February 19, 1944; 11:36 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-233, Table 12 as Amended Feb. 19, 1944]

TOOLS-DIVISION

§ 3208.13 *Table for Tools Division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-233 Product	Designation	Applicable Forms Column 1	2	3
1. Coated abrasive products:				
(a) Standard size sheets (8¾" x 10½", 9" x 11", and 9" x 13¾") (Purchase orders for 600 reams or more)	Y	3233		2473
(b) Rolls (Purchase orders for 600 or more rolls 50 yds. long 24" wide or equivalent)	Y	3233		2473
2. Bearings, anti-friction		1314		(1)
3. Chain, excluding Stud Link, Anchor and Power Transmission:				
(a) 9/16" (Purchase orders for 2,000 lbs. or more)	X	2004	2001.57	
(b) 5/8" (Purchase orders for 2,000 lbs. or more)	X	2004	2001.57	
(c) 3/4" (Purchase orders for 2,000 lbs. or more)	X	2004	2001.57	
4. Cranes and monorail systems:				
(a) Overhead travelling cranes with Double I Beams	X	1947	1313 & 1312-A	
(b) Rotary cranes, including whirley, revolving, and portal cranes	X	1947	1313 & 1312-A	
(c) Locomotive cranes	X	1947	1313 & 1312-A	
(d) Gantry cranes	X	1947	1313 & 1312-A	
(e) Monorail systems for Motor Driven Cranes and carriers	X	1947	1313 & 1312-A	
(f) Chargers	X	1947	1313 & 1312-A	
(g) Manipulators	X	1947	1313 & 1312-A	
5. Mechanics hand service tools:				
(a) Pliers, slip joint (Purchase orders for $3,000 or more)	Y	2057		1319
(b) Pliers, solid joint (Purchase orders for $1,000 or more)	Y	2057		1319
(c) Screw drivers, all types (Purchase orders for $5,000 or more)	Y	2057		1319
(d) Wrenches, socket, including driving units (Purchase orders for $10,000 or more).	Y	2057		1319
(e) Wrenches, open end and comb. box (Purchase orders for $10,000 or more).	Y	2057		1319
(f) Wrenches, adjustable, 22½° angle (Purchase orders for $2,000 or more).	Y	2057		1319
(g) Wrenches, box (Purchase orders for $15,000 or more)	Y	2057		1319
(h) Wrenches, monkey (Purchase orders for $2,000 or more)	Y	2057		1319
(i) Wrenches, pipe (Purchase orders for $5,000 or more)	Y	2057		1319
6. Metal cutting tools:				
(a) Threading Chasers for Die Heads and Collapsible Taps		39		

[1] Users of anti-friction bearings in excess of certain minimum quantities must submit Form WPB-3233. See Direction 1 to Table 12, Order M-233.

Issued this 19th day of February 1944.

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

[F. R. Doc. 44-2418; Filed, February 19, 1944; 11:37 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[General Preference Order E-6, as Amended Feb. 19, 1944]

HAND SERVICE TOOLS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of hand service tools and of alloy steel used in their manufacture, 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:

§ 3274.51 *General Preference Order E-6*—(a) *Definitions.* For the purposes of this order:

(1) "Mechanic's hand service tool" means any tool listed on Exhibit A hereto attached which is used by hand, and is made of iron or steel or has a principal component part made of iron or steel.

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

(3) "Producer" means any person engaged in the production of mechanics' hand service tools.

(4) "WPB-547 order" means any order for mechanics' hand service tools now or hereafter placed with a producer by any person acquiring such tools for his own inventory or shelf stock pursuant to a rating assigned on Form WPB-547 (formerly PD-1X).

(5) "Other order" means any purchase order for mechanics' hand service tools except WPB-547 orders.

(6) "Total monthly production" means either.

(i) The total dollar value of each kind of mechanic's hand service tool listed on Exhibit A hereto attached, scheduled to be produced in any given month by a producer, including both special and standard tools of that kind; or

(ii) The total number of units of each kind of mechanic's hand service tool listed on Exhibit A hereto attached, scheduled to be produced in any given month by a producer.

(b) *Restriction on use of steel.* No producer shall manufacture any mechanics' hand service tools out of any alloy steel except those which are in the series specified in Exhibit B hereto attached or except pursuant to specific permission of the War Production Board.

(c) *Allocation of production between WPB-547 orders and other orders.* Commencing with the month of July 1943 and each month thereafter, each producer shall schedule his total monthly production and the delivery thereof as follows:

(1) To the extent that he has WPB-547 orders on hand, he shall schedule between 20 and 25 percent of his total monthly production of each kind of mechanic's hand service tool specified in Exhibit A hereto attached for delivery against WPB-547 orders requiring delivery in such month. No producer shall schedule any order pursuant to this paragraph (c) (1) unless it clearly appears from such order that the rating applied thereto was assigned on Form WPB-547 (formerly PD-1X).

The sequence of deliveries on WPB-547 orders within the percentage limitation thereon which may be delivered in any given month shall be scheduled according to applicable War Production Board regulations.

(2) To the extent that he has other orders on hand, he shall schedule between 75 and 80 percent of his total monthly production of each kind of mechanic's hand service tool specified in Exhibit A hereto attached for delivery against other orders requiring delivery in such month.

The sequence of deliveries on other orders within the percentage limitation thereon which may be delivered in any given month shall be scheduled according to applicable War Production Board regulations.

(3) Any portion of the percentage allocated to WPB-547 orders which has not been taken up by such orders on or before the fifteenth day of the month preceding the month being scheduled, shall be scheduled for delivery against other orders, and vice versa.

(d) *Necessity for preference ratings and authorizations to place orders.* Notwithstanding any other provisions of this order:

(1) No producer shall sell or deliver any mechanics' hand service tools pursuant to any purchase order placed prior to June 12, 1943 unless such order bears a preference rating of A-9 or higher, nor shall any producer sell or deliver any mechanics' hand service tools pursuant to any purchase order placed subsequent to June 12, 1943 unless such order bears a preference rating of AA-5 or higher, or except pursuant to specific permission of the War Production Board.

(2) [Deleted Feb. 19, 1944]

NOTE: Specific authorization to purchase certain types of mechanics' hand service tools is now required by Table 12 under General Scheduling Order M-293.

(e) *Restrictions on inventory.* On and after June 12, 1943, no person purchasing more than ten mechanics' hand service tools of any kind specified on Exhibit A shall accept delivery of any such tools the delivery of which will effect an increase in his inventory beyond a supply required by his current practices for use or for resale during a sixty-day period. In the event that the provisions of Suppliers' Inventory Limitation Order L-63 as applied to any supplier as defined in that order are more restrictive, such provisions shall govern. The restrictions on inventory contained in this paragraph (e) shall not apply to the following designated types of purchase orders:

(1) Purchase orders for mechanics' hand service tools made pursuant to the purchaser's special design or specifications which are not standard items in the producer's production schedules.

(2) Purchase orders placed by the Army, Navy, or Maritime Commission for mechanics' hand service tools required for bases or supply depots outside the continental United States (comprising the several States and the District of Columbia), or for bases or supply depots within the continental United States which are maintained for emergency purposes, or to supply such bases or supply depots outside the continental United States.

(3) Any other purchase order specifically excepted from this restriction by the War Production Board.

(f) *Repair parts.* Nothing in this order shall be construed to prevent the sale and delivery of repair parts for mechanics' hand service tools in accordance with applicable regulations and orders of the War Production Board concerning repair parts.

(g) [Revoked Feb. 19, 1944]

(h) *Applicability of General Scheduling Order M-293.* Those mechanics' hand service tools which are listed on the schedule attached to General Scheduling Order M-293 are also subject to the terms and provisions of that order.

(i) *Reports.* Each producer shall execute and file with the War Production Board Form WPB-2057 and such other reports and questionnaires as said Board may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

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

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board.

(l) *Communications.* All reports, appeals, and other communications concerning this order shall be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref.: E-6.

(m) *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 19th day of February 1944.

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

EXHIBIT A

Mechanics' cold chisels and punches.
Metal cutting files.
Machinists' ball pein hammers.
Metal cutting snips and shears.
Pliers, slip joint.
Pliers, solid joint.
Metalworking punches, lever type.
Screw drivers, all types.
Wrenches, socket and driving units.
Wrenches, open end and combination box.
Wrenches, adjustable, 22½° angle.
Wrenches, box.
Wrenches, adjustable auto.
Wrenches, monkey.
Wrenches, pipe.

NOTE: Tools subject to L-53-b are not included herein.

EXHIBIT B

NE 1300 Series
NE 8000 Series
NE 9200 Series
NE 9400 Series
NE 9600 Series

[F. R. Doc. 44-2420, Filed, February 19, 1944; 11:36 a. m.]

PART 3291—CONSUMER'S DURABLE GOODS

[Limitation Order L-30-b, Direction 1]

ENAMELED COLD PACK CANNERS

The following direction is issued pursuant to Limitation Order L-30-b:

(a) *What this direction does.* This direction is designed to provide for the production of enameled cold pack canners for use in the 1944 canning season. It permits production before July 1, 1944, only.

(b) *Definition of enameled cold pack canner.* An "enameled cold pack canner" is a covered utensil made of vitreous-enameled iron and steel having a capacity of from 17 to 25 quarts which may be used for canning food products and is designed to hold 7 one-quart jars, 9 one-pint jars or 4 half-gallon jars.

(c) *What sizes of canners may be made.* Each manufacturer is permitted by this direction to make one size of enameled cold pack canner. This may be the same as one of the sizes of stock pots which he makes under Table A of Order L-30-b, or may be made in addition to those sizes, but no cold pack canner made under this direction may be sold by a manufacturer as a stock pot.

(d) *How many cold pack canners may be made.* No manufacturer may produce more enameled cold pack canners before July 1,

1944, than 50% of the number of such canners which he made in the twelve months ending June 30, 1941.

(e) *Effect of Order L-30-b.* Under paragraph (h) of Order L-30-b the iron and steel which a manufacturer uses in making cold pack canners may be used in addition to his quotas for civilian orders of enameled ware under paragraph (e) of that Order.

(f) *Wire racks.* Wire racks may be made of carbon steel for use in the enameled cold pack canners to be produced under this direction. Tin may be used in plating these wire racks. These provisions supersede any provisions in Orders M-126 and M-43 which would prevent the use of these materials.

Issued this 19th day of February 1944.

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

[F. R. Doc. 44-2422; Filed, February 19, 1944; 11:36 a. m.]

PART 3291—CONSUMERS DURABLE GOODS[1]

[General Limitation Order L-65, as Amended Feb. 19, 1944]

ELECTRICAL APPLIANCES

§ 3291.311[1] *General Limitation Order L-65*—(a) *Definitions.* For the purposes of this order:

(1) "Electrical appliances" means only those appliances listed on Schedule A of this order which have as functional parts, electrical heating units (of any wattage), or which are powered by an electrical vibrator or electrical fractional horsepower motor.

(2) "Heating unit" means any electric heating unit designed primarily for use in an electrical appliance or in a domestic type electric range.

(3) "Electrical resistance material" means material in the form of ribbon or wire to be incorporated in heating units, in which either nickel or chromium or both, are used to create electrical resistance for the development of heat.

(4) "Manufacturer" means any person engaged in the business of manufacturing or assembling any heating units, electrical appliances or parts for such appliances, including a person who assembles parts of an electrical appliance for sale in knock-down form.

(5) "Distributor" means any person engaged in the business of transferring heating units, electrical appliances or parts for such appliances to his retail outlets or to other dealers.

(6) "Dealer" means any person engaged in the business of transferring or repairing heating units, electrical appliances or parts for such appliances to or for ultimate consumers.

Any person who acts in more than the single capacity of manufacturer, distributor or dealer as defined in paragraphs (a) (4), (a) (5) and (a) (6) of this order shall for the purposes of this order be deemed a manufacturer, distributor or dealer, depending upon the capacity in which he acts in each specific transaction.

(7) "Preferred order" means any purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(8) "Repair or replacement part" means any heating unit for a domestic electric range or any heating unit or other part for an electrical appliance when such heating unit or part is not produced for use in the manufacture or assembly of any new electrical appliance or new domestic electric range.

(9) "Current-carrying parts" include only the following parts: Heating units, thermostats and temperature controls, relays, lead-in and connection wires, switches, terminals, fuses, receptacles and parts of motors which conduct electric current, but shall not include cord sets.

(b) *General restrictions on production.* (1) On and after June 17, 1943, no manufacturer shall produce any new electrical appliance (or parts therefor) other than repair or replacement parts, except:

(i) The following new electrical appliances (or parts therefor) may be produced in fulfillment of preferred orders: Coffee makers, flat irons, air heaters, water heaters, and commercial or heavy duty equipment of the following types: broilers, food choppers, food mixers, food grinders, food servers, food slicers, fry kettles, griddles, hotplates, juicers, ovens, ranges, toasters, urns and vegetable peelers.

(ii) During the period beginning June 17, 1943, and ending September 30, 1943, inclusive, and during each three months period thereafter, a manufacturer may produce for other than preferred orders as specified in paragraph (b) (1) (i) above, no more units of any of the following types of new electrical appliance (or parts therefor) than 10% of the number of units of that particular electrical appliance (or parts therefor) produced by him during 1940: Commercial or heavy duty equipment of the following types: broilers, food choppers, food mixers, food grinders, food servers, food slicers, fry kettles, griddles, hotplates, juicers, ovens, ranges, toasters, urns and vegetable peelers; *Provided,* that no manufacturer shall produce any units of any type of new electrical appliance (or parts therefor) listed in this paragraph (ii) if such production will result in an accumulation of inventory of that particular type of new electrical appliance (or parts therefor) greater than 15% of the number of units of that particular electrical appliance (or parts therefor) produced by him during 1940.

(2) On and after June 17, 1943, no manufacturer shall use copper or copper base alloys in the production of any new electrical appliances, or parts therefor (whether or not in fulfillment of preferred orders) specified in paragraph (b) (1) of this order, except for such minimum amounts as are necessary for the conduction of electric current or essential to the proper functioning of parts.

(c) *Restrictions on transfer of new electrical appliances.* On and after June 17, 1943, no manufacturer shall transfer the physical possession of or title to any new electrical appliance manufactured after that date, except

(1) In fulfillment of preferred orders.

(2) Pursuant to specific authorization of the War Production Board on Form WPB-1319 pursuant to an application filed on said Form.

(d) *Repair or replacement parts.* (1) Except in fulfillment of preferred orders, on and after June 17, 1943, no manufacturer shall use copper or copper base alloys in the production of any repair or replacement parts, other than the specific parts listed on the following table, or any part thereof:

Type of equipment	*Repair or replacement parts for which copper or copper base alloys are permitted*
Air heaters	Current-carrying parts.
Commercial permanent wave equipment and commercial hair driers.	Current-carrying parts, other than copper or copper base alloy disposable grids for permanent wave equipment.
Flat irons	Cord sets pursuant to paragraph (d) (3) of this order and current-carrying parts.
Commercial or heavy duty equipment of the following types: broilers, food choppers, food mixers, food grinders, food servers, food slicers, fry kettles, griddles, hotplates, juicers, ovens, ranges, toasters, urns and vegetable peelers.	Current-carrying parts and motor bearings where the use of other material is impracticable.
Heating units for domestic electric ranges	Current-carrying parts.
Hotplates and disc stoves	Current-carrying parts.
Roasters	Current-carrying parts.
Water heaters	Current-carrying parts and immersion units.

(2) On and after June 17, 1943, no manufacturer shall use copper or copper base alloys in the production of repair and replacement parts in fulfillment of preferred orders, except for such minimum amounts necessary for the conduction of electric current or essential to the proper functioning of parts.

(3) On and after June 17, 1943, no manufacturer shall produce any replacement cord sets except for flat irons. Replacement cord sets produced for flat irons shall conform to the following specifications: The cord shall be of a quality which tests 3,000 or more cycles in flexure and shall be not more than 6 feet in length; plugs and caps shall be so constructed that they can be readily dismantled and reassembled for repair purposes. During the period beginning June 17, 1943, and ending December 31, 1943, and during each six month period thereafter, no manufacturer shall produce more replacement cord sets for flat irons than 25% of the number of such replacement cord sets produced by him during the year 1940.

[1] Formerly Part 1130, § 1130.1.

(4) On and after June 17, 1943, no manufacturer shall produce any repair or replacement parts (other than replacement cord sets for flat irons) if he has, or as a result of such production will have, more parts of such type in his inventory than the number of parts of such type which he sold during the preceding six calendar months.

(5) Except in fulfillment of preferred orders, on and after June 17, 1943, no manufacturer or distributor shall transfer any repair or replacement parts unless a similar used part has been delivered to him in exchange therefor, or unless he has been informed that a similar used part is being held or will be secured by the dealer or distributor to whom the new part is being transferred, or has been disposed of in accordance with this paragraph. The used parts shall be held subject to disposition at the direction of the manufacturer or distributor, who transferred the new part. If no such direction is given within 60 days, the person holding the used part shall promptly dispose of it through regular scrap channels.

(e) *Restriction on use or transfer of electrical resistance material.* On and after June 17, 1943, no manufacturer shall use in the production of heating units or transfer for any purpose whatsoever, any electrical resistance material reported by him in columns 4 and 8 of Form PD-370 prior to September 30, 1942, except pursuant to specific authorization of the War Production Board on Form WPB-1319 pursuant to an application filed on said Form.

(1) [Deleted Feb. 19, 1944]

(2) [Deleted Feb. 19, 1944]

(f) *Inventory restrictions.* No manufacturer shall accumulate for use in the manufacture of electrical appliances, heating units, or repair or replacement parts, any inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production as permitted by this order.

(g) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Office of Production Management or the War Production Board limits the use of any material in the production of electrical appliances, heating units, or repair or replacement parts to a greater extent than the limits imposed by this order, the provisions of such other order shall govern unless otherwise specified therein.

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

(i) *Reports.* Every manufacturer affected by this order shall execute and file Form WPB-1600 (formerly PD-655) with the War Production Board, Washington, 25 D. C., Ref.: L-65, on or before the 10th day following the close of each calendar month.

(j) *Appeals.* Any appeal from the provisions of this order should be made on Form WPB-1477 (formerly PD-500).

(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.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L-65.

Issued this 19th day of February 1944.

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

SCHEDULE A

The following is the list of electrical appliances specified in paragraph (a) (1) of this order:

Air Heaters (except as covered by L-107 and L-158)
Aquarium Heaters
Baking Ovens
Barbecue Machines
Biscuit and Muffin Bakers
Blankets
Bottle Warmers
*Bread Slicers (except as covered by L-83)
Bread Toasters (except as covered by L-182)
Broilers
Casseroles
Chafing Dishes
Choppers, food and meat
Cigar and Cigarette Lighters
Clothes Driers
Coffee Makers
Coffee Mills
Coffee Roasters
Commercial Cooking and Food and Plate Warming Equipment
Corn Poppers
Curling Irons
*Dishwashing Equipment (domestic)
Double Boilers
Doughnut Cookers
Dry Shavers
Egg Boilers
Face and Hand Driers
Fan Type Heaters (except as covered by L-107 and L-158)
Faucet Heaters
Flat Irons
Fly Screens and Traps
Fireplaces
Food Choppers and Slicers
Food Conveyance Equipment
Food Cooking Equipment
Food Grinders
*Food Mixers
*Food Preparation Machinery
Food Servers
Fry Kettles
Griddles
Grills
Hair Clippers
Hair Driers
Heating Pads
Hedge Clippers
Hotplates and Disc Stoves
Ice Cream Freezers, Domestic
**Immersion Heaters
*Juice Extractors
Knife Sharpeners and Grinders
Massage Vibrators
*Meat, Fish and Bone Cutters
Neckwear and Trousers Pressers
Ovens (except as covered by L-182)
Peanut Roasters
Percolators
Permanent Wave Equipment
Popcorn Machinery
Portable Air Heaters
Pyrographic Pencils
Radiant Heaters
Ranges, Commercial (except as covered by L-182)
Roasters
Roasting Ovens
Sandwich Toasters
Soup Cookers
Steak and Meat Tenderizing Equipment
Steam Tables
**Steamers
Stock Pots
**Strip Heaters
Table Stoves
Tea Kettles
**Unit Heaters
Urns
Vibrators
**Vane Heaters
Waffle Irons
Water Heaters (except as covered by L-185)

*Only those using a fractional horsepower motor.

** Except for industrial applications.

[F. R. Doc. 44-2423; Filed, February 19, 1944; 11:36 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Limitation Order L-145-a]

ANTI-FRICTION BEARINGS

The fulfilment of requirements for the defense of the United States has created a shortage in the supply of anti-friction bearings 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:

§ 3274.67 *Limitation Order L-145-a*—(a) *Limitation on production of anti-friction bearings.* No person engaged in the production of anti-friction bearings shall hereafter make bearings of any of the sizes specified on Schedule A attached to this order unless he is designated as an "authorized producer" of such size.

A person who is not designated as an "authorized producer" of a particular size listed in Schedule A may refer persons seeking to place orders with him to those who are designated as "authorized producers"; or if he wishes to continue selling this size he may accept orders for such bearings and arrange to have them made by an "authorized producer."

(b) *Maintenance of equipment by persons other than "authorized producers".* Any person who produced any of the sizes specified on Schedule A in 1943 but who is not designated as an "authorized producer" of such size is prohibited from disposing of tools and equipment used by him to make such size and he shall keep these tools and equipment in such condition that whenever the War Production Board deems it necessary to name him an "authorized producer" he can resume production of bearings of such size one month after notice by the War Production Board.

(c) *Exceptions.* The provisions of this order do not apply to:

(1) The production of any bearings listed on Schedule A for which purchase orders have been placed prior to February 19, 1944, even though the person holding such orders is not designated as an "authorized producer";

(2) To any person whose monthly shipments in November 1943 of all anti-friction bearings did not exceed $60,000.

(d) *Applicability of 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.

(e) *Appeals.* Any appeals from the provisions of this order shall be made by filing a letter in triplicate with the War Production Board, Washington 25, D. C., referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *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 priorities control, and may be deprived of priorities assistance.

(g) *Communications.* All reports to be filed, appeals and other communications, concerning this order, should be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref: L-145-a.

Issued this 19th day of February 1944.

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

SCHEDULE A

SAE No.	*Authorized Producers*
Light Series—Single Row—Radial:	
224	Marlin-Rockwell Corp., SKF Industries, Inc., Fafnir Bearing Co.
232, 234, 236, 238, 240	Marlin-Rockwell Corp. Torrington Co. (Bantam Div.)
Medium Series—Single Row—Radial:	
326	Marlin-Rockwell Corp., SKF Industries, Inc., Torrington Co. (Bantam Div.)
332, 334, 336	Marlin-Rockwell Corp. Torrington Co. (Bantam Div.)
338	Marlin-Rockwell Corp., SKF Industries, Inc., Torrington Co. (Bantam Div.)
340	Marlin-Rockwell Corp. Torrington Co. (Bantam Div.)
344, 348, 352	Torrington Co. (Bantam Div.)
Light Series—Single Row—Angular Contact:	
7224	Marlin-Rockwell Corp.
7228	SKF Industries, Inc.
7230	Marlin-Rockwell Corp., SKF Industries, Inc.,
7232	Torrington Co. (Bantam Div.)
7236, 7238, 7240	Marlin-Rockwell Corp. Torrington Co. (Bantam Div.)

SCHEDULE A—Continued

SAE No.	*Authorized Producers—Con.*
Medium Series—Single Row—Angular Contact:	
7324	Marlin-Rockwell Corp., Fafnir Bearing Co., Torrington Co. (Bantam Div.)
7326	Marlin-Rockwell Corp., SKF Industries, Inc., Torrington Co. (Bantam Div.)
7328	Marlin-Rockwell Corp., Fafnir Bearing Co., Torrington Co. (Bantam Div.)
7332, 7334, 7336, 7338, 7340, 7342	Marlin-Rockwell Corp. Torrington Co. (Bantam Div.)

[F. R. Doc. 44-2421; Filed, February 19, 1944; 11:36 a. m.]

PART 3302—SERVICE EQUIPMENT

[Limitation Order L-222 as Amended Feb. 19, 1944]

FLOOR SANDING, FLOOR FINISHING, FLOOR MAINTENANCE, AND RUG SCRUBBING MACHINES, INDUSTRIAL VACUUM CLEANERS, AND BLOWERS FOR CLEANING PURPOSES

§ 3302.26 *Limitation Order L-222*—(a) *Definitions.* For the purpose of this order:

(1) "Floor finishing or floor maintenance machines" means any motorized or hand-powered mechanical device, designed for the purpose of floor finishing or maintenance. The term includes, but is not limited to, the types of machines on List A attached to this order as amended from time to time, and excludes independent motor-operated vacuum producing units, floor sanding machines and machines specifically designed for the manipulation of wet cement.

(2) "Floor finishing" and "floor maintenance" include, but are not limited to, the operations of grinding, staining, sealing, scraping, oiling, waxing or polishing floors or decks, and the collection and removal of dust, grime, oil, reclaimable materials or refuse from floors or decks, either separately or in conjunction with the operations of washing, scraping, sterilizing and wiping floors or decks.

(3) "Floor sanding machines" means machines used for the smoothing of floors or decks, other than stone or tile floors, by the use of abrasives such as, but not limited to, sandpaper and steel wool.

(4) "Rug scrubbing machines" means both portable rug shampooing machines and portable rug scrubbing machines.

(5) "Industrial vacuum cleaners" means machines in which a combination of a motor operated vacuum producer (stationary or portable), an air impeller line and a portable tool with attachments is used primarily for the collection and removal by suction of dust, oil, reclaimable materials or refuse in either the wet or dry state. "Industrial vacuum cleaners" shall not include any vacuum cleaners designed primarily for household use or any motor operated vacuum producing units incorporated in floor sanding, floor finishing or floor maintenance machines.

(6) "Blowers" means combination blowers and exhausters, i. e., machines in which a combination of a motor operated air pressure producer, an air impeller line and a portable tool with attachments is normally used for the removal of dust, materials or refuse by air pressure. "Blowers" shall not include any machines used solely for the handling of air or other gaseous mixtures.

(7) "New machines" means any machines which have neither been used, sold, rented, nor lent for the purpose of being used but includes any machines which have been used only for demonstrations, trial loans, instruction or repair loans.

(8) "Supplies" means replaceable items, such as but not limited to, polishing brushes, cleaning brushes, sanding drums and discs, stones, hoses and bags, wand handles and similar attachments which are expended in the operations of floor sanding, floor finishing, floor maintenance, rug cleaning, vacuum cleaning and air pressure cleaning.

(9) "Manufacturer" means any person engaged in the fabrication or assembly of new floor sanding machines, new floor finishing or floor maintenance machines, new rug scrubbing machines, new industrial vacuum cleaners and new blowers or of parts designed specifically for any of such machines. The term also includes wholesaling or retailing subsidiaries or divisions of such a person.

(10) "Distributor" means any person engaged in the business of selling, renting or lending of new floor sanding machines, new floor finishing or floor maintenance machines, new rug scrubbing machines, new industrial vacuum cleaners and new blowers, other than a manufacturer.

(b) *Restrictions on production*—(1) *Floor sanding and floor finishing or floor maintenance machines.* Except as permitted by paragraph (b) (4) of this order, no manufacturer shall fabricate or assemble any new floor sanding, floor finishing or floor maintenance machines or parts for such new machines.

(2) Except as permitted by paragraph (b) (4) of this order, no manufacturer shall, after August 5, 1943, fabricate or assemble any new rug scrubbing machines or parts for such new machines.

(3) Except as permitted by paragraph (b) (4) of this order, no manufacturer shall fabricate or assemble any new industrial vacuum cleaners or blowers, or parts for such new cleaners or blowers, except to the extent necessary to fill orders for new industrial vacuum cleaners or blowers authorized on Form PD-722, approved by the War Production Board on Form WPB-1843 (formerly PD-722) before May 16, 1944, or on Form WPB-1319. No application made on such form will be approved unless accompanied by an order rated AA-5 or higher or unless the applicant indicates a need for such machine justifying such rating.

(4) *Repair parts other than supplies.* During the calendar quarter commencing January 1, 1943, and during any calendar quarter thereafter, no manufacturer shall fabricate repair parts having an aggregate manufacturing cost in excess of 2 per cent of that manufacturer's total billed sales of new floor sanding machines, new floor finishing or floor

maintenance machines, new rug scrubbing machines, new industrial vacuum cleaners and new blowers during the calendar year of 1941.

(5) *Supplies.* The restrictions of paragraph (b) of this order shall not apply to the fabrication or assembly of supplies.

(6) *Exceptions.* The War Production Board may, from time to time, specifically authorize one or more manufacturers in writing to commence fabrication, to fabricate or to assemble specified quantities of machines and repair parts otherwise restricted by paragraph (b), or to perform any combination of the foregoing operations.

(c) *Restrictions on transfer.* (1) No manufacturer or distributor shall sell, rent, lend or deliver any of the following types of new machines without authorization on Form WPB-1843 (formerly PD-722) approved by the War Production Board prior to May 16, 1944, or on Form WPB-1319 approved by the War Production Board:

(i) Drum type floor sanding machines making a 6-inch path or wider;

(ii) Disc type floor sanding machine making a 10-inch path or wider;

(iii) Drum type floor finishing or floor maintenance machines making a 6-inch path or wider;

(iv) Disc type floor finishing or floor maintenance machines making a 10-inch path or wider;

(v) Rug scrubbing machines;

(vi) Industrial vacuum cleaners;

(vii) Blowers.

Such authorizations shall expire thirty days after the date of their issuance unless served in the interim upon the supplier named therein. Within five days after their expiration, all expired authorization forms shall be returned for cancellation to the War Production Board, Service Equipment Division, Washington 25, D. C., Ref.: L-222.

(2) Nothing in this paragraph (c) shall be construed to prohibit the sale, loan, rental or delivery of new machines from one manufacturer or distributor to another to fill an order, or part of an order, received by the latter which has been authorized by the War Production Board on Form WPB-1843 (formerly PD-722) on or before May 16, 1944, Form WPB-1319.

(d) *Procedure for authorization.* All persons making application for the authorization required by paragraph (c) hereof shall make such application on Form WPB-1319.

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

(2) Nothing in this order shall be construed to permit the production of any machines whose production is prevented by any other orders or regulations of the War Production Board, including § 3302.16, Limitation Order L-91, and § 1176.1, Conservation Order M-126, as amended from time to time.

(f) *Special reports.* (1) On or before July 15, 1943, for the month of June, and and on or before the 15th day of each month thereafter, for the preceding month, each manufacturer or distributor of new floor sanding machines, new floor finishing or floor maintenance machines, new rug scrubbing machines, new industrial vacuum cleaners and new blowers shall file a monthly report on Form WPB-1867 (formerly PD-723). This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(2) On or before February 29, 1944, for the month of January, 1944, and on or before the 15th day of each month thereafter for the preceding month, each manufacturer and each distributor of products controlled by this order must file a report on Form WPB-3495 in accordance with the instructions thereon. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *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.

(h) *Reports.* Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942 all persons affected by this order shall execute and file with the War Production Board such reports and answers to questionnaires as the War Production Board shall from time to time request.

(i) *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.

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

(k) *Communications.* All reports to be filed hereunder, or communications concerning this order, should be addressed to: War Production Board, Service Equipment Division, Washington 25, D. C., Ref: L-222.

Issued this 19th day of February 1944.

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

LIST A

Terrazzo grinders.
Waxing and polishing machines.
Disc type scrubbers, either wet or dry.
Drum type scrubbers, either wet or dry.
Combination scrubbers and water pickup.
Drum type sweepers.
Drum type scarifying machines.
Disc type scarifying machines.

[F. R. Doc. 44-2424; Filed, February 19, 1944; 11:37 a. m.]

PART 3270—CONTAINERS

[Supplementary Order L-103-b as Amended Feb. 19, 1944]

GLASS CONTAINER AND CLOSURE QUOTAS

§ 3270.36 *Supplementary Order L-103-b.* This order lists the only products which may be commercially packed in new machine-made, glass containers or with new metal closures. It specifies closure materials and sets forth the number of glass packages and metal closures which may be used for each listed product. In addition, some restrictions are placed upon the manufacture of closures.

The order limits "commercial packs" only. Although there are certain manufacturing restrictions, the use of glass containers or metal closures for home canning purposes is not affected.

Likewise, the provisions of this order cover only new glass containers and closures. Used containers or closures are not limited. However, closures which are fabricated from used closures—that is, where the used closures are a production material—are regarded as new closures made of "waste" and are governed by the pertinent provisions of this order.

Definitions of the various terms used in this order appear in paragraph (x) hereof.

Restrictions on Use of Glass Containers and Closures

(Note exceptions from these restrictions in paragraphs (p) through (v)).

(a) *Prohibited acceptances and uses of glass containers and closures.* No packer shall accept delivery of or use any new glass container, or any new metal closure for packing any product not listed in a schedule of this order. This restriction insofar as it relates to glass containers shall not go into effect until March 1, 1944.

(b) *Limitations on acceptance and use of glass containers and closures.* Likewise, during any calendar year beginning with 1944, no packer shall accept delivery of or use, for packing any product which is listed in a schedule of this order, more new glass containers or more new metal closures (other than closures made from waste) than his quota for that product. However, jobbers or retailers may obtain closures and glass containers and resell them in conformity with the provisions of this order.

(c) *Closure materials.* No packer shall accept delivery of or use, for packing any product, new metal closures made of any material except those permitted for that product in the schedules of this order. However, blackplate closures (including rejects) may be used wherever tinplate or terneplate is specified, and frozen plate may be used wherever tinplate, terneplate or blackplate is specified. Likewise, closures made of waste may be used in accordance with the following paragraph:

(d) *Closures made of waste.* Closures made of waste shall not be used for packing any product not listed in the schedules attached to this order. Closures made of waste may be used in addition to specified quotas for listed products.

(e) *Home canning jars.* No packer shall pack any commodity in a home canning jar. (Note that the use of these jars for home canning is not restricted).

Quotas

(f) *General.* Closure and glass quotas are stated separately in the attached schedules, and are not necessarily the same for any given product.

Quotas are not interchangeable as between listed products. That is, a packer who packs two products, product A and product B, must compute his quota (in the manner described in the following paragraph (g)) for each product separately. He cannot allot any portion of his quota for product A to product B, even if he does not pack his full quota of product A.

Furthermore, quotas may not be transferred from one packer to another except as provided in Priorities Regulation 7A.

(g) *Computation of quotas.* In most cases where this order provides a quota for the packing of any product, it does so, in the attached schedules, by stating a percentage figure followed by a calendar year—for instance, 100% 1943. Where this appears in the "glass quota" column opposite a product, it means, unless otherwise specified, that a packer's glass container quota for that product during 1944 and subsequent calendar years is computed as follows:

(1) He takes the number of new glass containers which he used for packing that product during the named base year.

(2) He subtracts the number of new glass containers which he used for packing that product during the named base year and which were quota exempt under the provisions of any prior order of the War Production Board or under any previous amendment of this order.

(3) He multiplies the resulting figure by the applicable percentage.

Identical rules apply to the computation of closure quotas, except that unless otherwise specified they are based on the number of new metal closures used during the specified base period.

The schedules of this order provide that the quotas for some products are based on the number of new metal closures or new glass containers accepted rather than those used during the specified base period. Here again, the method of computation, described in this paragraph, applies, except that the word "accepted" should be substituted for the word "used" in steps 1 and 2 above. Only the new metal closures or the new glass containers which a packer actually accepted delivery of and those which were invoiced to him during the applicable base period may be included in his quota base in such cases. But, for the purpose of making charges against quota, a packer must include the new metal closures and the new glass containers which he actually accepts delivery of, and those which are set aside for him or held by another party for his account—whether or not they are actually invoiced to him.

In a few cases, the schedules of this order set forth special rules, not covered by the above, for the computation of quotas for particular products. Such rules must be followed, and supersede the general statements contained in this paragraph (g) to the extent that they conflict with them.

(h) *Use of quotas.* As indicated above, most quotas are based on past use. The word "use" refers only to the actual filling operation in the case of glass and the actual capping operation in the case of closures. Therefore, to the extent that a person did not do this directly during the base period, he has no quota, despite the fact that he may have supplied the actual packer with the product, closures, containers, etc. After December 31, 1943, any packing done for him must be within the quota of the person performing the actual filling and capping operation.

In the case of products whose quotas are based upon acceptances, a person is deemed to have "accepted" glass containers or closures (for the purpose of computing quotas) only to the extent that he himself actually took possession of them or had them invoiced to him. If he did not do this during the base period, he has no quota, and the rules stated in the preceding paragraph of this paragraph (h) apply.

Packers who use or accept new glass containers or metal closures for packing products for the account of others, as well as for their own account, must conduct both operations within their own quotas. Without a special appeals grant under this order, they cannot regard their use or acceptances of glass containers and metal closures for the account of others as an addition to their quotas. This is true even where the other person may represent to the packer that he has a quota which he is not using himself.

On the other hand, packers are entitled to include, in their own quota bases, their use or acceptances of new glass containers or new metal closures, for the account of others during the specified base periods.

Restrictions on Sale and Delivery of Glass Containers and Closures

(i) *General restrictions.* No person shall sell or deliver any glass containers or closures which he knows, or has reason to believe, will be accepted or used in violation of any provision of this order.

(j) *Export deliveries.* During any calendar year, no person shall deliver more empty new glass containers or more new metal closures to any person outside of the 48 States of the United States and the District of Columbia than he delivered to that person during 1943.

(k) *Certificates.* No person shall sell or deliver any new glass containers or new metal closures except under a purchase order or contract validated by the delivery to such person of a purchaser's certificate, signed manually, or as provided in Priorities Regulation 7.

This certificate shall be in substantially the form attached hereto as Exhibit A in the case of sales or deliveries of all glass containers, and of all metal closures except malt and non-alcoholic beverage closures. Attention is called to the fact that this certificate, once filed by a purchaser with a supplier, covers all future deliveries from that supplier to that purchaser.

The certificate should be in substantially the form attached hereto as Exhibit B, where sales or deliveries of malt or non-alcoholic beverage closures are concerned. This certificate differs from Exhibit A in that it must be filed with each purchase order for beverage closures in order to validate the order.

(l) *Outstanding certificates.* Certificates previously filed with a supplier under any previous amendment of this order, shall remain valid insofar as sales or deliveries of glass containers are concerned. Exhibit A certificates previously filed under order M-104, shall remain valid insofar as closure (other than malt or non-alcoholic beverage), deliveries are concerned. In either of the above cases, no new certificate need be filed by any purchaser to validate his orders placed with the supplier to whom the previous certification was made.

(m) *Cases where certificates need not be filed.* No certificates shall be required for the sale or delivery of home canning jars or home canning closures, nor shall any certificates be required for the sale or delivery of any kind of glass containers or closures to: (1) Retailers, for resale empty or unused; or (2) persons purchasing closures or glass containers from retailers.

(n) *Standard certifications.* The standard certification provided for in paragraph (d) of Priorities Regulation 7, cannot be used in place of the certifications provided by this order; nor may the certifications provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7.

Restrictions Relating Solely to Manufacture of Closures

(o) *Closure material.* (1) No person shall use any zinc, aluminum, tinplate, terneplate, blackplate, frozen plate, waste-waste or waste for the manufacture of the following types of closures:

(i) Cover caps which serve as a protective or decorative closure in addition to any original sealing medium (other than paraffin) such as another closure.

(ii) Double shell or semi-double shell caps.

(iii) Two-piece closures when both pieces are made of metal, except as permitted in paragraph (o) (2).

(2) No person shall use any zinc, aluminum, tinplate, terneplate, blackplate, or wire for the manufacture of any closure of the home canning type, except as, and to the extent permitted in Schedule VII attached to this order. No closure manufactured pursuant to Schedule VII shall knowingly be sold to, or used by, any person for packing any product for sale.

(3) No person shall use any tinplate, terneplate or blackplate heavier than 90 pounds per base box for the manufacture of crown caps. This restriction does not apply to rejects, frozen plate waste-waste, or waste.

(4) No person shall use for the manufacture of closures any tinplate with a tin coating in excess of 1.25 pounds per base box; and all persons manufacturing closures shall, to the greatest extent available, use 0.50 tinplate for the manufacture of closures for which tinplate is permitted by the provisions of this order.

(5) No person shall use any wire for the manufacture of paperboard disc plug caps, having a diameter of two inches or less, for milk bottles.

Exceptions Pertaining to Both Glass Containers and Closures

(p) *Deliveries to certain agencies and persons.* Nothing in this order shall prohibit the purchase, acceptance of delivery, or use (such use to be in addition to any quota specified in the schedules attached to this order) of glass containers or closures by any of the following persons or by any person for packing any product to be delivered to or for the account of any of the following persons:

(1) Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States (including persons operating vessels for such Administration or Commission for use thereon).

(2) Any person for packing products for retail sale or distribution through post-exchanges, sales commissaries, officers' messes, servicemen's clubs, ship service stores, or outlets; provided same are located at Army or Navy Camps, are not operated for private profit and are established primarily for the use of Army or Navy enlisted personnel within Army or Navy establishments or on Army or Navy vessels.

(3) American Red Cross, United Service Organizations, or such other nonprofit Defense Recreation Committees, engaged in the operation of recreation centers in the 48 States of the United States or the District of Columbia solely for military personnel, as are certified to be within the exemption provided by this paragraph (p) (3) by the Office of Defense Health and Welfare Services, OEM.

(4) Any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(q) *Special provisions in schedules relative to exempt deliveries to certain agencies and persons.* The schedules of this order contain certain limitations on the exception provided by the preceding paragraph (p) in the case of certain products—as, for instance, ice cream mix and malt and nonalcoholic beverages. In such cases, the provisions of the schedules are controlling and supersede paragraph (p) to the extent that they conflict therewith.

Exceptions Relative to Glass Containers Only

(r) *Small users.* The restrictions of this order which pertain to glass containers shall not apply to any person during any calendar year in which he accepts no more than a total of five hundred ($500.00) dollars worth (cost price to him) of empty new glass containers for all products.

(s) *Large size glass containers.* The restrictions of this order which pertain to glass containers shall not apply to any glass container with a capacity larger than 140 fluid ounces.

(t) *Glass containers manufactured prior to the date of this order.* The restrictions of this order shall not prevent any person's acceptance or use, for a product not listed in the schedules of this order, of any glass container manufactured before January 1, 1944, if the glass container in question was originally manufactured for the purpose of packing an unlisted product, or was originally manufactured for packing a listed product but has a capacity not permitted for that product in the attached schedules of this order. This paragraph does not permit the quota free use of glass containers for listed products regardless of when the containers were manufactured.

(u) *Quota free use of certain glass containers in inventory of packer on or before December 31, 1943.* To the extent that as of January 1, 1944, a packer had in his possession, empty glass containers which he was permitted to accept under paragraphs (b) (c) and (d) of order L-103-b as amended November 1, 1943, (excluding containers which he was permitted to accept under paragraph (e) of that order), he may use them during 1944 for packing any listed product in addition to his quota for that product. Nothing in this paragraph shall permit the quota free use of glass containers "borrowed" against anticipated 1944 usage, in accordance with paragraph (e) of this order as amended November 1, 1943.

Exceptions Pertaining to Closures Only

(v) *Small users.* The restrictions of this order which pertain to closures shall not apply to any person during any calendar year in which he accepts no more than five thousand new metal closures for all products.

Prior Appeals

(w) *Appeals granted prior to December 31, 1943 under Order M-104 and Order L-103-b.* All appeals granted prior to December 31, 1943 under orders L-103-b and M-104 are cancelled and shall be ineffective on and after January 1, 1944. Therefore, after that date, no person shall accept delivery of or use or shall manufacture, sell or deliver any new glass container or any new metal closure except in accordance with the provisions of this order—unless he receives a new grant on appeal after January 1, 1944.

Definitions

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

(1) "Glass container" means any empty new machine-made bottle, jar or tumbler, with a capacity of 140 fluid ounces or less, which is made of glass and which is suitable for packing any product.

(2) "Packer" means any person who uses glass containers or closures for commercially packing any product in the continental United States (the 48 States and the District of Columbia).

(3) "Home canning jar" means a glass container which is specifically made for use as a home canning jar (that is, for the purpose of packing or preserving

food or food products in the home) and which carries some lettering or other marking identifying it as such.

(4) "Closure" means any new sealing or covering device affixed or to be affixed to a glass container for the purpose of retaining the contents within the container. The term shall not include bulbs or droppers for medicinal bottles.

(5) "Metal closure" means any closure which is made of zinc, aluminum, tinplate, terneplate, blackplate, frozen plate, waste-waste, or waste.

(6) "Tinplate" means sheet steel coated with tin, and includes "primes", "seconds", and all other forms of tinplate except waste and waste-waste.

(7) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes", "seconds", and all other forms of terneplate except waste and waste-waste.

(8) "Blackplate" means any sheet steel, other than tinplate or terneplate, and includes "rejects", and all other forms of blackplate except waste.

(9) "Frozen plate" means only tinplate, terneplate or blackplate which, since before August 9, 1943, has been held in the owner's inventory because, for any reason, it was not suitable for manufacture by the owner into articles permitted the use of steel under the provisions of War Production Board orders.

(10) "Waste-waste" means hot dipped or electrolytic tin coated steel sheets which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as primes or seconds.

(11) Tinmill blackplate "rejects" means steel sheets rejected during processing by the producer because of imperfections which disqualify such sheets for sale as prime blackplate.

(12) "Waste", means:

(i) Used closures made of tinplate, terneplate or blackplate;

(ii) Used cans made of tinplate, terneplate or blackplate;

(iii) Tinplate, terneplate or blackplate discs produced in the ordinary course of manufacturing screw bands for home canning closures;

(iv) Slitter or shear trimmings, or lithographing lay sheets, produced in the ordinary course of manufacturing closures or cans.

(13) The term "0.50 tinplate" wherever used in this order, includes "menders" arising in the production of such tinplate which have been hot dipped with a maximum tin coating of 1.25 pounds per base box.

Miscellaneous

(y) *Multiple unit users.* Any commercial user who uses glass containers at more than one plant may choose to compute and apply a separate quota for each plant (or group of plants) or a collective quota for all such plants. Any organization which consists of a parent corporation and one or more wholly-owned subsidiary corporations may consider itself as a single commercial user for purposes of this paragraph.

(z) *Applicability of regulation.* 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.

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

(bb) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Containers Division, Washington (25), D. C., Ref.: L-103-b.

(cc) *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 accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 19th day of February 1944.

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

EXHIBIT A—PURCHASER'S CERTIFICATE FOR ALL GLASS CONTAINER DELIVERIES AND ALL CLOSURE DELIVERIES EXCEPT MALT AND NON-ALCOHOLIC BEVERAGE CLOSURES

One copy of this certificate is to be delivered to each person from whom purchases of new glass containers or new metal closures (other than malt and non-alcoholic beverage closures) are made. Such certificate shall cover all purchases present and future.

The undersigned purchaser hereby certifies to the seller and to the War Production Board that he is familiar with Limitation Order L-103-b and that he will not use or sell any glass containers or any closures purchased from _____
Name of seller

_____
Address of seller

pursuant to this or future purchase orders or contracts in violation of the terms of such order.

Date _____

_____
Legal name of purchaser

By _____
Authorized official

_____
Title of official

_____
Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offence to make a false statement or representation as to any matter within the jurisdiction of any department or agency of the United States.

EXHIBIT B

Certificate required by Order L-103-b to validate each purchase of new metal closures for malt or non-alcoholic beverages. Execute in duplicate, one copy to be retained by the purchaser, and one to be filed with the seller.

INVENTORY

(a) Permitted inventory (20 percent of number of such closures and cans used for packaging malt or non-alcoholic beverages in 1941.) _____ gross.

(b) Inventory on date of this certification (Exclusive of Closures made from waste) _____ gross.

(c) Permitted delivery as of date of this certification from all sellers. Line (a) minus Line (b) _____ gross.

(d) Requested delivery from _____
Seller
_____ gross.

The undersigned purchaser hereby certifies to the seller and to the War Production Board that he is familiar with Limitation Order L-103-b, that the foregoing statements of inventory are true and correct, and that he will not use or sell any closures for malt beverages or non-alcoholic beverages received from the seller pursuant to the

above-described "requested delivery" in violation of the terms of such order.

Date _____

_____
Legal name of purchaser

By _____
Authorized official

_____
Title of official

_____
Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation as to any matter within the jurisdiction of any department or agency of the United States.

SCHEDULES—GENERAL EXPLANATION

Schedules I through VI list the only products which may be packed in new glass containers or with new metal closures. Schedule VII relates to the manufacture of home canning closures.

The data set forth in the two "quota" columns, opposite each product, indicate the number of new glass containers and new metal closures (determined in accordance with the general rules set forth in paragraph (g) of Order L-103-b), which may be used for packing that product. However, any special quota provisions which these schedules make applicable to any product, are controlling to the extent that they conflict with paragraph (g).

The "X" mark which appears opposite each product in one of the columns headed "closure material" indicates that, except as listed hereafter, only closures made of the specified material may be used to pack that product. The general exceptions from this rule are:

(i) Closures made of blackplate (including rejects) may be used, within quotas, wherever tinplate or terneplate is specified.

(ii) Closures made of frozen plate may be used, within quota, wherever either tinplate, terneplate or blackplate is specified.

(iii) Closures made of waste may be used in addition to specified quotas for listed products.

All special provisions of these schedules relating to closure materials for specific products must be followed, and control to the extent that they conflict with the above.

After March 1, 1944 all size specifications for glass containers set forth in these schedules must be followed in addition to the provisions of Order L-103 and its schedules.

Attention is called to paragraphs (p) through (v) of Order L-103-b which establish limited exceptions to the provisions of this order. Here again, any special provisions which these schedules contain relative to quota exemptions—as in the case of ice cream mix and certain beverages—must be observed.

SCHEDULE I—FOODS

No product packed in a can shall be repacked for sale in a glass container by the same or a different person, in the same or a different form, except as follows (or as otherwise specifically permitted in this schedule):

(i) When required for the packing of other products, pineapple may be repacked from No. 10 cans. Grape juice, grape pulp, citrus peel and pulp may be repacked from reusable cans, 5-gallons or larger. Apricots and peaches, solid pie pack, may be repacked from No. 10 cans or larger. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant.

(ii) Tomato paste, tomato pulp or puree, and tomato sauce may be repacked from No. 10, or from 5-gallon or larger reusable cans when required for packing other products, or for repacking in different form (other than in the form of tomato paste or tomato pulp or puree), but none may be repacked in the same form. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
FRUIT AND FRUIT PRODUCTS				
1. Apples including crab apples, whole apples not to be packed	100% 1943	100% 1943	X	
2. Apple cider, gallons only	100% 1943 (see note)	100% 1943	X	
NOTE: Only new glass containers of one-half gallon and larger may be included for the purpose of computing quota under paragraph (g).				
3. Apple juice, not to be packed in containers smaller than 1 pint capacity	100% 1943	100% 1943	X	
4. Applesauce including sauce from crab apples	100% 1943	100% 1943	X	
5. Apricots, fresh	Unlimited	Unlimited	X	
6. Blackberries, black raspberries, blueberries or huckleberries, red raspberries, boysen berries, loganberries, and youngberries when packed as berries.	Unlimited	Unlimited	X	
7. Cherries, red sour pitted and sweet	Unlimited	Unlimited	X	
8. Cranberries	100% 1943	100% 1943	X	
9. Figs—(Kadota)	Unlimited	Unlimited	X	
10. Fruit cocktail—consisting of any combination of fruits listed in this Schedule I and grapes; provided that the combination, by drained weight, shall consist of not less than 50 percent peaches and pears, and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No 10 or larger cans, to the extent of 10 percent of the fruit cocktail.	Unlimited	Unlimited	X	
10a. Mixed fruits—consisting of any combination of fruits listed in this Schedule I (with or without grapes) provided the combination by drained weight shall consist of not less than 55 percent nor more than 65 percent diced peaches, and not less than 35 percent nor more than 45 percent diced pears; or a combination of not less than 50 percent nor more than 60 percent diced peaches and not less than 30 percent nor more than 40 percent diced pears with not less than 6 percent nor more than 10 percent grapes. Such peaches or pears shall be peeled, pitted, or cored and diced to a size such that no more than 20 percent of the units will pass through a 5/16" standard sieve, and no more than 20 percent of the units will have a greater edge dimension than ¾", and so as to leave not more than 1 square inch of peel per pound of product on a drained weight basis. Not more than 10 percent of the grapes shall be cracked or crushed or have attached cap stems. No fruit may be packed under this item until the packer has packed and set aside his full quota for that fruit as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	Unlimited	X	
11. Fruit butters, minimum size (excluding tumblers) ¾ pound. At least 70 percent of containers packed to be 1½ pounds or larger.	Unlimited	Unlimited	X	
12. Fruits crushed, fountain fruits and ice cream toppings	100% 1943	100% 1943	X	
13. Fruit conserves, jams, marmalades and preserves. At least 10 percent of the number of containers packed with these products, excluding tumblers, to be 2 pounds or larger.	Unlimited	Unlimited	X	
14. Fruit jellies	Unlimited	Unlimited	X	
15. Fruit juices, other than grape, apple, or apple cider, or mixtures of fruit juices (undiluted except for the addition of sweetening). Minimum size 1 pint.	100% 1943	100% 1943	X	
16. Grape juice, minimum size 1 pint	Unlimited	Unlimited	X	
17. Fruit concentrates, liquid, when concentrated on a ratio 5 or more to 1	100% 1943	100% 1943	X	
18. Fruit concentrates, dry	100% 1943	100% 1943		X
19. Fruit nectars, minimum size 1 pint	100% 1943	100% 1943	X	
20. Olives, ripe and green ripe	Unlimited	Unlimited	X	
21. Peaches, halves, slices or cubes	Unlimited	Unlimited	X	
22. Pears—whole pears, except seckel pears, not to be packed	Unlimited	Unlimited	X	
23. Pectin, liquid	Unlimited	Unlimited		X
24. Plums	Unlimited	Unlimited	X	
25. Prunes, fresh Italian	Unlimited	Unlimited	X	

SCHEDULE I—FOODS—Continued

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
VEGETABLES AND VEGETABLE PRODUCTS				
26. Asparagus, all-green or culturally bleached	Unlimited	Unlimited	X	
27. Beans, with or without pork	100% 1943	100% 1943	X	
28. Beans, fresh, all varieties	Unlimited	Unlimited	X	
29. Beets—whole beets over 1½" diameter not to be packed	Unlimited	Unlimited	X	
30. Carrots—whole carrots not to be packed	Unlimited	Unlimited	X	
31. Peas and carrots—fresh green peas only. Carrots not to exceed 40 per cent of total drained weight. No vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	Unlimited	X	
32. Corn, fresh, sweet cut only	Unlimited	Unlimited	X	
33. Mixtures of vegetables (except succotash, and peas and carrots) which consist of not less than 60 percent of any combination of vegetables listed in this schedule: *Provided*, That the combination, by drained weight, shall consist of not more than 60 percent of any one vegetable; and, *Provided further*, That no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited	Unlimited	X	
34. Mushrooms	100% 1943	100% 1943	X	
35. Okra, including tomatoes and okra	100% 1943	100% 1943	X	
36. Peas, green	Unlimited	Unlimited	X	
37. Peppers, sweet, including pimientos. Minimum size container 6 fluid ounces	100% 1943	100% 1943	X	
38. Pumpkin and squash	100% 1943	100% 1943	X	
39. Spinach, and other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, poke and turnip greens.	100% 1943	100% 1943	X	
40. Succotash, fresh vegetables only	Unlimited	Unlimited	X	
41. Tomatoes	Unlimited	Unlimited	X	
42. Tomato catsup and chili sauce, containing not less than 10.8 percent (specific gravity 1.045) by weight of dry tomato solids.	Unlimited	Unlimited	X	
43. Tomato paste from fresh tomatoes, containing not less than 25 percent by weight of dry tomato solids.	Unlimited	Unlimited	X	
44. Tomato pulp or puree from fresh tomatoes, containing not less than 10.8 percent (specific gravity 1.045) or more than 25 percent, by weight of dry tomato solids.	Unlimited	Unlimited	X	
45. Tomato sauce, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.037) by weight of dry tomato solids, and not less than 10.0 percent (specific gravity 1.042) by weight of total dry solids, salt free. In addition to salt, the contents may contain pepper, spice, oils, and other flavoring ingredients.	Unlimited	Unlimited	X	
46. Vegetable juices, or mixtures thereof, undiluted, except for the addition of sweetening or reseasoning, minimum size 1 pint.	Unlimited	Unlimited	X	
MEAT AND MEAT PRODUCTS				
47. Beef, dried—tumblers and caps for tumblers may be used in addition to quota	100% 1943	100% 1943	X	
48. Beef extract	100% 1943	100% 1943	X	
49. Chicken, boned	100% 1943	100% 1943	X	
50. Corned beef hash	100% 1943	100% 1943	X	
51. Mince meat, fresh apples only. No containers holding less than one pound net weight of mince meat to be packed.	100% 1943	100% 1943	X	
52. Pigs feet and cutlets, pickled. No containers of a capacity less than one pint to be packed	200% 1943	200% 1943	X	
53. Scrapple (Philadelphia type)	60% 1943	60% 1943	X	
54. Tamales	100% 1943	100% 1943	X	
55. Chili con carne, with or without beans (only when packed in accordance with F. D. A. standards)	100% 1943	100% 1943	X	
56. Meat spreads, including ham, tongue, liver, beef and sandwich spreads. When packed as a spread, the chopped products shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.	100% 1943	100% 1943	X	
57. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight.	100% 1943	100% 1943	X	
58. Sausage in casings, Vienna style, containing no cereal or similar substances and not to exceed 10 percent added water by weight.	100% 1943	100% 1943	X	
59. Tongue	200% 1943	200% 1943	X	
FISH AND SHELLFISH				
60. Any person who packed fish or shellfish products in 1943 may pack the same products in 1944 or any subsequent year, except that no clam broth shall be packed.	100% 1943	100% 1943	X	
MILK AND DAIRY PRODUCTS				
61. Cheese spreads, processed or unprocessed. Tumblers and caps for tumblers may be used in addition to quota.	125% 1943	125% 1943	X	
62. Milk, cultured, as classified herein refers only to those cultured or fermented milk or skim milk products which develop pressure within the container (glass bottles) due to fermentation which is produced by the addition of certain materials to milk or skim milk such as sugar, yeast, cultures, and the like.	100% 1943	100% 1943		X
63. Milk, fluid with or without flavoring	Unlimited	Unlimited		X
64. Dry milk, malted milk, (including chocolate milk), and milk fortifiers	100% 1943	100% 1943		X
65. Ice cream mix, dry—notwithstanding the provision of paragraph (p) of this Supplementary Order L-103-b, packing quota includes pack required to be set aside by any order of the War Production Board, the Food Distribution Administrator, the Department of Agriculture for purchase by Government agencies. Containers and closures used for such packs must be charged to quotas for this product.	100% 1943	100% 1943	X	
66. Miscellaneous dairy products packed in returnable glass containers, including but not limited to fluid milk, cultured milk, liquid modifications of milk, sweet cream, sour cream and cottage cheese.	Unlimited	None		
SYRUPS AND HONEY				
67. Syrups—blended, cane, corn, maple, molasses, sorghum. Containers under 1 gallon capacity only to be packed.	100% 1943 (see note).	Unlimited		X
NOTE: Only new glass containers under 1 gallon capacity to be included for purpose of computing quota in accordance with paragraph (g).				
68. Syrups—bottlers, malt, chocolate, and fountain syrups	100% 1943	Unlimited		X
69. Honey	Unlimited	Unlimited		X
OLIVES, PICKLES, RELISHES, CONDIMENTS & SAUCES				
70. Pickles, piccalilli and relishes	125% 1943	125% 1943	X	
71. Horseradish	100% 1943	100% 1943	X	
72. Mustard	100% 1943	100% 1943	X	
73. Green Olives	100% 1943	100% 1943	X	
74 Sauces—beefsteak, cooking, soya, pepper and Worcestershire	100% 1943	100% 1943	X	
EDIBLE OILS AND DRESSINGS				
75. Dressings—Mayonnaise, Russian, salad, Thousand Island, Tartar Sauce and sandwich spreads (other than meat or cheese spreads). At least 60 percent of the containers used by any person to pack any or all of these products must be pints or larger.	125% 1943	125% 1943		X
76. French dressing	100% 1943	100% 1943	X	

SCHEDULE I—FOODS—Continued

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
EDIBLE OILS AND DRESSINGS—Continued				
77. Oil, edible, liquid	125% 1943 (see note).	100% of quota glass containers.		X
NOTE: Both new glass containers and new metal cans packed during base period to be included for purpose of computing quota under paragraph (g).				
No containers other than quarts and pints may be packed, with the following exceptions: (i) Olive oil may be packed in quarts, pints and smaller sizes. (ii) Any person who packed liquid edible oils prior to January 1, 1942 in glass containers larger than one quart may continue to do so in 1944 and subsequent calendar years.				
78. Shortenings	100% 1943	None		
MISCELLANEOUS FOODS				
79. Baby foods. Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits (except dried apricots, dried pears, dried peaches, dried or dehydrated apples); vegetables; meats; poultry products; dairy products; sugar; salt or seasoning; yeast or yeast derivatives. Frozen fruits and vegetables may be used. Potatoes and cereals may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Formulas—dry and liquid.	150% 1943	150% 1943	X	
81. Cherries, maraschino	100% 1943	100% 1943	X	
82. Coffee, not including soluble coffee	75% 1941 (see note).	50% quota glass containers. (See note.)		X
NOTE: Glass quotas for coffee are based on the capacity of new glass containers and metal cans accepted, rather than on the number of those used during 1941. Therefore, after computing his quota base in accordance with steps 1 and 2 of paragraph (g), on this basis, a coffee packer is permitted to accept and use enough new glass containers (of any size), to enable him to pack 75 percent of the capacity of new metal cans and jars resulting from such computation. No more than 40 percent of yearly glass quota may be accepted in period May 1 through October 31. New metal caps used in any one month shall not exceed 50 percent of the number of new glass containers packed in that month.				
83. Coffee, soluble	150% 1943	150% 1943		X
84. Baking powder	100% 1943	100% 1943		X
85. Dyes, certified colors, liquid	100% 1943	100% 1943		X
86. Flavoring extracts	100% 1943	100% 1943	X	
87. Malt, dry	100% 1943	100% 1943		X
88. Nut butters including soybean butter. To be packed in 1 pound, 1½ pound, 2 pounds and larger containers only, except for tumblers which may be used subject to provisions of L-103. At least 10 percent of containers used to be 2 pounds or larger.	150% 1943	150% 1943		X
89. Spices and seasonings	100% 1943	100% 1943	X	
90. Vinegars. At least 70 percent of the containers packed must be quarts or larger. No containers less than pint capacity to be packed.	100% 1943	100% 1943	X	
91. Special foods, for human consumption only, limited to foods other than usual table foods.	(See note)	(See note)	(See note)	(See note).
NOTE: Quota—no person shall pack any special food product unless he packed the product in substantially the same form in 1943, and unless he obtains prior permission upon application to the War Production Board.				

SCHEDULE II—DRUG PRODUCTS

[Products for medicinal purposes only]

Closures made of aluminum may be used for any product listed in this schedule to the extent that the packer used aluminum closures for the same product in 1941. However, all aluminum closures must be used within, and charged to, the quotas established by this schedule. Closure manufacturers must obtain permission from the Administrator of Order M-1-i to receive aluminum plate.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
1. Alcohol, rubbing or medicated	Note 1	Note 1		X
2. Anesthetic solutions	Unlimited	Unlimited	X	
3. Biological preparations	Unlimited	Unlimited	X	
4. Blood plasma	Unlimited	Unlimited	X	
5. Capsules, pills, tablets, troches, lozenges	Note 1	Note 1		X
6. Chemicals, dry or liquid	Unlimited	Unlimited	X	
7. Citrate of magnesia	Note 1	Note 1		X
8. Elixirs	Note 1	Note 1		X
9. Emulsions	Note 1	Note 1		X
10. Extracts, dry or liquid	Note 1	Note 1		X
11. Glycerine	Note 1	Note 1		X
12. Glycerites	Note 1	Note 1	X	
13. Jellies, aqueous	Note 1	Note 1		X
14. Liniments	Note 1	Note 1		X
15. Liniments of ammonia	Note 1	Note 1	X	
16. Lotions, medicinal only	Note 1	Note 1		X
17. Magmas	Note 1	Note 1	X	
18. Oleoresins	Note 1	Note 1		X
19. Oils, fixed, volatile or medicated	Note 1	Note 1	X	
20. Ointments, cerates, petrolatum pastes	Note 1	Note 1		X
21. Ointments, ophthalmic	Note 1	Note 1	X	
22. Powders	Note 1	Note 1		X
23. Prescriptions	Unlimited	Unlimited	X	
24. Proprietary preparations	Note 1	Note 1		X
25. Salts, effervescent, hygroscopic, efflorescent only	Note 1	Note 1		X
26. Soaps, medicinal only	Note 1	Note 1	X	
27. Solutions, aqueous	Note 1	Note 1	X	
28. Solutions, other than aqueous	Note 1	Note 1	X	
29. Solutions, parenteral	Unlimited	Unlimited	X	
30. Spirits	Note 1	Note 1		X
31. Spirits of ammonia, aromatic	Note 1	Note 1	X	
32. Spirit of ether compound and spirit of ether	Note 1	Note 1	X	
33. Sulfonamide preparations	Unlimited	Unlimited		X
34. Suppositories	Note 1	Note 1		X
35. Syrups	Note 1	Note 1		X
36. Tinctures	Unlimited	Unlimited		X
37. Tincture of iodine	Unlimited	Unlimited	X	
38. Waters, laxative, purgative or medicinal	Note 1	Note 1		X
39. Other drug products	Note 1	Note 1		X

NOTE 1: The total number of new metal closures and new glass containers which may be used, during any calendar year, for packing all of the products referring to this note is 100 percent of the number of new metal closures or new glass containers, respectively, a person used for said purpose during 1943. This quota may be used for any one or more of said products.

SCHEDULE III—CHEMICALS

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
1. Adhesives, glue, mucilages and pastes	100% 1943	100% 1943		X
2. Alcohol, liquid or solidified (excluding anti-freeze)	100% 1943	100% 1943		X
3. Ammonia, household, and/or household liquid cleaners. No containers of less than 1 quart capacity may be packed.	100% 1943	100% 1943	X	
4. Aromatic chemicals used for their odoriferous and/or flavoring properties	Unlimited	Unlimited	X	
5. Automotive maintenance or repair items, liquid or paste	100% 1943	100% 1943		X
6. Bluings	100% 1943	100% 1943	X	
7. Bleaches, liquid. No containers of less than 1 quart capacity may be packed	100% 1943	Unlimited	X	
8. Cements—dry, paste or liquid	100% 1943	100% 1943		X
9. Cements used for dental purposes	Unlimited	Unlimited		X
10. Chemicals, dry, not elsewhere specified	80% 1943	80% 1943		X
11. Chemicals, liquid, not elsewhere specified	80% 1943	80% 1943	X	
12. Chemicals for food sanitation purposes only	150% 1943	150% 1943		X
13. Chemicals, reagent	200% 1943	200% 1943	X	
14. Cleaners—dry, paste or liquid, not including liquid household cleaners	100% 1943	100% 1943		X
15. Compounds for grinding, polishing, or sealing	100% 1943	100% 1943		X
16. Deodorants—dry, not for use on human body	100% 1943	100% 1943		X
17. Deodorants—liquid or paste, not for use on human body	100% 1943	100% 1943	X	
18 Dressings for industrial purposes Belt dressings and similar preparations	100% 1943	100% 1943		X
19. Dyes	100% 1943	100% 1943	X	
20. Essential oils, distilled or cold pressed	100% 1943	100% 1943	X	
21. Embalming fluid	Unlimited	Unlimited		X
22. Fire extinguisher fluids	100% 1943	100% 1943		X
23. Fumigants	100% 1943	100% 1943		X
24 Fungicides, insecticides, disinfectants and livestock or agricultural solutions or sprays No containers larger than 1 quart to be packed	100% 1943 (see note).	100% quota glass containers.		X
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota in accordance with paragraph (g).				
25. Germicides	125% 1943	125% 1943	X	
26. Graphite with liquid	100% 1943	100% 1943		X
27. Glycerine	100% 1943	100% 1943		X
28. Hand protective compounds (industrial protective only and only when packed in 8 oz. container or larger).	100% 1943	100% 1943		X
29. Hypochlorite powders	125% 1943	125% 1943	X	
30. Inks	100% 1943	100% 1943	X	
31. Ink-eradicators	100% 1943	100% 1943	X	
32. Paints, clear (including shellac) except nitro-cellulose base paints: containers limited to quarts and smaller	100% 1943 (see note)	100% quota glass containers		X
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota in accordance with paragraph (g).				
33. Paints, pigmented except nitro-cellulose base paints; containers limited to one-half pints and smaller	100% 1943 (see note).	100% quota glass containers		X
NOTE: Only new glass containers of one pint capacity and smaller may be included in computing quota under paragraph (g)				
34. Paint thinner, including turpentine, paint and varnish removers and linseed oil; excluding thinners for nitro-cellulose products: quart, pint and half-pint containers only.	100% 1943 (see note).	100% quota glass containers.		X
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota under paragraph (g).				
35. Phenols	100% 1943	100% 1943	X	
36. Photographic supplies	100% 1943	100% 1943	X	
37. Poisons	100% 1943	100% 1943		X
38. Polishes, liquid. Furniture, auto, metal and floor polishes, quart and smaller containers only	100% 1943 (see note).	100% quota glass containers.		X
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota under paragraph (g).				
39. Putty	100% 1943 (see note).	100% quota glass containers.		X
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota under paragraph (g)				
40. Polishes not otherwise specified	75% 1943	75% 1943		X
41. Shoe and leather polishes, waxes, dyes, stains and dressings not including liquid or cream shoe white	125% 1943	125% 1943		X
42. Shoe white, liquid or cream	100% 1943	100% 1943		X
43. Soap liquid or paste	100% 1943	100% 1943		X
44. Solvents—organic solvents and petroleum distillates	100% 1943	100% 1943		X
45. Synthetic resins	100% 1943	100% 1943		X
46. Waxes	100% 1943	100% 1943		X
47. Wood preservatives and/or fillers	100% 1943	100% 1943		X

SCHEDULE IV—COSMETICS AND TOILETRIES

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
1. Cosmetics, solid and semisolid types; such as face creams, hand cream., vanishing creams, deodorant and anti-perspirant creams and cream rouge.	100% 1943	85% quota glass containers.		X
2. Cosmetics and toilleteries, fluid or powder; such as deodorants, antiperspirants, shampoos, hair tonics, hair dyes, wave solutions, hair rinses, oral antiseptics, tooth pastes, tooth powders, liquid dentifrices, after shave lotions, liquid soaps, perfumes, toilet waters, face and hand preparations, lotions, fingernail preparations.	100% 1943	80% quota glass containers.		X
3. Soaps, hand	100% 1943	100% 1943		X
4. Shaving cream	100% 1943	100% 1943		X

SCHEDULE V—MISCELLANEOUS PRODUCTS

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
1. Artist supplies	100% 1943	100% quota glass containers.		X
2. Candle tumblers	Unlimited	None		
3. Dental floss	100% 1943	100% 1943		X
4. Lighter fluids	100% 1943	100% 1943		X
5. Oils, lubricating and machine. Motor oils to be packed in quarts only	100% 1943	100% 1943		X
6. Tobacco and snuff not including cigars and cigarettes	100% 1943	None		

SCHEDULE VI—BEVERAGES

(The rules set forth in this Schedule are controlling wherever they conflict with any other provisions of Order L-103-b. However, except as modified herein, all provisions of Order L-103-b are applicable)

MALT BEVERAGES

Product: Malt beverages, including only beer, ale, porter, near beer and mixtures thereof.

Glass Containers

(a) *Glass container quota.* 100% of the number of new returnable glass containers which the packer accepted delivery of for malt beverages during 1943—less the number of quota exempt returnable glass containers which were accepted during the period between July 1, 1943 and December 31, 1943.

(b) *Exceptions from glass quota provisions.* In addition to his quota of glass containers for malt beverages, any packer may accept delivery of the following portion of the number of new or used glass containers used, or actually to be used, during the then current calendar year for delivering malt beverages to or for any of the persons listed under paragraph (p) of this order:

(1) *Export shipment.* The full amount of glass containers for delivering malt beverages to or for any such person for shipment to points outside the continental United States.

2. *Domestic consumption.* 8% of the full amount of glass containers for delivering malt beverages to or for any such person for use or distribution within the continental United States.

Closures

(c) *Closure quota (See Note 3).* 115% of the number of new metal closures used for malt beverages during 1943. (Quota exempt closures may not be included in base.)

(d) *Closure material.* (See Note 1) Rejects, electrolytic waste-waste and frozen blackplate. Hot dipped waste-waste may be used only to make malt beverage closures which are to be exported unused.

No closures made of waste may be used in addition to quota, pursuant to paragraph (d) of Order L-103-b, except as follows:

(1) Closures made of used cans.

(2) Closures made of used closures and of discs produced in the ordinary course of manufacturing home canning screw bands.

NON-ALCOHOLIC BEVERAGES

Product. Non-alcoholic beverages, including only carbonated soft drinks; non-carbonated soft drinks; unflavored carbonated waters and unflavored naturally carbonated and still waters (See Note 2); drinks consisting of fruit juices, vegetable juices and combinations thereof, where less than 85% by weight of such drinks is pure fruit juice, vegetable juice, or a mixture thereof; and sterilized milk drinks made with powdered milk.

Glass Containers

(a) *Glass container quota.* 80% of the number of new glass containers which the packer accepted delivery of for non-alcoholic beverages during 1941.

(b) *Exceptions from glass quota provisions.* In addition to his quota of glass containers for non-alcoholic beverages, any packer may accept delivery of the following portion of the number of new or used glass containers used, or actually to be used, during the then current calendar year for delivering non-alcoholic beverages to or for any of the persons listed in paragraph (p) of this Order.

(1) *Export shipment.* The full amount of glass containers for delivering non-alcoholic beverages to or for any such person for shipment to points outside the continental United States.

(2) *Domestic consumption.* 8% of the full amount of glass containers for delivering non-alcoholic beverages to or for any such person for use or distribution within the continental United States.

Closures

(c) *Closure quota (See Notes 2 and 3).* 115% of the number of new metal closures *used* for non-alcoholic beverages during 1943 (Quota exempt closures are not to be included in base).

(d) *Closure material (See Note 1).* Rejects, electrolytic waste-waste, and frozen blackplate. Hot dipped waste-waste may be used only to make non-alcoholic beverage closures which are to be exported unused.

No closures made of waste may be used in addition to quota, pursuant to paragraph (d) of Order L-103-b except as follows:

(1) Closures made of used cans.

(2) Closures made of used closures and of discs produced in the ordinary course of manufacturing home canning screw bands.

WINES

Product. Wines.

Glass container quota. 100% of 1943.

Closure quota. 50% quota glass containers.

Closure material. Blackplate.

DISTILLED SPIRITS

Product. Distilled spirits, including cordials.

Glass container quota. 100% of 1943.

Closure quota. 50% quota glass containers.

Closure material. Blackplate.

NOTE 1: Permission to accept delivery of used cans made of tinplate or of sheets recovered from such cans or of tinplate slitter or shear trimmings, lithographing lay sheets and discs must be obtained in accordance with Conservation Order M-325.

NOTE 2: Except with regard to items listed in Schedule II, no new metal closures shall be affixed to glass containers smaller than 12 fl. oz. for packing unflavored carbonated natural or mineral waters unless such glass containers were manufactured on or before June 1, 1942.

NOTE 3: No person other than a jobber purchasing for resale shall accept delivery of malt beverage or non-alcoholic beverage closures which would increase his inventory (including closures for use as described in Paragraph (p) of this Order) beyond 20% of the number of such closures and cans which he used in 1941 for packing malt beverages and non-alcoholic beverages.

SCHEDULE VII—HOME CANNING CLOSURES

No manufacturer of glass containers shall ship any jars with 70 mm. screw finish, intended for home canning unless at least 40% of such jars shipped during each calendar month are delivered as a unit, consisting of the jar and a "glass lid closure" packed together. A "glass lid closure" is one consisting of a glass lid, a screw band and a top seal jar ring.

Description of closure	Manufacturer's quota	Closure material indicated by X			
		0.50 tin plate	Wire bails	Zinc	Blackplate
1. Top seal metal lids, 70 mm	Unlimited	X			
2. Bands for 70 mm. top seal metal lids	Unlimited	X			
3. Bands for use with 70 mm. glass lids	Unlimited	X			
4. Lightning type	Unlimited		X		
5. Top seal metal lids, smaller than 70 mm	Unlimited	X			
6. One piece metal closures, 70 mm. shoulder seal type.	Unlimited	X			
7. One piece metal closures, 70 mm. top seal type	Unlimited	X			
8. Top seal metal lids larger than 70 mm	From October 1, 1943 to September 30, 1944—6% of production of 70 mm. lids from October 1, 1942 to September 30, 1943.	X			
9. Zinc Mason P/L closures, 70 mm	60% 1941 production			X	
10. Jelly glass lids	Unlimited				X

INTERPRETATION 1

[Interpretation 1 was revoked Jan. 4, 1944.]

[F. R. Doc. 44-2419; Filed, February 19, 1944; 11:33 a. m.]

PART 937—ZINC

[General Preference Order M-11 as Amended Feb. 21, 1944]

SLAB ZINC

§ 937.1 *General Preference Order M-11*—(a) *Scope of this order.* This order controls deliveries of zinc from a producer or dealer. No producer or dealer shall deliver zinc to any person, and no person shall accept delivery of zinc from any producer or dealer, except as provided in this order. The order does not relate to the use which may be made of zinc after it is received. The use of zinc in manufacture is controlled by Conservation Order M-11-b or, in the case of certain specific products, by other orders of the War Production Board relating to those products. These use restrictions must also be complied with.

(b) *Definitions.* (1) "Zinc" means all grades of metallic slab zinc (spelter) produced directly from ores, concentrates or other primary material; or redistilled from zinc scrap, including ashes, dross, skimmings, clippings, castings, engravers' plates, die castings, die cast scrap, or any secondary zinc-bearing material.

(2) "Producer" means any person producing zinc and any person who has zinc produced for him under toll agreement.

(3) "Dealer" means any person who regularly receives physical delivery of zinc and sells or holds the same for resale without changing the form. A person who produces any zinc or who has the same produced for him under toll agreement, is a producer as to such zinc, and not a dealer.

(4) "Toll agreement" means any agreement by which title to material remains vested in a person other than the one processing the material.

(c) *Acceptance of deliveries of zinc from a producer.* (1) Except as specifically authorized by the War Production Board on Form WPB-2893, no person, other than the Metals Reserve Company, or a person accepting delivery pursuant to an export license duly issued by the Foreign Economic Administration, shall accept delivery of zinc from a producer. The Metals Reserve Company may accept deliveries of zinc for the sole purpose of stockpiling or redistribution without change in form.

(2) Any person wishing to apply for an authorization certificate to accept delivery of zinc from a producer should apply for authorization not later than the twelfth day of the month preceding the month in which shipment is desired.

(3) An authorization certificate will authorize the holder to accept from a producer deliveries of specified amounts of zinc shipped during the month for which the certificate is issued. A producer is authorized to ship zinc on notification from the purchaser of the date and serial number of the authorization certificate authorizing him to accept delivery of zinc. Any producer may, with the consent of the purchaser, substitute for any amount of any grade of zinc specified in an authorization certificate an equal amount of any lower grade of zinc. A producer need not accept a new order (other than a new order bearing a AAA preference rating), although supported by a preference rating or an authorization certificate if his entire production for the month is committed and he has reason to believe that other purchase orders will be presented during the month by the person or persons to whom his production is committed in amounts at least equal to his production.

(4) No producer shall make any delivery of zinc except as permitted under this paragraph (c).

(d) *Acceptance of deliveries of zinc from a dealer.* No specific authorization will be issued by the War Production Board to permit any person to accept deliveries of zinc from a dealer. However, a person may accept delivery of zinc from a dealer only if such delivery meets all the following conditions:

(1) The delivery in question, combined with all other deliveries of zinc to the purchaser during the calendar month, from whatever source, will not aggregate as much as twenty short tons; and

(2) The purchaser has not requested from the War Production Board authorization for that particular month to accept delivery of zinc in any quantity—see paragraph (c) above (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).

A dealer shall not make any delivery if he knows, or has reason to believe, that the person accepting the delivery will not comply with all the provisions of this paragraph.

(e) *Toll agreements.* No person shall produce any zinc under any existing or future toll agreement until and unless he has made a report to the War Production Board, setting forth the names of the parties to such agreement, the material involved as to kind and grade, the form of the same, the estimated tonnage involved, the estimated rate of deliveries, the length of time the agreement or other similar agreement has been in force, the duration of the agreement, the purpose for which the zinc is to be used, and any other pertinent data. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Specific directions.* The War Production Board may, from time to time, issue special directions to any person as to the source, destination, special kinds and amounts of zinc, to be delivered or acquired by any person.

(g) *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.

(h) *Reports.* All producers, dealers, and users of zinc shall file, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, such reports as the War Production Board may from time to time prescribe.

(i) *Communications.* All applications, statements or other communications filed pursuant to this order or concerning the subject matter hereof, should be addressed to: War Production Board, Zinc Division, WPB Dept. 7515, Washington 25, D. C., Ref.: M-11.

(j) *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.

(k) *Effective date.* Restrictions of this order with respect to remelt and zinc scrap shall cease to be effective immediately. In other respects, this order as amended June 7, 1943 shall continue in effect until April 1, 1944, on which date this amendment shall become effective.

Issued this 21st day of February 1944.

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

[F. R. Doc. 44-2590; Filed, February 21, 1944; 11:29 a. m.]

PART 1288—POWER, STEAM AND WATER AUXILIARY EQUIPMENT

[L-154, Schedule II as Amended Feb. 21, 1944]

STEAM SURFACE CONDENSERS

Section 1288.3 *Schedule II to Limitation Order L-154* is hereby amended to read as follows:

§ 1288.3 *Schedule II to Limitation Order L-154.*—(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates, or assembles steam surface condensers.

(2) "Steam surface condenser" means any tube and shell steam condenser used in land installations which employs water in its circulating system to condense the steam exhausted from a prime mover or from the jets of a steam jet air pump.

(b) *Restrictions on materials.* No producer shall install or incorporate, or accept delivery of, for the purpose of installing or incorporating, in any steam surface condenser, whether such condenser be new or used, any of the following:

(1) Cupro-nickel tube sheets, tube sheets which are tin-coated, or tube sheets which contain more than 1.5 per cent of tin by weight.

(2) Tubing which contains any nickel.

(3) Tubing which is tin-coated or which contains more than 1.5 per cent of tin by weight.

(4) Bracing and baffles which contain nickel or tin, or which are tin-coated.

(5) Bolts and ferrules which contain nickel or are tin-coated or which con-

tain more than 1.5 per cent of tin by weight.

Issued this 21st day of February 1944.

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

[F. R. Doc. 44-2498; Filed, February 21, 1944; 11:29 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Correction]

CMP Regulation No. 1 as amended February 2, 1944 and printed in the FEDERAL REGISTER, Volume 9, Page 1365, stated in the Index to the Directions that Direction No. 4, relating to brass mills, was obsolete. This was in error. The item in the Index should appear as follows: "4. 0-1, 0-4 and N-4 Orders on Brass Mills."

Issued this 21st day of February 1944.

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

[F. R. Doc. 44-2499; Filed, February 21, 1944; 11:29 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317,[1] as Amended Feb. 21, 1944]

COTTON TEXTILE DISTRIBUTION

§ 3290.115 *General Conservation Order M-317*—(a) *Definitions.* In this order:

(1) "Cotton textiles" means the following products, containing more than 50% by weight of cotton or cotton waste, or a combination of the two:

(i) Woven fabrics, whether grey, original mill or regular finish, bleached, dyed or printed, and the following cotton products: bedsheets, pillow cases, blankets, towels, diapers, face cloths and table "linens"; and

(ii) Yarns, whether grey, bleached, colored, mercerized, glazed, polished, single, plied, cabled or braided, including thread, twines and cordage (e. g. tying, sail, seine, etc. twine, rope, sash, cord, etc.) and including any of the foregoing which may be spun on speeder, ring, mule or converted twister spindles.

Blankets containing less than 25% by weight of wool fiber are the only types of blankets which are included in "Cotton textiles."

"Cotton textiles" does not include fabrics or yarns which contain any cotton and which are made on spindles or looms normally engaged in the manufacture of woolen or worsted products, or cotton duck as defined in General Preference Order M-91.

(2) (i) "Producer" means any manufacturer who makes cotton textiles in the United States.

(ii) "Intermediate processor" means any person engaged in the United States in the business of bleaching, dyeing or otherwise finishing cotton textiles and delivering or using them in the United States for his own account in the bleached or otherwise finished state.

(iii) "Processor" means any person engaged in the United States in the business of manufacturing or having manufactured in the United States for his account, any product in which cotton textiles are incorporated.

(iv) "Merchant" means any person engaged in the United States in the business of purchasing cotton textiles for resale in the United States in the form in which purchased.

(v) "User" means any person other than a producer, intermediate processor or processor, who purchases cotton textiles for his own use in the United States in any business, industry, profession or occupation.

(vi) Any person who performs the functions of more than one of the foregoing—regardless of his customary manner of conducting his business—shall, for the purpose of the following be deemed a separate person with respect to each of those capacities, and he is required to:

(a) Accept rated orders for cotton textiles in preference to any other contracts, orders or uses even though he has not in the past accepted or filled orders for that particular cotton textile, and also to fill them in accordance with the rules of Priorities Regulation No. 1;

(b) Use the ratings assigned by this order; and

(c) Apply the inventory restrictions of this order.

(vii) The definitions in subdivisions (i) to (v) above do not include the United States Army, Navy, Maritime Commission or War Shipping Administration.

(3) Trade terms used in this order shall have their usual trade significance unless otherwise specified.

(b) *Assignment of ratings.*[2] The preference ratings specified in the Preference Rating Schedules of this order are assigned to the persons in Column I for the cotton textiles in Column II to be used only as specified in Column III. The revocation of any rating and its effect is stated in the appropriate group of the Preference Rating Schedules.

(c) *Compulsory use of ratings assigned in schedules or by Form WPB-2842.* No intermediate processor, processor or merchant (except a retailer) shall purchase or accept delivery of a cotton textile for a purpose for which a rating for that cotton textile is assigned to him in a Preference Rating Schedule, unless he has applied or extended that rating or a rating assigned on Form WPB-2842. He may not purchase that cotton textile for the specified purpose with any other rating which he may have (whether higher or lower), nor may he purchase it without a rating for that purpose. The provisions of this paragraph do not apply to purchases for delivery or ultimate delivery to, or for incorporation into any product for delivery or ultimate delivery to, the United States Army, Navy, Maritime Commission or War Shipping Administration, nor do they prohibit the use of an AAA rating.

This rule does not change the rating on the finished product. For example, even though a manufacturer (processor), who is given a rating, according to the AA-2X Preference Rating Schedule, to obtain twills to make coated abrasive products, holds an AA-1 order for coated abrasive products, he must use the AA-2X rating given by the schedule to obtain the twills, and may not use the AA-1 rating for this purpose. The AA-1 rating, however, remains applicable to the finished coated abrasive product for all other purposes (such as to determine the sequence of deliveries).

(d) *How ratings for cotton textile are to be applied or extended.* Preference ratings shall be applied and extended as provided in Priorities Regulation 3. In addition, the provisions of subparagraph (1) below shall be followed in the case of products which are to be exported in the form of cotton textiles, and the provisions of subparagraph (2) below are to be followed when cotton textiles are not to be exported.

(1) *Cotton textiles for export.* Except where the cotton textile is for direct or ultimate delivery to, or for incorporation into any product for delivery or ultimate delivery to, the United States Army, Navy, Maritime Commission or War Shipping Administration, the purchaser shall place upon the purchase order an appropriate notation (with the blanks properly filled in), substantially as follows:

These cotton textiles will be exported, or will replace in inventory cotton textiles exported after December 24, 1943.

And also one of the following statements is to be made:

The preference rating was applied by the United States Treasury Procurement Division in connection with contract number ---------. [In the case of United States

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[1] Limitation Order L-99 relates to cotton textile production.

[2] Conservation Order M-328 permits other preference ratings, as well as those assigned by this order, and imposes conditions on the use of all ratings for cotton textiles.

Treasury Procurement for Foreign Economic Administration];

The preference rating was applied in connection with Export License number_____, or Release Certificate number_____. [In the case of export in connection with licenses or release certificates issued by Foreign Economic Administration]

or

The preference rating was applied in connection with the Canadian Cotton Administrator's serial number _____. [In the case of exports to Canada.]

(This notation is to be used when the rating is for the export of a cotton textile, in the form of cotton textile as defined in this order. When this is done the requirements of M-328 are met and it is unnecessary to use any other notation.)

(2) *Cotton textiles for domestic use.* A person (other than the United States Army, Navy, Maritime Commission or War Shipping Administration on their direct purchase orders), applying or extending a rating for a cotton textile, which was assigned by a Preference Rating Schedule or under a War Production Board form, shall place upon the purchase order an appropriate notation, substantially as follows:

This rating has been assigned by M-317, Group(s) No. _____ [Insert applicable group number or numbers of Preference Rating Schedule.]

or

This rating has been assigned under Form WPB _____, Serial No. _____. [Insert the War Production Board form number and its serial number.]

(This notation is to be used when the rating for a cotton textile, as defined in this order, is assigned by a Preference Rating Schedule or a War Production Board form. When this is done the requirements of M-328 are met and it is unnecessary to use any other notation.)

The standard certification described in Priorities Regulation 7 may be used in applying or extending the rating, but the specific notation of subparagraph (1) or (2) above must be added.

(e) *Restrictions on extension of rating to obtain fiber or yarn.* (1) No person shall use any preference rating which was assigned, applied or extended for cotton textiles in order to obtain any synthetic fiber or synthetic yarn, except cotton textiles for direct or ultimate delivery to, or for incorporation into any product for direct or ultimate delivery to, the United States Army, Navy, Maritime Commission or War Shipping Administration.

(2) No person shall use any preference rating which was assigned, applied or extended for knitted or woven fabrics, in order to obtain cotton yarns defined in paragraph (a) (1) (ii). If he does not own or control spinning machinery, he may use the rating to obtain cotton yarns for incorporation into products for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration. If he does own or control spinning machinery, upon his showing on Form WPB-2842 the extent to which it is insufficient or unsuitable to produce cotton yarns required for incorporation into products for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration, the War Production Board may authorize him to use that rating to obtain a specific quantity of cotton yarns for that purpose.

(3) No person owning or controlling spinning machinery shall use any preference rating which was assigned, applied or extended for yarn, in order to obtain cotton yarns defined in paragraph (a) (1) (ii), except to the extent authorized by the War Production Board, upon his showing, on Form WPB-2842, that his own spinning is insufficient or unsuitable to fill that yarn order.

(f) *Obligations in respect of rated orders.* (1) Each producer—even if he is also an intermediate processor, processor, merchant or user—shall, during the first calendar quarter of 1944 and in each succeeding calendar quarter, deliver or set aside for later delivery on rated orders those percentages of his total production (in pounds or yards according to his usual method of operation) of each cotton textile as specified in the Distribution Schedules of this order.

(2) No producer, after January 1, 1944, shall be required to fill rated orders in excess of the percentage of his production of each cotton textile as specified in the Distribution Schedules, computed by calendar quarters.

(3) The War Production Board may establish other percentages with respect to any of the cotton textiles listed in the Distribution Schedules.

(4) No person shall be required to accept any rated order for cotton textiles calling for delivery more than 90 days after the receipt of the order, except from the United States Army, Navy, Maritime Commission or War Shipping Administration.

(g) *Special conditions.* No producer, intermediate processor, processor, merchant or user shall sell, deliver, buy, accept or use a cotton textile or any product containing a cotton textile or assign, apply or extend a preference rating contrary to the provisions in Column III of a Preference Rating Schedule or in Column VI of a Distribution Schedule of this order.

(h) *Exports.* No person shall purchase for export any of the cotton fabrics defined in paragraph (a) (1) (i), other than woven or braided fabrics 12 inches or less in width, except with a preference rated order.

(i) *Inventory restrictions.* No person shall accept delivery of any cotton textiles if his aggregate inventory exceeds or would then exceed the lesser of (1) a practicable minimum working inventory, or (2) his requirements for 90 days (except in the case of merchants and users of cotton textiles used in crop cultivation).

In computing inventory include products in process of manufacture but exclude cotton textiles in transit or in process of conversion.

(j) *Allocation.* The War Production Board may assign preference ratings for or allocate and direct deliveries of cotton textiles pursuant to application on Form WPB-2842.

(k) *Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board.

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

(m) *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 priorities control, and may be deprived of priorities assistance.

(n) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref.: M-317.

Issued this 21st day of February 1944.

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

AA-1 PREFERENCE RATING SCHEDULE

Preference rating AA-1 is assigned for each group to the intermediate processor, processor and merchant in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
1	Intermediate processor. Processor.	Carded yarn. Combed yarn. Hawser cord (ring twisted only). Seine twine (ring twisted only).	Wire and cable insulation. Wire rope centers.
2	Processor. Merchant.	Fishing twine.	Commercial fishing gear, as defined in Limitation Order L-282. Twines for mending, repairing, and hanging commercial fish nets. Commercial hand fishing lines.
3	Processor.	Cotton tire cord.	Tires. Fuel cells. Fuel hose.

AA-2X PREFERENCE RATING SCHEDULE

Preference rating AA-2X is assigned for each group to the intermediate processor, processor, merchant and user in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
1	Processor. Merchant.	Bagging fabrics, leno. Bagging fabrics, other special. Drill. Duck, flat (including enameling). Jean. Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Cord, filler. Twine, sewing.	New textile bags as defined in Conservation Order M-221, and for a use there permitted. Paper lined bags. Multi-wall paper bags. Spiral tube shipping containers. Barrel covers.
2	Merchant. User.	Cord, filler. Thread. Twine (other than seine).	Bag closures.
3	Processor.	Flannel, canton. Print cloth of less than 80 sley. Sheetings: Class A. Class C. Soft-filled, for napping.	Buffing wheels or buffs.
4	Intermediate processor. Processor.	Drill Jean. Print cloth of less than 80 sley. Sheeting: Class C. Twill.	Coated abrasive products.
5	Processor.	Duck, army. Yarn, carded. Yarn. combed.	Transmission belts, tapes and ropes. Polishing, grinding and rouging belts. Harvester webbing. Shuttle strap belt.
6	Processor.	Duck, flat (including enameling and pipe). Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Special, not listed in column IV of Limitation Order L-99. Tobacco cloth.	Magnesia, asbestos, fibre glass and other pipe covering.
7	Intermediate processor. Processor.	Covert. Denim. Drill. Moleskin. Print cloth. Sateen Sheetings: Class A. Class B. Suede. Twill. Tobacco cloth. Thread. sewing.	Safety equipment specifically designed and used to furnish protection against specific occupational hazards (other than weather), as defined and limited in Limitation Order L-114.
8	Intermediate processor. Processor.	Drill. Flannel, canton. Flannel, outing. Meads cloth. Print cloth. Sheetings: Class C. Soft-filled for napping. Tobacco cloth. Twill. Meads cloth.	Surgical dressings, meaning those products used in the cure, mitigation, treatment or prevention of traumatic or pathological conditions resulting from surgery, injury or disease, and which are commonly known and sold as surgical or medical products.

AA-2X—PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
9	Intermediate processor. Processor.	Drill. Flannel. Netting, knitted. Print cloth. Sateen. Sheeting: Class C. Twill.	Rubber gloves as defined and limited in Rubber Order R-1, as amended December 4, 1943, Schedule A, Code 18.
10	Intermediate processor. Processor.	Drill. Duck, army. Jean. Osnaburg. Print cloth of less than 80 sley. Sateen. Sheeting: Class A. Class C. Twill. Yarn, carded.	Rubber hose and tubing for safety and industrial purposes (including mine and shipbold ventilating tubing and fire hose). Rubber packing and gaskets, and other mechanical rubber products, as defined and limited in Rubber Order R-1, as amended December 4, 1943, Schedule A, Code Nos. 11 and 12.
11	Processor. User.	Duck, flat (including enameling). Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C.	Chafer fabrics, flippers, bead wraps, liner and wrapper fabrics used in the manufacture of tires and other rubber products.
12	Intermediate processor. Processor.	Lawn. Osnaburg. Print cloth. Sheetings: Class C. Tubing, industrial. Window shade cloth.	Cloth and non-selvage tape for industrial uses: Carton tape. Corrugated or fibreboard boxstay tape. Gummed cloth tape. Varnished cambric tape. Varnished cambric cloth for use in Rubber Industry. Holland cloth for use in Rubber Industry. Separator cloth. Insulating tape. Cable wrapping tape. Friction tape. Pressure sensitive tape. Sealing tape. Supporting tape. Identifying tape.
13	Intermediate processor. Processor.	Sheeting: Class B.	Varnished cambric to be used only for camelbacks (see Group 12 for list of other fabrics which may be purchased with this rating for varnished cambric irrespective of use).
14	Processor.	Yarn, carded.	Insulating materials: Selvage tape. Insulating webbing and sleeving.
15	Intermediate processor. Processor.	Drill. Duck, Army. Duck, flat (including enameling). Lawn. Print cloth. Sheetings: Class A. Class B. Class C. Twill.	Fabric reinforced laminated plastics.
16	Merchant. User.	Drill. Flannel, canton. Jean. Lawn. Print cloth of less than 80 sley. Sheetings: Class B. Class C. Soft-filled for napping. Tobacco cloth. Twill.	Filter and wrapping cloths used in the manufacture of chemicals and chemical products.
17	User.	Cord, solid braided.	Signal or control cords for use by common carriers.
18	Processor.	Yarn, carded. Yarn, combed.	Paper makers' blankets. Woven felts for industrial purposes.
19	Processor.	Yarn, carded. Yarn, combed.	Card clothing fabric.
20	Processor.	Print cloth of less than 80 sley. Yarn, carded.	Blasting caps and fuses.
21	Intermediate processor. Processor. Merchant. User.	Bagging, leno. Drill. Duck, bootleg. Duck, flat. Flannel. Osnaburg. Print cloth of less than 80 sley. Sheetings: Bed. Class A. Class B. Class C. Ticking, woven stripe. Tobacco cloth. Twill. Twine (other than seine). Yarn, carded.	Agricultural and feed processing uses: Farm equipment: Horse collars and pads. Back bands. Fly nets. Horse and cow blankets. Dairy products equipment. Crop cultivation and harvesting uses. Meat packers supplies. Glass cloth and incubator crinoline for poultry raising and other farm uses. Filter cloths required in the production of sugar, honey, and vegetable oils.

AA-2X—PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
22	Processor.	Osnaburg.	Membrane waterproofing (asphalt saturated fabric).
23	Intermediate processor. Processor.	Print cloth of less than 80 sley. Sheeting: Class C. Tobacco cloth.	Waterproof wrapping materials (non-oxidizing cloths, impregnated and laminated fabrics).
24	Intermediate processor. Processor.	Lawn. Print cloth. Sheetings: Bed. Class B. Class C. Window shade cloth.	Tracing cloth. Maps for military or military training use.
25	Processor. Merchant.	Drill. Sheeting: Class C. Sateen. Twill.	Dust arrestors used in manufacturing plants.
26	Intermediate processor. Processor.	Lawn. Typewriter ribbon cloth.	Typewriter or duplicating ribbons.

AA-4 PREFERENCE RATING SCHEDULE

Preference rating AA-4 is assigned for each group to the intermediate processor, processor and user in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
1	Intermediate processor. Processor. User (non-profit public institutions only).	Blanket lining. Chambray. Corduroy. Cottonade. Covert. Denim. Denim stripes. Drill. Duck, enameling. Flannel, woven shirting. Gabardine. Hickory stripe. Jean. Moleskin. Pin check. Poplin. Sheetings: Bed. Class A. Class B. Class C. Sateen, warp. Suede. Tobacco cloth. Twill, four leaf. Whipcord. Thread, sewing.	Men's and boys' work clothing, meaning any garments designed for male workers' wear while engaged in their occupations and of the type customarily sold as one of the following: Waistband overalls or dungarees. Bib overalls. Overall jumpers or coats. Blanket-lined overall jumpers or coats. One-piece work suits. Work pants. Work breeches. Cossack jackets. Work shirts. Work aprons. Lined work coats. Doctors', dentists', internes' or orderlies gowns, suits or coats. Druggists' coats. Slaughter house workers' coats. Butchers', fish handlers' or dairy workers' coats or apron sets. Cooks' coats. Shop and work caps. See note.
1-a	Intermediate processor. Processor.	Print cloth. Sheetings: Bed. Class B. Class C. Thread, sewing.	Oilskin jackets, coats, hats or apron overalls. Occupational protective clothing (i. e. black rubber clothing).
2	Intermediate processor. Processor.	Flannel, mitten. Flannel, colored stripe mitten. Osnaburg. Print cloth of less than 80 sley. Sheeting: Class C. Tubing. Twill. Thread, sewing.	Work gloves, meaning any type of hand covering designed for workers' wear while engaged in their occupations and of the type customarily sold as such.
3 Cancelled.		Broadcloth. Chambray, except 3.90 yard. Drill. Jean. Poplin. Print cloth. Seersucker. Sheeting: Class A. Class B. Class C. Suiting (including frock cloth). Thread, sewing.	Hospital clothing. This rating and all applications or extensions as to deliveries not made by February 21, 1944 are cancelled.

NOTE: The rating for print cloth and twills other than four leaf twills is cancelled, and all applications or extensions of the rating as to deliveries not made by February 21, 1944, are cancelled.

AA-4 PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
4 Cancelled.		Covert. Denim. Drill. Hickory stripe. Jean. Pin check. Pin stripe. Poplin. Print cloth, of less than 80 sley. Sheeting: Class A. Suiting (including frock cloth). Twill Thread, sewing.	Women's work clothing. This rating and all applications or extensions as to deliveries not made by February 21, 1944 are cancelled.
5	Intermediate processor. Processor.	Drill. Duck, Army. Duck, boot. Duck, flat (including enameling). Duck, gem. Flannel, shoe. Gabardine. Jean. Netting, knitted. Osnaburg. Print cloth of less than 80 sley. Sheeting: Class A. Class B. Class C. Sateen. Twill.	Rubber footwear, as defined and limited in Rubber Order R-1. All other footwear as defined and limited in Conservation Order M-217.
6	Processor.	Knitting yarns.	Knitted cotton linings to be used only in the manufacture of rubber footwear, as defined and limited in Rubber Order R-1.
7	Intermediate processor. Processor.	Diaper cloths: Birdseye. Gauze. Flannelette. Print cloth of less than 80 sley. Tobacco cloth.	Diapers or finished diaper cloth packaged for consumer distribution.
8	Intermediate processor Processor.	Tobacco cloth.	Sanitary napkins.
9	Processor.	Yarn, carded.	Wicking for oil lamps and stoves.

AA-5 PREFERENCE RATING SCHEDULE

Preference rating AA-5 is assigned for each group to the intermediate processor, processor and user in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
1	User.	Bedspreads, crinkle. Blankets (including crib). Diapers. Flannelette. Pillow cases. Sheeting: Bed and pillow case. Class A. Class B. Class C. Sheets: Bed. Crib. Toweling: Huck. Terry. Towels: Huck. Terry. Washcloths, terry.	Hospital use.
2	Intermediate processor. Processor.	Duck, Army. Duck, flat (including enameling). Print cloth of less than 80 sley. Tobacco cloth. Window shade cloth.	Book binding cloths.
3	Intermediate processor. Processor.	Drill. Duck, flat (including enameling). Lawn. Print cloth of less than 80 sley. Sateen. Sheeting: bed. Sheeting: Class C. Tobacco cloth. Twill.	Artificial leather for replacement and maintenance use. For manufacture into coated fabrics for export or for sale to manufacturers of: Book covers. Baby carriages. Bicycle and motorcycle seats. Instrument cases. Shoes. Infants' waterproof panties. Sanitary garments. Crib sheets and mattresses. Allergic mattress covers and pillow cases. Bathinettes. Water repellent sheeting or sheets. Play pen pads. High chair pads. N. b. This rating is assigned only to intermediate processors and processors of coated fabrics and is not assigned to the manufacturers of the end products to obtain coated fabrics.

AA-5 PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
4	User.	Cover cloth. Cover duck. Drill. Feed ribbons. Felt, table, double napped. Sateen. Sheeting, laundry.	Laundry and dry cleaning operating supplies.
5	Intermediate processor. Processor.	Print cloth of less than 80 sley. Seconds, shorts and remnants of print cloth 80 sley and higher.	Laundry and dry cleaning tags.

DISTRIBUTION SCHEDULE—COTTON YARNS, CORDAGE AND TWINE

Column I indicates the corresponding item numbers of the various cotton textiles in this Schedule as each appears on Form WPB-658E (12-15-43).

Column II shows the cotton textiles covered by this schedule.

Column IV shows the minimum percentage which must be delivered by the producer against all rated orders. However, where the percentage in Column IV amounts to 100, seconds which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

Column V shows the percentage beyond which rated orders need not be accepted by the producer. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than the previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filled only from that percentage applicable to a subsequent quarter.

The provisions and explanations stated in Column VI apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. However, the restrictions in Column VI relating to exports do not apply where the export license or release certificate was issued before January 1, 1944.

Column I	Column II	Column IV	Column V	Column VI
	Carded cotton sale yarn			
16 thru 18	Single machine knitting	50	70	
	Single (other than machine knitting):			
1 thru 3, 22, 23, 27, 28	20's and coarser	65	85	
4, 5, 27, 29	Finer than 20's	50	70	
6 thru 15, 19, 21, 25 thru 29	Ply yarns	75	90	
20	Mop yarns		100	
	Combed cotton sale yarn			
	Single and ply machine knitting:			
51 thru 56	70's and coarser	45	60	
57 thru 60	Finer than 70's		100	
	Single (other than machine knitting):			
30 thru 32, 62	40's and coarser	90	100	
33 thru 35, 62	Finer than 40's and coarser than 71's	45	60	
36 thru 39, 62	71's and finer	65	85	
	Ply yarn (other than machine knitting and thread yarn):			
40 thru 42, 50, 62	40's and coarser	90	100	
43 thru 45, 50, 62	Finer than 40's and coarser than 71's	70	85	
46 thru 50, 62	71's and finer	30	50	
61	Thread yarn		100	
74, 75	Seine twine and cable cords (including fish net twine, trot lines, staging twines, etc.).	80	100	
76 thru 78	Twines, other than seine twine and cable cords	60	80	

DISTRIBUTION SCHEDULE—FINE COTTON GOODS

Column I indicates the corresponding item numbers of the various cotton textiles in this Schedule as each appears on Form WPB-658 C (12-15-43)

Column II shows the cotton textiles covered by this schedule.

Column III shows the minimum percentage which must be delivered by the producer against rated export orders for cotton textiles. This provision does not apply to exports made by the United States Army, Navy, Maritime Commission or War Shipping Administration.

Column IV shows the minimum percentage which must be delivered by the producer against all rated orders (including those specified by Column III). However, where the percentage in Column IV amounts to 100, seconds, shorts or remnants, which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

Column V shows the percentage beyond which rated orders need not be accepted by the producer. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filled only from that percentage applicable to a subsequent quarter.

The provisions and explanations stated in Column VI apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. However, the restrictions in Column VI relating to exports do not apply where the export license or release certificate was issued before January 1, 1944.

DISTRIBUTION SCHEDULE—FINE COTTON GOODS—Continued

Column I	Column II	Column III	Column IV	Column V	Column VI
10, 11	Combed broadcloths 37"-128 x 68 and 37"-136 x 60	10	75	100	
12	All other combed broadcloths	10	20	100	
13	Dimities	10	10	100	
16, 17	Fancy handkerchief fabrics			100	
18 thru 27	Lawns (Combed, part-combed and carded)	10	45	70	
28 thru 31	Marquisettes	7½	7½	100	
33	Oxfords	10	10	100	
34	Piques			100	
35	Pongees			100	
37, 38	Combed poplins	10	65	80	
40	Combed and part-combed sateens	10	55	70	
41, 42	Carded sateens (average yarns finer than 36s)	10	25	100	
43	Combed sheeting, including bed sheeting and pillow cases.			100	
44	Shirtings (jacquard, gray-dobby and colored yarn)	10	10	100	
53, 55	Combed and part-combed twills	10	30	100	
54	Combed gabardines	10	40	60	
56	Carded twills (yarns finer than 36s)	10	40	80	
57	Tracing cloth		25	100	
58	Typewriter ribbon cloth		50	100	
59	Voiles	10	10	100	
60, 61	Combination cotton and rayon fabrics—chiefly cotton.	10	10	100	
62	All other combed, part-combed and fine carded fabrics (yarn finer than 36s).	10	25	100	
1 thru 9, 14, 15, 32, 36, 39, 45, 46 thru 49, 50 thru 52.	Airplane fabrics and balloon cloth, combed ducks, escape boat cloth, insect netting, marquisette (PQD-260), wind resistant poplins—Type 11 (PQD-1A), wind resistant sateens, 9 oz. (PQD-215-D), twills (combed), Army 6.0 oz. shirting twill (6-311), Army 8.2 oz. uniform twill (6-201-b), Navy twills.	2½	75	100	Seconds, shorts and remnants only shall be used to fill the export requirements.

DISTRIBUTION SCHEDULE—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES

Column I indicates the corresponding item numbers of the various cotton textiles in this Schedule as each appears on Form WPB-658B (12-15-43).

Column II shows the cotton textiles covered by this schedule.

Column III shows the minimum percentage which must be delivered by the producer against rated export orders for cotton textiles. This provision does not apply to exports made by the United States Army, Navy, Maritime Commission or War Shipping Administration.

Column IV shows the minimum percentage which must be delivered by the producer against all rated orders (including those specified by Column III). However, where the percentage in Column IV amounts to 100, seconds, shorts or remnants which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

Column V shows the percentage beyond which rated orders need not be accepted by the producer. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filled only from that percentage applicable to a subsequent quarter.

The provisions and explanations stated in Column VI apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing these textiles. However, the restrictions in Column VI relating to exports do not apply where the export license or release certificate was issued before January 1, 1944.

Column I	Column II	Column III	Column IV	Column V	Column VI
	Sheeting and allied coarse and medium yarn fabrics (approx. 6's to 27's)				
1 thru 8	Osnaburgs	5	100	100	
9	Leno bag fabrics		100	100	
10	Special bag fabrics		100	100	
11	Bale coverings (for cotton, cloth, etc.)			100	
14 thru 17, 19	Class A sheetings, under 42"	5	100	100	
18, 20	Class A sheetings, 42" and wider	10	100	100	
21 thru 26, 28	Class B sheetings, under 42"	5	100	100	
27, 29	Class B sheetings, 42" and wider	10	100	100	
30 thru 39, 41, 43	Class C sheetings, under 42"	10	70	100	
40, 42, 44, 45	Class C sheetings, 42" and wider	10	50	70	
	Bed sheetings, 42" and wider (including made up sheets and pillow cases):				
46, 47	Sley of more than 64	10	30	50	
48, 49	Sley of 64 and less	10	30	50	
50	Pillow tubings			100	
50	Industrial tubings		100	100	
51	Carded poplins (sheeting yarns)	10	35	50	
52	Army 8.5 oz. herringbone twill (Army Spec. No. 6-201).		75	100	
53 thru 60	Other three leaf herringbone twills, all drills and jeans.	10	75	100	Jeans, as piece goods, may not be delivered for export.
61	Three leaf pocketing twills 39" 2.58 or 3.00 yd. (sheeting yarns).	10	25	40	
62	Three leaf silesia twills (sheeting yarns)		75	100	
63 thru 69	Four leaf twill fabrics	10	75	100	
	Warp and filling sateens (sheeting yarns):				
70	Narrow (under 42")	10	20	50	
71	Wide (42" and wider)		75	100	
72	Gabardines (carded)	10	20	50	
73	Birdseye diaper cloth		100	100	May not be used for industrial purposes.

DISTRIBUTION SCHEDULE—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

Column I	Column II	Column III	Column IV	Column V	Column VI
	Print cloth yarn fabrics (approx. 28's to 42's)				
74	Print cloth yarn fabrics of window shade quality—all counts.		30	60	
75, 81, 82	Plain print cloths, 80 sley and higher		100	100	These cotton textiles, as piece goods, may not be delivered for export.
76 thru 81, 83, 86	Other plain print cloths (including fancies, other than dobby weave), except bandage cloths.	10	35	70	
87, 88	Bandage cloths (99 to 72 threads per square inch).	10	90	100	
	Tobacco and cheesecloths:				
89	All widths, 20 x 12 construction		90	100	
90	All widths, 17 to 18 sley. 12 to 14 pick.		100	100	May be used only for sanitary napkins and milk filters.
91	All other constructions	5	80	100	
92 thru 95	Carded broadcloth, plain and fancy	10	25	50	
96	Carded poplins (print cloth warp yarns) plain and fancy.	10	25	50	
97	Three Leaf Twills (print cloth yarns)	10	25	55	
	Colored yarn fabrics				
	Denins, pin stripes, pin checks, hickory stripes, etc.:				
98 thru 106	3.00 yd. and heavier (basis 28")		100	100	
103, 104	Lighter than 3.00 yd. (basis 28")	10	50	75	
107 thru 110	Cottonades and suiting coverts	10	90	100	
111	Whipcords and bedford cords	10	90	100	
112	Ginghams	10	10	100	
113, 114	Seersuckers	10	45	100	
115, 116	All other all cotton suitings	10	10	100	
117, 118	Cotton and rayon suitings (51% or more cotton).	10	10	100	
119 thru 121	Shirting coverts	10	75	100	
122	Chambrays (36", 3.90 yd.)		100	100	Except for shorts, remnants and prison-made goods, these cotton textiles, as piece goods, may not be delivered for export.
123	All other chambrays	10	10	100	
124	Bed tickings	10	10	100	
	Towels, toweling and dish cloths, wash cloths and bath mats				
125	Turkish and terry woven	10	30	50	
126	Huck	5	30	55	
126	Damask and Jacquard woven (other than terry).	5	5	50	
127	Dish towels and other twill and plain woven towels (including all cotton, part linen and part rayon).	5	25	50	
128	Dish cloths			100	
	Napped fabrics				
129	Outing flannels	10	25	50	
130, 131	Work shirt flannels	10	70	90	
132	Canton flannels		90	100	At least 85% must be sold for the manufacture of work gloves.
134	Interlining flannels	10	10	100	
135	Moleskins and suèdes	10	100	100	
133, 136	All other napped fabrics, except blankets.	10	75	90	Neither gun patch flannel nor gun patches may be delivered for export.
	Soft filled sheetings for napping:				
12	Under 42"	10	10	100	
13	42" and wider	10	10	100	
137	Blankets and blanketing, crib			50	
138 thru 140	Blankets and blanketing, other than crib.	10	10	50	
	Other woven cotton fabrics and specialties				
153	Corduroys, Men's Wear Weights 36"—12 to 13 oz. Thicksets.	2½	100	100	
152, 154	All other corduroys	2½	15	100	
143, 144	Bedspread fabrics—woven style			100	
147	Flag bunting		80	100	
148 thru 151	Drapery, upholstery, tapestry, luggage and automobile seat cover fabrics.	10	10	100	
155, 156	Velvets, velveteens, plushes and other pile fabrics.	10	35	65	
157	Table damask	5	5	40	
145, 146, 158	All other carded fabrics, except ducks and tire fabrics.	10	10	100	

[F. R. Doc. 44-2496; Filed, February 21, 1944; 11:29 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317, Interpretation 1 as Amended Feb. 21, 1944]

COTTON TEXTILE DISTRIBUTION

The following interpretation relates to General Conservation Order M-317 as amended February 21, 1944:

1. Q. Is the denim direction of May 21, 1943, superseded by Order M-317?

A. No. It will continue in effect until expressly revoked in writing.

2. Q. Where a person is given a rating in a preference rating schedule to obtain a particular fabric for a specified end use, is it necessary for that person actually to apply to the War Production Board for the right to use that rating?

A. No. The ratings given by these schedules are assigned in the order and may be applied without application.

3. Q. May a jobber use an AA-5 preference rating to acquire pillow cases in anticipation of business which he expects to get from a hospital?

A. No. The jobber has no rating to use until he receives rated orders from the hospital (user). Only after he has received such an order does the jobber have any rating which he can extend.

4. Q. Suppose, before December 24, 1943, when the order was amended, a spinner of sewing twine had on his books an unfilled and unrated order from a manufacturer of textile bags. Would the manufacturer be allowed to apply an AA-2X preference rating to the remainder of that already placed order?

A. Yes. In Group 1 of the AA-2X preference rating schedule, a processor (manufacturer) is given that rating for sewing twine to be used in the manufacture of textile bags. The rating may be used by him for that purpose, both in connection with unshipped balances of sewing twine orders as well as subsequent orders.

5. Q. Under Group I of the AA-2X preference rating schedule a bag manufacturer is given this rating to obtain flat duck to be used in the manufacture of bags, but he is not given a preference rating to buy this fabric to make tarpaulins. Is he allowed to use flat duck in the manufacture of tarpaulins?

A. Yes. Although the order does not give the bag manufacturer a rating to obtain flat duck to be made into tarpaulins, he is not prohibited from buying flat duck without a preference rating for that purpose. The mill may sell flat duck without a rating to the tarpaulin manufacturer so long as it does not interfere with the filling of rated orders.

6. Q. Does the fact that a particular use or end product is not included in a preference rating schedule mean that no cotton textile may be used for that particular purpose?

A. No. Preference ratings have been given to certain classes of persons to obtain specified cotton textiles for important uses which are described in the preference rating schedules. However, the cotton textiles mentioned in the preference rating schedules or any other cotton textiles may be used for any purpose unless prohibited by Column VI of the distribution schedules of this order or by some other order of the War Production Board.

7. Q. An AA-2X preference rating is given to a manufacturer to obtain window shade cloth for military maps (Group 24). No rating is given in the preference rating schedules to a window shade manufacturer. Does this mean that the window shade manufacturer must obtain a rating in order to get window shade cloth or that he is not allowed to purchase window shade cloth?

A. No. It merely means that a preference rating is not given to him.

8. Q. Is a cotton mill which normally dyes and sanforizes its own production of gray goods for the purpose of sale to manufacturers of work clothing required to accept a rated order for gray sheeting from a bag manufacturer?

A. Yes. Since a work clothes manufacturer has a rating of AA-4 and the bag manufacturer is given a rating of AA-2X, the gray goods must be sold to the bag manufacturer on the AA-2X rating rather than dyed and sanforized for sale to the work clothes manufacturer.

9. Q. A priority is given by the AA-4 preference rating schedule, Group 1, to a manufacturer to obtain fabrics for men's and boys' work clothing. Does work clothing mean anything the manufacturer deems to be work clothing?

A. No. Work clothing is that kind of apparel which is generally recognized and accepted in the trade as work clothing. The rating to be used properly must be used for the special purpose of manufacturing work clothing, and the manufacturer of work clothing must conform with L-181.

10. Q. Are the descriptions of the fabrics listed in Column II, Group 1, of Preference Rating Schedule AA-4 intended to include fabrics which are made wholly of combed or carded yarns or of combinations of both, such as twills or poplins?

A. Yes.

11. Q. When should the notations specified in paragraph (d) of M-317 be used and when should the notations specified in paragraph (b) of Order M-328 be used?

A. If the rating is received by virtue of a Preference Rating Schedule of Order M-317, or by a War Production Board form for a cotton textile as defined in M-317, the certification provided for in Priorities Regulation 3 or the standard certification of Priorities Regulation 7 must be used and, in addition, one of the appropriate notations referred to in paragraph (d) (1) or (d) (2) of M-317 must be used. This will satisfy all certification and notation requirements of M-328.

If the rating is for a product not within the definition of "Cotton textiles" in M-317, then the provisions of paragraph (b) of M-328 must be followed.

It should be noted that the Preference Rating Schedules of M-317 do not assign any rating for export. The answer to Question 16 explains how ratings for export orders are given.

NOTE: See paragraph (d) of M-317 as amended February 21, 1944.

12. Q. What ratings are given for diapers?

A. An AA-4 Preference Rating is given to converters and manufacturers to obtain cloth to be made into diaper cloth or diapers. An AA-5 Preference Rating is given to a hospital for the purchase of diapers.

The effect is that in purchasing diapers, a hospital uses an AA-5 preference rating which may be given to a manufacturer or to a jobber who in turn will pass it on to a manufacturer. This rating of AA-5 does not assist the manufacturer because he already has an AA-4 rating to obtain the fabric with which to make the diapers. It does, however, serve the purpose of giving priorities assistance to hospitals over other types of users.

13. Q. If a manufacturer of work gloves should receive an order from the Navy with an AA-2X rating, may he extend the AA-2X rating to buy mitten flannel or must he use the AA-4 rating given for Group 2 of the AA-4 preference rating schedule?

A. Since he is purchasing that textile for incorporation into a product to be delivered to the Navy, he may use the AA-2X rating and is not required to use the AA-4 rating.

14. Q. The order in subparagraph (a) (2) refers to the United States. Does that mean only the 48 states?

A. For the purposes of this order, United States means not only the 48 states but all the territories and possessions of the United States.

15. Q. Is a Canadian bag manufacturer given a preference rating by any Preference Rating Schedule?

A. No. In the AA-2X preference rating schedule, Group 1, a processor is given that rating for bagging fabrics to make bags. Only a domestic manufacturer is meant. The definition of "processor" relates only to a person engaged in the United States in the business of manufacturing.

16. Q. From where do ratings for export orders come?

A. A rating is given in connection with the granting of export licenses by the Foreign Economic Administration (Office of Economic Warfare). A rating is also given in connection with Treasury Department purchases for the Foreign Economic Administration (Lend-Lease and OFRRO). Canadian importers are being granted ratings by the Canadian Division of the War Production Board in Montreal, Canada, operating in conjunction with the Canadian Wartime Prices and Trade Board. All the ratings are AA-5.

17. Q. Can a domestic exporter or a Canadian importer use the ratings of the Preference Rating Schedules?

A. No.

18. Q. Does the order prohibit shipment without a rating to a Canadian purchaser who made a contract prior to December 24, 1943?

A. Yes it does. However, the Canadian purchaser may apply to the Cotton Administrator, Wartime Prices and Trade Board, Aldred Building, Montreal, for a preference rating.

19. Q. Must the purchaser for export show on his order any export license or serial number or any WPB serial number?

A. No export license or export serial number need be stated on his order. However, if a rating is assigned by Form WPB 2842, the serial number of that form must be inserted in the notation required by paragraph (d) of M-317.

[This interpretation is superseded by paragraph (d) of M-317 as amended Feb. 21, 1944]

20. Q. Do the restrictions of Column VI of the distribution schedules apply even to goods produced or ordered before December 24, 1943, the date of amendment?

A. Yes. The Column VI restrictions apply no matter when the goods were produced,

converted or ordered, and they apply to the producer, intermediate processor, processor, merchant and user. However, the Columns III, IV and V provisions cover only the producer (mill), and relate only to goods produced on and after January 1, 1944, regardless of the date they were ordered.

21. Q. Do the percentages in the distribution schedules apply separately to each construction?

A. No. They apply by groups to all the constructions covered by the respective Column I item numbers. For example, Items 76 thru 81, and 83 in Column I of the Carded Gray Goods Distribution Schedule refer to "other plain print cloths, except bandage cloths" and it is required that 40% be delivered against rated orders. This does not mean 40% of each and every fabric produced by the mill, but 40% of the aggregate yardage of the constructions fitting into those categories.

22. Q. In the Carded Gray Goods Distribution Schedule (Items 46, 47 and 48, 49) referring to bed sheetings 42" and wider (including made up sheets and pillow cases), the requirement is that at least 10% be delivered against rated export orders. May this obligation be satisfied by delivery, in whole or in part, of yard goods (gray or bleached) as well as sheets and pillow cases?

A. Yes. The total yardages are interchangeable. Paragraph (a) (1) (i) defines cotton textiles to include gray or finished fabrics as well as bed sheets and pillow cases.

23. Q. Is a mill which produces soft-filled sheeting and converts it into suede subject to the minimum rated percentages under soft-filled sheetings (Items 12 and 13, Carded Gray Goods Distribution Schedule) as well as the percentages for moleskins and suedes (Item 135)?

A. Yes. Inasmuch as the mill produces both soft-filled sheetings and suedes it must comply with the minimum percentage requirements as to both. However, the suede which is sold on rated export and other rated orders can be credited against the minimum requirements for the delivery of soft-filled sheeting.

24. Q. Are remnants to be excluded from the total of a mill's production for the purposes of the percentages in Columns III, IV and V of the distribution schedules?

A. No. They are to be treated the same as seconds and shorts for the purpose of the distribution schedules.

25. Q. Are seconds and shorts to be considered as part of the mill's total production for the purposes of Columns III, IV and V?

A. Yes. In making calculations a mill's entire production must be considered, including seconds, shorts and remnants. When the Column IV percentage is 100, the privilege is given to the mill to dispose of seconds, shorts or remnants without ratings if no rated orders are available. But if rated orders are presented for seconds, shorts or remnants, those orders must be accepted.

26. Q. Is the mill bound by the provisions in Columns III and IV of the Distribution Schedules even if the rated business is not offered to it?

A. Yes. This does not mean, however, that the War Production Board will grant ratings for uses of cotton textiles which have not heretofore been rated. The percentages in Columns III and IV have been set at levels to cover the quantities of rated business available for each group of fabrics. It, therefore, becomes necessary that each mill actually obtain the specified quotas of rated orders, although the result of this requirement will be that in certain instances mills will be unable to accept their accustomed amount of unrated business.

27. Q. In the heading of each distribution schedule there is a provision which states that if receipt of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filled only from that percentage applicable to a subsequent quarter. Does this mean that producers cannot sell their yardage against ratings in excess of the percentage specified in Column V?

A. If after the seller has received the specified quantity of rated orders, another order rated lower than or the same as any of those already accepted is offered to him he may refuse it or he may accept it. This is a case where he is allowed to exceed the Column V percentage with rated orders.

If the newly offered order is rated higher than those he has already accepted, he must accept it, and it must displace the lowest rated order. This is a case where he is not allowed to exceed the Column V percentage with rated orders.

28. Q. The distribution schedules differentiate "bandage cloths" from other types of print cloth. The Preference Rating Schedules do not refer to "bandage cloths". Are "bandage cloths" included in the preference rating schedules?

A. Yes. Print cloths include bandage cloths. They are sub-divided in the distribution schedules, but are not sub-divided in the preference rating schedules.

29. Q. Where Column VI in the Carded Gray Goods Distribution Schedule provides that plain print cloths, 80 sley and higher, "may not be used for export", does that mean that a garment made of such goods may not be exported?

A. Yes. The restriction applies not only to the export of the fabric named in Column II but also to the use of the fabric in any product being produced for export. Furthermore, that restriction controls not only the mill, but also the converter, jobber and cutter.

[This interpretation is superseded by amendment to M-317 issued February 21, 1944, which substituted "These cotton textiles, as piece goods may not be exported" for "May not be used for export," in Column VI.]

30. Q. Suppose rated export orders, exceeding the percentage specified in Column III, are presented. Must the mill accept them?

A. Yes. Those rated orders must be accepted to the extent of the Column V percentage.

31. Q. If a mill is making only one construction of "other plain print cloths, except bandage cloths" (Carded Gray Goods Schedule, Items 76 thru 81, 83) namely 38½" 64 x 60 5.35 yard to meet special quality standards, for which he receives an AA-2 preference rating from an insulating tape manufacturer, is he obliged to deliver 10% for export?

A. Yes. Since Column III specifies 10% as the portion of his production which must be delivered against rated export orders, the mill is obliged to comply unless relieved upon appeal.

32. Q. Does a mill, which is required to deliver a minimum of 10% of its production of Class B sheetings against rated export orders satisfy the requirement by shipments on ratings to a domestic bag manufacturer who will manufacture those goods into bags which will be exported?

A. No. The requirement is that the specified minimum percentage must be delivered against rated orders in the form of a cotton textile. In the case given, the bag manufacturer's order to the mill is not an export, but a domestic, order. Only the bags are covered by an export order.

33. Q. Does delivery of cotton textile to a garment manufacturer who could certify that the garment to be made therefrom is to be exported fulfill the export requirement?

A. No. The provision of Column III of the distribution schedules showing the minimum percentage which must be delivered against rated export orders means rated export orders for a cotton textile and not for a finished product which is not a cotton textile, such as the garment. It is to be noted that when the cotton textile is to be exported, paragraph (d) requires a notation to that effect to be placed by the purchaser on the purchase order.

34. Q. Where a percentage is not specified in Column III of distribution schedules, is the processor relieved of any obligation to accept rated export orders?

A. No. Unless there is a prohibition against export in Column VI, rated orders, export or otherwise, must be accepted up to the Column V percentage. The omission of a percentage in Column III merely indicates that the processor is not required to deliver a minumum percentage against rated export orders.

35. Q. Suppose, before December 24, 1943, when the Distribution Schedules were first adopted, a spinner had received rated contracts for 100 per cent of his first quarter of 1944 production of single machine knitted carded cotton sale yarn (items 16 through 19), does M-317 permit him to cancel those contracts to the extent of 30 per cent of that production, since Column V provides that he is not obliged to accept rated orders for more than 70 per cent?

A. No. The order does not excuse him from performing his existing rated contracts. In his case, only after his existing contracts have been performed will he have the benefit of the provision that "Column V shows the percentage beyond which rated orders need not be accepted by the producer.

Issued this 21st day of February 1944.

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

[F. R. Doc. 44-2497; Filed, February 21, 1944; 11:29 a. m.]

Chapter XI—Office of Price Administration

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

[RMPR 229]

RETAIL AND WHOLESALE PRICES FOR CERTAIN RUBBER FOOTWEAR

Maximum Price Regulation 229 is redesignated Revised Maximum Price Regulation 229 and is revised and amended to read as set forth herein.

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

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

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another Government agency.

§ 1315.1701 *Retail and wholesale prices for certain rubber footwear.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation 229 (Retail and Wholesale Prices for Certain Rubber Footwear), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1315.1701 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION 229—RETAIL AND WHOLESALE PRICES FOR CERTAIN RUBBER FOOTWEAR

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ARTICLE I—SCOPE AND PROHIBITION OF THE REGULATION

SECTION 1. *What this regulation does.* This regulation establishes maximum prices for all sales at retail and wholesale of civilian (non-military) rubber footwear. However, this regulation does not apply to sales or deliveries of rubber footwear on war orders which must be priced under Maximum Price Regulation 403.[1] When used in this regulation the term:

(a) "Rubber footwear" means all types of waterproof and canvas rubber footwear for which maximum prices are set forth in an appendix to this regulation.

(b) "Canvas rubber footwear" means all canvas-topped rubber-soled shoes of vulcanized construction.

(c) "Waterproof rubber footwear" means all rubber footwear of vulcanized construction which protects shoes or feet from moisture.

SEC. 2. *Where this regulation applies.* The provisions of this regulation shall apply to the 48 states of the United States and to the District of Columbia.

SEC. 3. *Relation to other regulations*—(a) *Regulations superseded.* This regulation supersedes the General Maximum Price Regulation[2] and any other regulation issued by the Office of Price Administration as to transactions covered by this regulation.

(b) *Export sales.* The Second Revised Maximum Export Price Regulation[3] covers export sales or sales to exporters. When used in this paragraph the terms "export sale" and "exporter" have the meanings given to them by Section 11 of the Second Revised Maximum Export Price Regulation.

SEC. 4. *Prohibition against dealing in rubber footwear at prices above the maximum.* On and after the date this regulation takes effect, regardless of any contract or other obligation, no person shall sell or deliver at retail or wholesale any rubber footwear subject to this regulation, and no person shall buy or receive any rubber footwear subject to this regulation in the course of trade or business, at a price which is higher than the maximum price. No person shall agree, offer, solicit, or attempt to do any of the foregoing. However, lower prices may be charged.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 5. *Maximum prices for sales at retail of rubber footwear*—(a) *Method of determining the maximum price for each type and brand of rubber footwear.* The seller's maximum price for sales of each type and brand of rubber footwear, shall be the maximum price set forth in Appendix A or Appendix B for that type of rubber footwear for the appropriate price class determined under paragraph (b).

(b) *How the seller determines the appropriate price class.* The seller shall determine the appropriate price class for each type and brand of rubber footwear he sells, as follows:

(1) If the seller sold the type and brand of rubber footwear being priced between September 29, 1942, and February 24, 1944, that type and brand of rubber footwear shall be placed in the same price class as it was under § 1315.1703 of Maximum Price Regulation 229[4] during that period.

(2) If the seller did not sell the type and brand of rubber footwear being priced between September 29, 1942, and February 24, 1944, the appropriate price class shall be determined by reference to the tables set forth in Appendix A for waterproof rubber footwear, and Appendix B for canvas rubber footwear. The seller shall compare the net price at which he purchased the rubber footwear he is pricing after February 23, 1944, with the range of net prices set forth in those tables for that type of footwear. The range of net prices into which the net price he paid falls, shall determine the appropriate price class.

(3) If, at any time subsequent to February 23, 1944, a seller buys a type and brand of rubber footwear in sufficiently larger quantities so that the net price he pays is lower than the net price which he used in determining the appropriate price class for that type and brand of rubber footwear, he must redetermine the appropriate price class by reference to the tables set forth in Appendix A or Appendix B.

(c) *Meaning of the "net price" at which the seller purchased the rubber footwear he is pricing.* The "net price" at which the seller purchased the type and brand of rubber footwear he is pricing, means the lowest price, without cash discount, at which he purchased that type and brand after February 23, 1944, (or the list price, less all discounts except cash discount). Manufacturers' "seconds", clearly marked as such, shall not be considered as establishing the net price for a type and brand of rubber footwear.

(d) *Discounts.* The seller shall deduct from his maximum price, as found in Appendix A or Appendix B, all discounts, allowances, and any other deductions that he had in effect to different classes of purchasers during the period July 1 to October 25, 1941.

SEC. 6. *Maximum prices for sales at wholesale of rubber footwear.* The maximum price for sales at wholesale of rubber footwear is the price stated in Appendix A or Appendix B for sales at wholesale, less all discounts, allowances, and any other deductions that the wholesaler had in effect to different classes of purchasers during the period April 1 to October 25, 1941.

SEC. 7. *Federal and state taxes.* Any tax upon or incident to the sale, delivery, or processing of rubber footwear imposed by any statute of the United States, or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased. The tax on the transportation of all property imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any rubber footwear, be treated as though it were an increase of 3 percent in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

[1] 8 F.R. 7498, 8837, 10434.

[2] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4976, 4848, 6047, 6962, 8511, 9025, 9991, 11955, 13724.

[3] 8 F.R. 4132, 5987, 7662, 9998, 15193.

[4] 7 F.R. 7740, 7738, 8701, 8936, 10289, 10344; 8 F.R. 8843, 10900.

SEC. 8. *Terms and conditions of sale*—(a) *Credit charges.* Charges for the extension of credit may be added to the maximum prices established by this regulation only if: (1) The seller during the period February 11 to September 29, 1942, required payment of a separately stated additional charge for the extension of credit by purchasers of the same class on sales of the same or similar types of commodities; (2) the amount charged for the extension of credit is not in excess of the charge in effect during the period February 11 to September 29, 1942, for the extension of credit involving the same amount and term; and (3) such charges are quoted and billed separately. No seller may require as a condition of sale that the purchaser must buy on credit.

(b) *Service charges.* In the case of sales at wholesale a service charge of 5 cents a pair may be added to the maximum price on all orders of six pairs or less. Additional charges for services rendered the purchaser by the seller may be charged only if: (1) the seller during the period February 11 to September 29, 1942, required the payment of a separately stated additional charge for such services to purchasers of the same class, and (2) the amount charged for the services is not in excess of the charge in effect during the period February 11 to September 29, 1942, to purchasers of the same class for the same or similar services.

(c) *Transportation charges.* No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of any rubber footwear than the seller required purchasers of the same class to pay on deliveries of the same or similar types of rubber footwear during April 1 to October 25, 1941, for sales at wholesale, and July 1 to October 25, 1941, for sales at retail.

SEC. 9. *Transfers of stock or business in trade.* If the business, assets or stock in trade are sold, or otherwise transferred after February 1944, and the transferee carries on the business, or continues to deal in the same type of commodities, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

ARTICLE III—MISCELLANEOUS

SEC. 10. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[5]

SEC. 11. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 12. *Records.* To aid in the enforcement of this regulation every seller is required to keep and preserve the following records for inspection by the Office of Price Administration:

(a) All existing records showing his purchases of each type and brand of rubber footwear.

(b) Records showing the basis on which the seller sets each maximum price, in a form which will permit filing on demand with the Office of Price Administration.

(c) Records of the same kind as he has customarily kept showing the prices actually charged by him for rubber footwear which he sells after the effective date of this regulation.

SEC. 13. *Posting and filing of maximum prices for sales of rubber footwear at retail.* (a) On and after February 24, 1944, every person offering to sell rubber footwear at retail shall mark the maximum price of such commodity in a manner plainly visible to, and understandable by, the purchasing public, in the business establishment where rubber footwear is offered for sale. The maximum price shall be stated as follows: "Ceiling price $____"; or "Our ceiling $____".

(1) Every seller making retail sales on the basis of orders received by mail shall post or mark his maximum price in all catalogs, flyers, leaflets, circulars, booklets, lists or other printed or similar matter issued and distributed by him after the effective date of this regulation for the purpose of obtaining mail orders. One of the following methods of posting or marking shall be used:

(i) State the maximum price for each rubber footwear commodity listed in each of the publications described above at the place in the publication where such commodity is listed. The maximum price shall be stated substantially as follows: "Ceiling price $———"; or "Our ceiling price $———"; or,

(ii) Print on the front cover of all catalogs, flyers, leaflets, circulars or booklets, or the front page of all lists or publications not having a cover, at the time they are issued, substantially the following statement signed with the name of the seller:

NOTICE TO CUSTOMERS

No price for any article listed or described herein exceeds the ceiling price for that article as determined under the applicable maximum price regulation issued by the Office of Price Administration. As required by that Office, we will, upon request, furnish you with a statement of our maximum prices on any of the commodities listed about which you inquire.

(Signed)----------

Any seller using this method, shall upon request, furnish a statement of the maximum prices for any commodities listed or described in the publication and about which the customer inquires.

(2) Any seller making retail sales by mail may apply to the Office of Price Administration for permission to deviate from the requirements in subparagraph (1). The application shall state why such requirements are inequitable or inappropriate as applied to the applicant's business, and shall show that the requested method of posting is substantially in line with the requirements of posting for mail order sellers set forth in subparagraph (1).

SEC. 14. *Sales slips and receipts.* Any seller who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so. Upon request from a purchaser any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name of each commodity or service sold, and the price received for it.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1,[6] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 16. *Evasion.* The price limitations set forth in this regulation shall not be evaded by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of rubber footwear, alone or with any other commodity or by way of commission, service, transportation, or any other charge, discount, premium, or other privilege, or by tying-agreements or other trade understanding, or otherwise.

SEC. 17. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 18. *Definitions.* (a) When used in this regulation, the term: "Sale at retail" means a sale to an ultimate consumer. "Sale at wholesale" means a sale by a person who buys rubber footwear and resells it, without substantially changing its form, to any person other than the ultimate consumer.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

[5] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806.

[6] 8 F.R. 13240.

APPENDIX A: TABLE OF MAXIMUM PRICES PER PAIR OF WATERPROOF RUBBER FOOTWEAR[1]

Type of footwear	Maximum prices for sales at wholesale	Maximum prices for sales at retail											
		Class I		Class II			Class III			Class IV (except mail order sellers)		Class V (mail order sellers only)	
		If you paid—	Your maximum price is—	If you paid— From—	To, but not including—	Your maximum price is—	If you paid— From—	To, but not including—	Your maximum price is—	If you paid—	Your maximum price is—	If you paid—	Your maximum price is—
Boots—other than severe occupational:													
Men's Short 14"	$2.85	$2.56 or above	$4.28	$2.39	$2.56	$3.92	$2.25	$2.39	$3.69	Below $2.25	$3.50	Below $2.25	$3.32
Men's Short 15"	3.00	$2.70 or above	4.50	2.52	2.70	4.14	2.37	2.52	3.90	Below $2.37	3.69	Below $2.37	3.50
Women's Short	2.45	$2.20 or above	3.68	2.05	2.20	3.41	1.94	2.05	3.21	Below $1.94	3.04	Below $1.94	2.88
Men's Stormking	4.05	$3.64 or above	6.08	3.40	3.64	5.75	3.20	3.40	5.43	Below $3.20	5.14	Below $3.20	4.85
Men's Hip	4.65	$4.18 or above	6.98	3.91	4.18	6.60	3.67	3.91	6.23	Below $3.67	5.91	Below $3.67	5.58
Pacs, other than severe occupational:													
Men's 12" Toplace Pac	3.20	$2.88 or above	4.80	2.69	2.88	4.54	2.53	2.69	4.29	Below $2.53	4.06	Below $2.53	3.84
Men's Lumberman's Overs, Half Heel (Rubber Part Only).	2.10	$1.89 or above	3.15	1.76	1.89	2.93	1.66	1.76	2.76	Below $1.66	2.62	Below $1.66	2.48
Arctics:													
Men's 5-buckle Rubber Midweight Bal:													
Net Lined	3.40	$3.06 or above	5.10	2.86	3.06	4.70	2.69	2.86	4.43	Below $2.69	4.20	Below $2.69	3.98
Fleece Lined	3.50	$3.15 or above	5.25	2.94	3.15	4.84	2.76	2.94	4.56	Below $2.76	4.33	Below $2.76	4.10
Men's 4-buckle Rubber Midweight Bal:													
Net Lined	3.00	$2.70 or above	4.50	2.52	2.70	4.14	2.37	2.52	3.90	Below $2.37	3.69	Below $2.37	3.50
Fleece Lined	3.10	$2.79 or above	4.65	2.60	2.79	4.28	2.45	2.60	4.03	Below $2.45	3.81	Below $2.45	3.62
Men's 4-buckle Farmweight Blucher—Cloth.	3.00	$2.70 or above	4.50	2.52	2.70	4.14	2.37	2.52	3.90	Below $2.37	3.69	Below $2.37	3.50
Men's 4-buckle Height Lightweight Bal—Rubber:													
Buckle	2.50	$2.25 or above	3.75	2.10	2.25	3.45	1.97	2.10	3.25	Below $1.97	3.08	Below $1.97	2.92
Strap	2.45	$2.20 or above	3.68	2.05	2.20	3.38	1.94	2.05	3.19	Below $1.94	3.02	Below $1.94	2.85
Slide	2.65	$2.38 or above	3.98	2.23	2.38	3.70	2.09	2.23	3.45	Below $2.09	3.37	Below $2.09	3.18
Boys' 3-buckle Lightweight Bal—Rubber.	2.25	$2.02 or above	3.38	1.89	2.02	3.07	1.78	1.89	2.89	Below $1.78	2.74	Below $1.78	2.60
Youth's 3-buckle Lightweight Bal—Rubber.	2.10	$1.89 or above	3.15	1.76	1.89	2.86	1.66	1.76	2.69	Below $1.66	2.55	Below $1.66	2.42
Women's 4-buckle Lightweight Bal—Rubber.	2.20	$1.98 or above	3.30	1.85	1.98	3.00	1.74	1.85	2.83	Below $1.74	2.72	Below $1.74	2.58
Women's Over-the-shoe Boot 10½".	2.00	$1.80 or above	3.00	1.68	1.80	2.74	1.58	1.68	2.58	Below $1.58	2.45	Below $1.58	2.32
Misses' Over-the-shoe Boot 9"	1.90	$1.71 or above	2.85	1.60	1.71	2.60	1.50	1.60	2.45	Below $1.50	2.32	Below $1.50	2.20
Child's Over-the-shoe Boot 8"	1.80	$1.62 or above	2.70	1.51	1.62	2.46	1.42	1.51	2.32	Below $1.42	2.20	Below $1.42	2.08
Men's 4-buckle Lightweight Bal—Cloth.	2.75	$2.47 or above	4.13	2.31	2.47	3.85	2.17	2.31	3.63	Below $2.17	3.45	Below $2.17	3.26
Boys' 3-buckle Cloth:													
Cashmerette	2.20	$1.98 or above	3.30	1.85	1.98	3.12	1.74	1.85	2.95	Below $1.74	2.79	Below $1.74	2.64
Jersey	2.00	$1.80 or above	3.00	1.68	1.80	2.84	1.58	1.68	2.68	Below $1.58	2.54	Below $1.58	2.40
Youths' 3-buckle Cloth:													
Cashmerette	2.00	$1.80 or above	3.00	1.68	1.80	2.84	1.58	1.68	2.68	Below $1.58	2.54	Below $1.58	2.40
Jersey	1.85	$1.66 or above	2.78	1.55	1.66	2.63	1.46	1.55	2.48	Below $1.46	2.35	Below $1.46	2.22
Gaiters:													
Women's 2-snap Height Rubber:													
Snap	1.25	$1.12 or above	1.88	1.05	1.12	1.78	.99	1.05	1.68	Below $0.99	1.54	Below $0.99	1.45
Slide	1.50	$1.35 or above	2.25	1.26	1.35	2.13	1.18	1.26	2.01	Below $1.18	1.91	Below $1.18	1.80
Misses' 2-snap Rubber	1.25	$1.12 or above	1.88	1.05	1.12	1.71	.99	1.05	1.61	Below $0.99	1.52	Below $0.99	1.44
Child's 2-snap Rubber	1.25	$1.12 or above	1.88	1.05	1.12	1.69	.99	1.05	1.59	Below $0.99	1.51	Below $0.99	1.44
Rubbers:													
Men's Work Rubbers, Storms and/or Semi-storms.	1.40	$1.26 or above	2.10	1.18	1.26	1.92	1.11	1.18	1.81	Below $1.11	1.71	Below $1.11	1.62
Boys' Work Rubbers, Storms and/or Semi-storms.	1.35	$1.21 or above	2.03	1.13	1.21	1.84	1.07	1.13	1.74	Below $1.07	1.64	Below $1.07	1.56
Men's 2-buckle Work Rubbers	1.85	$1.66 or above	2.78	1.55	1.66	2.57	1.46	1.55	2.41	Below $1.46	2.27	Below $1.46	2.15
Men's Storms and/or S. A. Overs and Clogs (full lined).	1.15	$1.03 or above	1.73	.97	1.03	1.61	.91	.97	1.51	Below $0.91	1.44	Below $0.91	1.36
Boys' Storms and Overs (full lined).	1.10	$0.99 or above	1.65	.92	.99	1.51	.87	.92	1.42	Below $0.87	1.35	Below $0.87	1.28
Youths' Storms and Overs (full lined).	1.00	$0.90 or above	1.50	.84	.90	1.37	.79	.84	1.29	Below $0.79	1.22	Below $0.79	1.16
Women's Overs (full lined)	.95	$0.85 or above	1.43	.80	.85	1.31	.75	.80	1.24	Below $0.75	1.18	Below $0.75	1.12
Growing Girls' Storms (full lined)	.95	$0.85 or above	1.43	.80	.85	1.31	.75	.80	1.24	Below $0.75	1.18	Below $0.75	1.12
Misses' Storms (full lined)	.88	$0.79 or above	1.32	.74	.79	1.21	.70	.74	1.14	Below $0.70	1.08	Below $0.70	1.02
Child's Storms (full lined)	.83	$0.75 or above	1.25	.70	.75	1.13	.66	.70	1.06	Below $0.66	1.01	Below $0.66	.95
Women's Footholds, Calendered Sole.	.63	$0.57 or above	.95	.53	.57	.87	.50	.53	.82	Below $0.50	.78	Below $0.50	.74
Rubbers, Special Construction:													
Men's Sandal, Molded	.92	$0.83 or above	1.38	.78	.83	1.27	.73	.78	1.20	Below $0.73	1.14	Below $0.73	1.08
Men's Clog, Molded	.77	$0.69 or above	1.16	.65	.69	1.06	.61	.65	1.00	Below $0.61	.95	Below $0.61	.90
Women's Footholds, Molded	.25	$0.22 or above	.38	.21	.22	.34	.20	.21	.32	Below $0.20	.30	Below $0.20	.28
Women's Footholds, Latex, Black, including Pouch.	.79	$0.71 or above	1.19	.66	.71	1.12	.62	.66	1.06	Below $0.62	1.01	Below $0.62	.95
Women's Footholds, Latex Spotted, including Pouch.	.92	$0.83 or above	1.38	.77	.83	1.29	.73	.77	1.23	Below $0.73	1.16	Below $0.73	1.10
Severe Occupational:													
Men's Black Short Boot	3.40	$3.06 or above	5.10	2.86	3.06	4.70	2.69	2.86	4.43	Below $2.69	4.20	Below $2.69	3.98
Men's Black Short Boot, Steel Toe.	3.90	$3.51 or above	5.85	3.28	3.51	5.41	3.08	3.28	5.10	Below $3.08	4.84	Below $3.08	4.58
Men's Black Stormking Boot	4.70	$4.23 or above	7.05	3.95	4.23	6.55	3.71	3.95	6.17	Below $3.71	5.85	Below $3.71	5.54
Men's Black Stormking Boot, Steel Toe.	5.20	$4.68 or above	7.80	4.37	4.68	7.25	4.11	4.37	6.84	Below $4.11	6.49	Below $4.11	6.14
Men's Black Short Fire Fighter Boot:													
Duck	4.65	$4.18 or above	6.98	3.91	4.18	6.60	3.67	3.91	6.23	Below $3.67	5.91	Below $3.67	5.58
Felt	5.25	$4.72 or above	7.88	4.41	4.72	7.40	4.15	4.41	7.04	Below $4.15	6.67	Below $4.15	6.30

[1] Customary allowances and discounts must e deducted from these prices.

APPENDIX A: TABLE OF MAXIMUM PRICES PER PAIR OF WATERPROOF RUBBER FOOTWEAR [1]—Continued

Type of footwear	Maximum prices for sales at wholesale	Maximum prices for sales at retail											
		Class I		Class II			Class III			Class IV (except mail order sellers)		Class V (mail order sellers only)	
		If you paid—	Your maximum price is—	If you paid— From—	If you paid— To, but not including—	Your maximum price is—	If you paid— From—	If you paid— To, but not including—	Your maximum price is—	If you paid—	Your maximum price is—	If you paid—	Your maximum price is—
Severe Occupational—Continued.													
Men's Black Stormking Fire Fighter Boot:													
Duck	$6.25	$5.62 or above	$9.38	$5.25	$5.62	$8.82	$4.94	$5.25	$8.32	Below $4.94	$7.89	Below $4.94	$7.46
Felt	6.85	$6.16 or above	10.28	5.75	6.16	9.63	5.41	5.75	9.13	Below $5.41	8.65	Below $5.41	8.18
Men's Black Hip and Thigh Boot	5.30	$4.77 or above	7.95	4.45	4.77	7.40	4.19	4.45	6.98	Below $4.19	6.61	Below $4.19	6.26
Men's Black Hip and Thigh Boot, Steel Toe.	5.80	$5.22 or above	8.70	4.87	5.22	8.11	4.58	4.87	7.65	Below $4.58	7.25	Below $4.58	6.86
Men's Black Body Boot	12.00	$10.80 or above	18.00	10.08	10.80	17.04	9.48	10.08	16.08	Below $9.48	15.24	Below $9.48	14.40
Men's Black 15" Lace Mine Pac	4.35	$3.91 or above	6.53	3.65	3.91	6.07	3.44	3.65	5.73	Below $3.44	5.43	Below $3.44	5.14
Men's Black 15" Lace Mine Pac, Steel Toe.	4.85	$4.36 or above	7.28	4.07	4.36	6.78	3.83	4.07	6.40	Below $3.83	6.07	Below $3.83	5.74
Men's Black Work Shoe	3.25	$2.92 or above	4.88	2.73	2.92	4.49	2.57	2.73	4.23	Below $2.57	4.01	Below $2.57	3.80
Men's Black Work Shoe, Steel Toe.	3.75	$3.37 or above	5.63	3.15	3.37	5.20	2.96	3.15	4.90	Below $2.96	4.65	Below $2.96	4.40
Men's Black 2-buckle Perfections	2.80	$2.52 or above	4.20	2.35	2.52	3.98	2.21	2.35	3.75	Below $2.21	3.56	Below $2.21	3.36
Men's Black 10" Mine Pac	3.55	$3.19 or above	5.33	2.98	3.19	4.92	2.80	2.98	4.63	Below $2.80	4.39	Below $2.80	4.16
Men's Black 10" Mine Pac, Safety Toe.	3.85	$3.46 or above	5.78	3.23	3.46	5.34	3.04	3.23	5.03	Below $3.04	4.77	Below $3.04	4.52
Men's Black 10" Mine Pac, Steel Toe.	4.05	$3.64 or above	6.08	3.40	3.64	5.63	3.20	3.40	5.30	Below $3.20	5.03	Below $3.20	4.76
Neoprene Coated, Par-grip Sole:													
Men's Short Boot, Steel Toe	4.65	$4.18 or above	6.98	3.91	4.18	6.48	3.67	3.91	6.11	Below $3.67	5.79	Below $3.67	5.48
Men's Stormking Steel Toe	6.20	$5.58 or above	9.30	5.21	5.58	8.68	4.90	5.21	8.18	Below $4.90	7.76	Below $4.90	7.34
Men's Hip Boot, Steel Toe	6.90	$6.21 or above	10.35	5.80	6.21	9.67	5.45	5.80	9.12	Below $5.45	8.65	Below $5.45	8.18
Men's Rubber Work Shoe, Steel Toe	4.15	$3.73 or above	6.23	3.49	3.73	5.77	3.28	3.49	5.44	Below $3.28	5.15	Below $3.28	4.88

APPENDIX B—TABLE OF MAXIMUM PRICES PER PAIR OF CANVAS-TOPPED RUBBER-SOLED FOOTWEAR OF VULCANIZED CONSTRUCTION [1]

Type of footwear	Maximum prices for sales at wholesale	Maximum prices for sales at retail											
		Class I		Class II			Class III			Class IV (except mail order sellers)		Class V (mail order sellers only)	
		If you paid—	Your maximum price is—	If you paid— From—	If you paid— To, but not including—	Your maximum price is—	If you paid— From—	If you paid— To, but not including—	Your maximum price is—	If you paid—	Your maximum price is—	If you paid—	Your maximum price is—
Training Shoes Backed Uppers, Molded soles:													
Men's	$2.40	$2.16 or above	$3.75	$2.02	$2.16	$3.41	$1.90	$2.02	$3.22	Below $1.90	$3.05	Below $1.90	$2.88
Boys'	2.25	$2.02 or above	3.50	1.89	2.02	3.20	1.78	1.89	3.02	Below $1.78	2.86	Below $1.78	2.70
Lace-to-toe Bal:													
Men's	1.65	$1.48 or above	2.50	1.39	1.48	2.34	1.30	1.39	2.21	Below $1.30	2.10	Below $1.30	1.98
Boys'	1.50	$1.35 or above	2.30	1.26	1.35	2.13	1.18	1.26	2.01	Below $1.18	1.91	Below $1.18	1.80
Youths'	1.40	$1.26 or above	2.15	1.18	1.26	1.99	1.11	1.18	1.88	Below $1.11	1.78	Below $1.11	1.68
Little Gents'	1.30	$1.17 or above	2.00	1.09	1.17	1.85	1.03	1.09	1.74	Below $1.03	1.65	Below $1.03	1.56
Lace-to-toe Gym Bal:													
Women's	1.30	$1.17 or above	2.00	1.09	1.17	1.85	1.03	1.09	1.74	Below $1.03	1.65	Below $1.03	1.56
Misses'	1.25	$1.12 or above	1.95	1.05	1.12	1.78	.99	1.05	1.68	Below $0.99	1.59	Below $0.99	1.50
Untrimmed Oxford:													
Men's	1.30	$1.17 or above	2.00	1.09	1.17	1.85	1.03	1.09	1.74	Below $1.03	1.65	Below $1.03	1.56
Boys'	1.20	$1.08 or above	1.85	1.01	1.08	1.70	.95	1.01	1.61	Below $0.95	1.52	Below $0.95	1.44
Youths'	1.10	$0.99 or above	1.70	.92	.99	1.56	.87	.92	1.47	Below $0.87	1.40	Below $0.87	1.32
Women's	1.20	$1.08 or above	1.85	1.01	1.08	1.70	.95	1.01	1.61	Below $0.95	1.52	Below $0.95	1.44
Misses'	1.10	$0.99 or above	1.70	.92	.99	1.56	.87	.92	1.47	Below $0.87	1.40	Below $0.87	1.32
Children's	1.00	$0.90 or above	1.55	.84	.90	1.42	.79	.84	1.34	Below $0.79	1.27	Below $0.79	1.20

[1] Customary allowances and discounts must be deducted from these prices.

This regulation shall become effective February 24, 1944.

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

Issued this 18th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2392; Filed, February 18, 1944; 4:23 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[RMPR 148,[1] incl. Amdt. 15]

DRESSED HOGS AND WHOLESALE PORK CUTS

Sections 1364.22 (d) (2), (d) 3, 1364.29, 1364.32 (a) (7), (a) (9), 1364.32 (c), 1364.35, Schedules I, II, and III amended; § 1364.32 (a) (15) (v) added by Amendment 15, effective February 24, 1944; § 1364.22a revoked by Amendment 15, effective March 1, 1944; so that Revised Maximum Price Regulation 148 shall read as follows:

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250 issued by the President on October 3, 1942, to maintain as the maximum prices for dressed hogs and wholesale pork cuts the prices prevailing with respect thereto during the period March 3, 1942 to March 7, 1942, inclusive. Prices determined as

[1] 7 F.R. 8609.

provided in § 1364.22 reflect the prices prevailing during such period. The Price Administrator has ascertained and given due consideration to the prices of dressed hogs and wholesale pork cuts prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said act and Executive order. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

The maximum prices established herein are not below prices which will reflect to producers of the agricultural commodities from which dressed hogs and wholesale pork cuts are produced a price for their products equal to the highest of the prices required by the provisions of the Emergency Price Control Act of 1942, as amended, and by the Executive Order of October 3, 1942.

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Above sentence added by Supplementary Order No. 63, 8 F.R. 12553, effective 9-11-43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Revised Maximum Price Regulation No. 148 is hereby issued.

Sec.
1364.21 Prohibition against selling dressed hogs and wholesale pork cuts at prices above the maximum.
1364.22 Maximum prices for dressed hogs and wholesale pork cuts.
1364.22a Limitation on volume of sales to purveyors of meals; records and reports.
1364.23 Adjustable pricing and transportation adjustments.
1364.24 Exempt sales and deliveries.
1364.25 Less than maximum prices.
1364.26 Evasion.
1364.27 Records and reports.
1364.28 Enforcement.
1364.29 Petitions for amendment.
1364.30 Licensing.
1364.31 Relation to other regulations.
1364.32 Definitions.
1364.33 Revocation of orders issued under Maximum Price Regulation No. 148.
1364.34 Effective date.
1364.35 Appendix A: Schedules I, II, III and IV.

AUTHORITY: §§ 1364.21 to 1364.35, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

§ 1364.21 *Prohibition against selling dressed hogs and wholesale pork cuts at prices above the maximum.* On and after November 2, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver dressed hogs or any wholesale pork cut, and no person in the course of trade or business shall buy or receive dressed hogs or any wholesale pork cut at a price higher than the maximum price permitted by § 1364.22; and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided,* That on and after June 14, 1943, a war procurement agency in addition to paying to the seller the maximum price for the commodity prescribed by the applicable provisions of this regulation, may pay to Defense Supplies Corporation an amount equivalent to the meat production payments made by Defense Supplies Corporation on account of the production of such meat.

[§ 1364.21 as amended by Am. 5, 8 F.R. 7671]

§ 1364.22 *Maximum prices for dressed hogs and wholesale pork cuts.* Maximum prices for dressed hogs and wholesale pork cuts shall be computed as provided in this section.

(a) *Base price.* The base price for each wholesale pork cut shall be the price specified in Schedule I of Appendix A (incorporated herein as § 1364.35), minus the required deductions, if any, specified in Schedule II of Appendix A (§ 1364.35), plus the permitted additions, if any, specified in Schedule III of Appendix A (§ 1364.35).

(b) *Maximum prices in central price zone.* Except as provided in paragraph (h) of this section, the maximum price for each wholesale pork cut delivered to the buyer within the Central Price Zone, or delivered outside the Central Price Zone by a local delivery beginning in the Central Price Zone, shall be the base price.

(c) *Maximum prices in Chicago price zone.* Except as provided in paragraphs (b) and (h) of this section, the maximum price for each wholesale pork cut delivered to the buyer in the Chicago Price Zone, or delivered to the buyer outside the Chicago Price Zone and the Central Price Zone by a local delivery beginning in the Chicago Price Zone, shall be the base price plus $0.25 per cwt.

(d) *Maximum prices outside central price zone and Chicago price zone.* Except as provided in paragraphs (b), (c) and (h) of this section, the maximum price for each wholesale pork cut delivered to the buyer outside the Central Price Zone and the Chicago Price Zone shall be the base price plus a transportation differential determined as follows:

(1) The seller shall ascertain the point at which local delivery begins, if local delivery is made, or the point of delivery if no local delivery is made. If no carload meat freight rates are established to such point, he shall ascertain the nearest point at which such freight rates are established.

(2) If the point ascertained under paragraph (d) (1) of this section is east of the Mississippi River, but is not in Minnesota, Wisconsin, or in that part of Michigan lying between Lake Superior and Lake Michigan or Lake Huron, the transportation differential for any fresh wholesale pork cut shall be 115 percent of the lowest fresh meat carload freight rate from Chicago, Illinois, to such point adjusted to the nearest $0.25 per cwt. and plus $0.25 per cwt., and the transportation differential for any cured or processed wholesale pork cut shall be 115 percent of the lowest packing house product carload freight rate (applicable to cooked, cured or preserved meats and sausage) from Chicago, Illinois, to such point, adjusted to the nearest $0.25 per cwt. and plus $0.25 per cwt. (Caution: This transportation differential is to be added to the base price, not to the maximum price in the Chicago Price Zone.)

(3) If the point ascertained under paragraph (d) (1) of this section is in Missouri, Arkansas, or in those portions of Louisiana west of the Mississippi River, or in those portions of Texas, Oklahoma or Kansas which lie east of the 99th meridian, the transportation differential for any fresh wholesale pork cut shall be 115 percent of the lowest fresh meat carload freight rate from Kansas City, Missouri, to such point, adjusted to the nearest $0.25 per cwt., and the transportation differential for any cured or processed wholesale pork cut shall be 115 percent of the lowest packing house product carload freight rate (applicable to cooked, cured or preserved meats and sausage) from Kansas City, Missouri, to such point, adjusted to the nearest $0.25 per cwt.

[Subparagraphs (2) and (3) as amended by Am. 15.]

(4) If the point ascertained under paragraph (d) (1) of this section lies in any other part of the United States than those areas referred to in paragraphs (d) (2) and (d) (3) of this section, the seller shall ascertain the lowest of the packing house product carload freight rates (applicable to cooked, cured or preserved meats and sausage) to such point from Kansas City, Missouri, and South St. Paul, Minnesota. The transportation differential for fresh, cured or processed wholesale pork cuts shall be 115 percent of such lowest rate, adjusted to the nearest $0.25 per cwt.

(e) *When products are delivered to the buyer.* Dressed hogs and wholesale pork cuts shall be deemed to be delivered to the buyer at the point where physical possession is taken by the buyer or his

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] Revised, 7 F.R. 8961; 8 F.R. 3313, 3583, 6173, 11806.

agent, or where the dressed hogs or wholesale pork cuts, consigned to the buyer,

(1) Are received by a common carrier or contract carrier, other than a railroad, and the charges of such carrier are paid directly to such carrier by the buyer;

(2) Are received by a railroad, for shipment at the railroad carload rate or for shipment to an agency of the United State government and the charges of such railroad are paid directly to such railroad by the buyer.

[Paragraph (e) as amended by Am. 1, 8 F.R. 544]

(f) *Maximum prices of wholesale pork cuts listed in Appendix A.* (1) Except as provided in paragraph (h) of this section, if the maximum price for any wholesale pork cut delivered to the buyer cannot be determined under the provisions of the foregoing paragraphs of this section, such maximum price shall be that of the nearest similar wholesale pork cut derived from the same primal cut or combination of primal cuts, making adjustment for the differences in the costs of producing such cuts. Each seller shall file with the Office of Price Administration at Washington, D. C., within 10 days of computation, each maximum price computed under the provisions of this paragraph (f) together with a sworn statement of the method of such computation and the comparative costs included therein, including costs of labor, materials, and overhead, and shrinkage or gain in weight. Any maximum price so computed shall be subject to revision by the Price Administrator. No person shall sell any wholesale pork cut not listed in Schedule I of Appendix A (§ 1364.35), except canned meats subject to the provisions of paragraph (h) of this section, without first filing with the Office of Price Administration at Washington, D. C., a maximum price for such cut as required by the provisions of this paragraph (f).

(2) The last date for computing and filing maximum prices under this paragraph (f) for all wholesale pork cuts, other than those sold exclusively to war procurement agencies, shall be May 31, 1943. On or before June 30, 1943, the Office of Price Administration shall review all maximum prices filed on or before May 31, 1943, and the Price Administrator shall in writing confirm or modify the maximum prices filed by such seller under this paragraph (f). On and after June 1, 1943, no person shall sell in civilian trade any wholesale pork cut not listed in § 1364.35, other than a cut for which such person has, prior to that date, duly filed a maximum price as required by this paragraph (f); nor shall any person who has so filed a maximum price for any wholesale pork cut sell such cut at a price higher than the price authorized by the written confirmation or modification of the Price Administrator.

[Paragraph (f) amended by Am. 1, 8 F.R. 544, and Am. 4, 8 F.R. 7322]

(g) *Maximum prices for dressed hogs, invoices, maximum prices for slaughtering services.* (1) The maximum price for each dressed hog, dressed packer style or shipper style, sold to a certified dressed hog processor and delivered to the buyer, shall be that ascertained in accordance with the pricing instructions contained in Schedule IV of Appendix A (§ 1364.35).

(2) Every person who sells dressed hogs to a certified dressed hog processor shall invoice such dressed hogs to the buyer by weight ranges set forth in the table in Schedule IV (a) of Appendix A (§ 1364.35). Every person who sells dressed hogs to others than certified dressed hog processors shall invoice such dressed hogs to the buyer by weight ranges set forth in the table in paragraph (g) (3) of this section. Dressed hogs falling in each such weight range shall be invoiced separately. No person shall sell hogs dressed otherwise than packer style or shipper style.

[Subparagraphs (1) and (2) amended by Am. 1, 8 F.R. 544, and Am. 2, 8 F.R. 2922]

(3) The maximum price for each dressed hog, dressed packer style or shipper style, sold to a buyer other than a certified dressed hog processor and delivered to the buyer shall be as follows:

PACKER STYLE

Weight range	*Price per cwt.*
Pigs and butcher hogs:	
Under 73 lbs	$19.75
73 lbs. & over, but under 90 lbs	18.75
90 lbs. & over, but under 108 lbs	18.25
108 lbs. & over, but under 124 lbs	18.00
124 lbs. & over, but under 155 lbs	17.75
155 lbs. & over, but under 213 lbs	17.50
Over 213 lbs	17.25
Sows:	
All weights	17.50
Stags:	
All weights	15.50
Boars:	
All weights	12.00
Oily hogs (deduct $1.50 per cwt. from above prices).	

SHIPPER STYLE

Weight range	*Price per cwt.*
Pigs and butcher hogs:	
Under 80 lbs	$18.75
80 lbs. & over, but under 100 lbs	17.75
100 lbs. & over, but under 120 lbs	17.25
120 lbs. & over, but under 137 lbs	17.00
137 lbs. & over, but under 172 lbs	16.75
172 lbs & over, but under 235 lbs	16.50
Over 235 lbs	16.25
Sows:	
All weights	16.50
Stags:	
All weights	14.50
Boars:	
All weights	11.00
Oily hogs (deduct $1.50 per cwt. from above prices).	

plus the permitted additions, if any, specified in paragraphs (c) (2), (c) (3), (c) (4), (c) (5), and (c) (6) of Schedule IV of Appendix A (§ 1364.35).

[Subparagraph (3) amended by Am. 2, 8 F.R. 2922 and Am. 5, 8 F.R. 7671]

(4) Any person who slaughters hogs as a service for the purchaser of such hogs shall remit to such purchaser an amount sufficient to make the cost of the dressed hogs to such purchaser equal to or less than the costs which would be incurred by the purchaser if he purchased the dressed hogs from the slaughterer at the maximum price therefor: *Provided,* That this requirement shall not apply in (i) cases where the purchaser does not acquire the carcasses for resale in any form; or (ii) cases where the live hog slaughtered was purchased at a fair, show or exhibition, from a member of a recognized farm-youth organization, during a sale for which prior approval had been obtained from a state office of the Office of Price Administration by a county agent, county club agent, vocational agricultural instructor or the chief administrator of the state department of agriculture. To enable the slaughterer to determine the amount to be remitted to the purchaser, it shall be the duty of such purchaser to advise the slaughterer of the amount paid for the hogs slaughtered.

[Subparagraph (4) amended by Am. 2, 8 F.R. 2922, and Am. 11, 8 F.R. 13296]

(h) *Maximum prices of products sold for export and canned products.* (1) The maximum price at which a person may export any dressed hog or wholesale pork cut shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation[4] issued by the Office of Price Administration.

(2) (i) The maximum price for each brand, type and container size of canned meat made entirely from pork shall be the highest price at which such brand or type and container size of canned meat was listed in the price list or lists upon the basis of which the seller made sales and deliveries at the delivery point during the period February 16, 1942 to February 20, 1942, inclusive, plus 1½ cents per lb.: *Provided,* That the seller must continue to allow all the deductions or discounts from his price list or lists which were customary during the 90-day period prior to March 9, 1942.

(ii) If the maximum price for any brand, type or container size of canned meat made entirely from pork cannot be determined under paragraph (h) (2) (i) of this section, the seller shall apply to the Office of Price Administration, Washington, D. C., for authorization to establish a maximum price, setting forth in such sworn application a detailed description of the canned meat and container size for which a price is sought, including, where appropriate: a description of the wholesale cuts used in processing such canned product and the nature and degree of processing; the maximum price, if any, established for the sale by the seller of other brands or types and container sizes of canned meat made entirely from pork, and the manner in which such other canned products differ from that for which the price application is being made; a statement of the reasons why the new manner of canning or processing is being undertaken; a statement of the price requested and the method by which the requested price was arrived at; and a statement by the seller as to whether the granting of his application will require any price adjustment on behalf of the wholesalers or retailers to whom he pro-

[4] 2nd revision, 8 F.R. 4132, 5987, 7662, 9998, 15193.

poses to sell his products. Authorization to establish a maximum price for such canned meat made entirely from pork shall be accompanied by instructions as to the method for determining the maximum price. Within ten days after such price has been determined, the seller shall report the price to the Office of Price Administration, Washington, D. C. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(iii) The provisions of this paragraph (h) (2) shall not apply to any sales of canned meats to the Federal Surplus Commodities Corporation or to any purchasing agency of the armed forces of the United States.

[Subparagraph (2) as amended by Am. 1, 8 F.R. 544. Paragraph heading amended by Ams. 1 and 2]

(3) [Revoked]

[Subparagraph (3) added by Am. 1, revoked by Am. 2, 8 F.R. 2922]

§ 1364.22a [Revoked]

[§ 1364.22a added by Am. 6, 8 F.R. 7826; revoked by Am. 15]

§ 1364.23 *Adjustable pricing and transportation adjustments*—(a) *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

(b) *Adjustment for transportation to critical areas.* Upon a finding that a critical shortage of meat has occurred in a specific area because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply, the Administrator may by order designate such area as a critical area for such period as he may prescribe. Subject to such conditions as may be prescribed in the order of the Administrator, the Regional Administrator for the area or any District Manager designated by him, may in writing authorize named sellers to charge and receive, for dressed hogs and wholesale pork cuts sold to buyers in that area, the added cost of transportation in addition to the applicable maximum price.

[§ 1364.23 amended by Am. 2, 8 F.R. 2922 and Am. 3, 8 F.R. 4785]

§ 1364.24 *Exempt sales and deliveries.* The provisions of this Revised Maximum Price Regulation No. 148 shall not apply

(a) To sales at retail;

(b) To deliveries made to any political subdivision or agency of any state or of the United States, other than the Federal Surplus Commodities Corporation, under contracts entered into prior to November 2, 1942: *Provided,* That this exemption shall not be construed to permit the upward revision of any prices fixed in such contracts;

(c) To deliveries to the Federal Surplus Commodities Corporation under contracts entered into prior to October 17, 1942; or

(d) To sales outside of the forty-eight states of the United States and the District of Columbia.

(e) To sales of canned meat to civilian buyers by a person who did not manufacture or process such canned meat. (Although exempt from this regulation, such sales are subject to Maximum Price Regulation No. 421, Ceiling Prices of Certain Foods Sold at Wholesale.[9]) This exemption does not apply to first sales of imported canned meat in the United States.

[Paragraph (e) added by Am. 11, 8 F.R. 13296]

§ 1364.25 *Less than maximum prices.* Lower prices than those provided for in § 1364.22 may be charged, demanded, paid or offered.

§ 1364.26 *Evasion.* (a) The price limitations set forth in this Revised Maximum Price Regulation No. 148 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to, dressed hogs or wholesale pork cuts, alone or in conjunction with any other commodity, or by way of any commission, service, transportation or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding: *Provided,* That the following payments shall not be construed as evasions of such price limitations under the following conditions:

(1) A payment by a buyer to a broker of not to exceed $0.125 per hundredweight in excess of the maximum prices fixed by this regulation for services rendered by the broker to the buyer in connection with a sale of wholesale pork cuts, if the broker has no business affiliation with the seller and if the total compensation received by the broker from both buyer and seller in connection with the sale does not exceed $0.125 per hundredweight.

(2) A payment by a buyer to a seller for icing services performed by the seller after March 1, 1943, and before delivery of dressed hogs or wholesale pork cuts to a railroad whose charges are paid directly to such railroad by the buyer, if the charge for such icing services is no higher than the costs actually incurred by the seller in performing such services and no higher than the charge which could lawfully have been made by the railroad if such services had been performed by the railroad;

(3) A payment by a war procurement agency to a seller (i) for freezing and/or storing dressed hogs or wholesale pork cuts purchased by such agency if such freezing and/or storage charges were actually incurred by the seller and are evidenced by an invoice and warehouse receipt duly issued to the seller from a commercial warehouse; or (ii) for storing dressed hogs or wholesale pork cuts if the storage services were performed by the seller, and not by a commercial warehouse, if such services are evidenced by a warehouse receipt, showing the length of the storage, issued by the seller to the war procurement agency; and if such charges do not exceed the second month's maximum storage rates (under the General Maximum Price Regulation) of commercial warehousemen in the vicinity of the place where the storage occurred.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Falsely or incorrectly grading or invoicing dressed hogs or wholesale pork cuts;

(2) Selling or invoicing wholesale pork cuts to buyers other than bona fide purveyors of meals at the prices established for sales by hotel supply houses;

(3) Offering, selling or delivering dressed hogs or any wholesale pork cuts on condition that the purchaser is required to purchase some other wholesale pork cut or other commodity;

(4) Selling or transferring title to hogs at a lower price than was paid for such hogs and re-purchasing, purchasing or receiving title to dressed hogs or wholesale pork cuts derived from the hogs so purchased after they have been slaughtered;

(5) Charging, billing or receiving any consideration for or in connection with any service for which specific allowance has not been provided in this regulation;

(6) So curing wholesale pork cuts as to increase their cured weight, before draining and smoking beyond 110% of green weight;

(7) Selling wholesale pork cuts not referred to in Appendix A (§ 1364.35) and not customarily sold by the same seller prior to March 23, 1942.

[§ 1364.26 amended by Am. 2, 8 F.R. 2322, and Am. 9, 8 F.R. 10732]

§ 1364.27 *Records and reports.* (a) (1) Every person making a sale of any dressed hogs or wholesale pork cuts on and after November 2, 1942, in the course of trade or business or otherwise dealing therein, shall make and preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale, showing the date thereof, the name and address of the buyer and seller, the description, quantity and weight of all dressed hogs and wholesale pork cuts sold, and the price charged or received therefor.

(2) [Revoked]

[Paragraph (a) amended by Am. 1, 8 F.R. 544; subparagraph (2) revoked by Am. 2, 8 F.R. 2922]

(b) Persons subject to or affected by this Revised Maximum Price Regulation No. 148 shall submit to the Office of Price Administration at Washington, D. C.:

(1) The reports of maximum prices required by § 1364.22 (f), together with a sworn statement that the facts recited therein are true and correct;

[9] 8 F.R. 9388, 10569, 10987, 13293, 15250, 15607.

(2) On or before November 15, 1942, sworn statements of the denominators in sales by them of dressed hogs, determined in accordance with the provisions of § 1364.22 (g), including a statement of the specifications for dressing to which each denominator applies and a statement of the classes of purchasers to which each denominator applies; and

(3) Such other reports as the Office of Price Administration may from time to time require.

(4) [Revoked]

[Subparagraph (4) added by Am. 1, 8 F.R. 544; revoked by Am. 2, 8 F.R. 2922]

(c) Every person making a sale of any wholesale pork cut or fabricated pork cut shall furnish to the purchaser at the time of delivery of such pork cut a written statement setting forth the name and address of the buyer and seller; identifying by weight and description each such pork cuts sold; and setting forth the quantity and the price charged and received therefor.

[Paragraph (c) added by Am. 1, 8 F.R. 544]

§ 1364.28 *Enforcement.* (a) Persons violating any provision of this Revised Maximum Price Regulation No. 148 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Maximum Price Regulation No. 148 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1364.29 *Petitions for amendment.* Any person seeking an amendment of any provision of this Revised Maximum Price Regulation No. 148 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

[§ 1364.29 as amended by Am. 15]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1364.30 *Licensing.* The provisions of Licensing Order No. 1,[7] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1364.30 as amended by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1364.31 *Relation to other regulations.* The provisions of this Revised Maximum Price Regulation No. 148 supersede the provisions of Maximum Price Regulation No. 421 with respect to first sales and deliveries of imported canned meat in the United States for which maximum prices are established by this regulation, if such sales are made by a person who did not manufacture or process such canned meat. The provisions of this Revised Maximum Price Regulation No. 148 supersede the provisions of the General Maximum Price Regulation[8] with respect to all other sales and deliveries for which maximum prices are established by this regulation.

[§ 1364.31 as amended by Am. 11, 8 F.R. 13296]

§ 1364.32 *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 148, the term:

(1) "Person" means any individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing: *Provided,* That no punishment provided by this regulation shall apply to the United States or to any such government, political subdivision, or agency.

(2) "Dressed hogs" includes dressed pigs.

(3) "Wholesale pork cuts" means all cuts derived from the carcass of the hog or pig, dressed with head off and kidney and leaf fat out, including but not limited to the following:

(i) All cuts referred to in Appendix A (§ 1364.35);

(ii) Cuts rough or trimmed, bone in or boneless, whole or sliced;

(iii) Cuts fresh or frozen, cured, smoked, cooked, baked, barbecued, dried, canned, or ready-to-eat;

(iv) Cuts loose, wrapped or packed.

Fresh and frozen cuts shall not be considered separate wholesale pork cuts. Each brand, type and container size of canned meat made entirely from pork shall be considered a separate wholesale pork cut. No uncanned sausage made entirely from pork except sausage sold to the armed forces of the United States or the Federal Surplus Commodities Corporation, shall be considered a wholesale pork cut.

[Subparagraph (3) as amended by Am. 1, 8 F.R. 544]

(4) "Central Price Zone" means the area described as follows: the entire state of Iowa and those parts of Wisconsin, Minnesota, South Dakota, Nebraska, Kansas, Missouri and Illinois which lie south of the 45th parallel, north of the 39th parallel, west of the 91st meridian and east of the 99th meridian, and including Minneapolis, Minnesota, and St. Paul, Minnesota.

(5) "Chicago Price Zone" means the area described as follows: those parts of Wisconsin and Illinois which lie south of the 45th parallel and east of the 91st meridian and including St. Louis, Missouri and St. Louis County, Missouri.

(6) "Sales at retail" means sales to the ultimate consumer: *Provided,* That no wholesaler, processor, packer, slaughterer, branch house, car route, hotel supply house, purchaser for resale, commercial user, purveyor of meals, war procurement agency, or other government agency shall be deemed to be an ultimate consumer, except that a sale to a purveyor of meals, on usual retail terms, by a retailer at least 80% of whose sales of meat during the preceding calendar month were made to ultimate consumers shall be deemed a sale at retail.

[Subparagraph (6) as amended by Am. 1]

(7) "Local delivery" means:

(i) Delivery otherwise than by rail commencing at the seller's place of business, or, in the case of car routes, at the car route unloading point, and continuing to the buyer's store door or warehouse; or

(ii) Delivery by rail or rail and truck, commencing at the seller's place of business and continuing to the buyer's store door or warehouse. The seller, if he desires, may elect to treat a delivery under this subparagraph (ii) as not constituting a local delivery.

[Subparagraph (7) amended by Am. 4, 8 F.R. 7322; Am. 13, 8 F.R. 15609; and Am. 15]

(8) "Similar", when used in the phrase "similar purchaser", refers to the type of purchaser to whom the same price customarily applied during the ninety day period prior to March 9, 1942.

(9) "Carload" means:

(i) A shipment by rail to a single delivery point of at least the minimum weight upon which the railroad carload rate from the point of shipment to the delivery point, as evidenced by the tariffs of railroad carriers, is based: *Provided,* That where the transportation charge for shipment of the lesser weight at the railroad carload rate would be lower than the transportation charge for such a shipment at the railroad less-than-carload rate, such lesser weight shall be considered a carload;

(ii) A shipment by motor truck or trucks to a single delivery point of 15,000 pounds or more as a single bulk sale transaction; and

(iii) Any single bulk sale transaction wherein the buyer takes delivery at the seller's place of business of 15,000 pounds or more.

[Subparagraph (9) as amended by Am. 15]

(10) "Peddler truck sale" means a sale of wholesale pork cuts from a truck, where the first record of the transaction is made by the salesman concurrently with the delivery of the products sold,

(i) By a person who purchases meat at or below the ceiling price from a seller with which he has no other financial affiliation or relationship, who takes delivery at the seller's place of business, and who does not sell or deal in meat in any manner other than sales out of stock carried in a truck owned and driven by him; or

[7] 8 F.R. 13240.

[8] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025, 9991, 11955.

(ii) By a person who makes all of his sales of meat out of stock carried in a truck driven by him but owned by a person who used such truck exclusively for this type of sale during the month of March, 1942. The term "peddler truck sale" does not include deliveries made pursuant to prior orders.

[Subparagraph (10) as amended by Am. 2, 8 F.R. 2922]

(11) "Shipping container" means a sealed box, sealed crate, sealed barrel or a sack and/or cloth wrapping, which becomes the property of the buyer upon delivery of the wholesale pork cuts therein contained, or a returnable container of solid wood or metal which must be of a type and size which the seller has customarily used in making delivery of wholesale pork cuts and must be carried into the buyer's place of business in making delivery of products packed therein.

[Subparagraph (11) added by Am. 1, 8 F.R. 544; amended by Am. 2, 8 F.R. 2922, and Am. 13, 8 F.R. 15609]

(12) "Certified dressed hog processor" means any person who does not sell pork at retail except to his own employees or any person who obtained more than half of his pork supply during the year 1941 by cutting up dressed hogs or hog carcasses: *Provided,* That no person may qualify as a certified dressed hog processor until he has (a) filed with a district, state or regional office of the Office of Price Administration an affidavit that he does not sell pork at retail except to his own employees or that he obtained more than half of his pork supply during the year 1941 by cutting up dressed hogs and hog carcasses, and (b) secured from such field office of the Office of Price Administration an endorsement, written on a duplicate copy of such affidavit, acknowledging that he has filed such an affidavit. (This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(13) "Wholesaler" means a person who buys dressed hogs and/or wholesale pork cuts for resale other than at retail and who does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and who is not owned or controlled in whole or in substantial part, by another person who owns or controls in substantial part any slaughtering plant or facilities.

[Subparagraphs (12) and (13) added by Am. 1, 8 F.R. 544; amended by Am. 2, 8 F.R. 2922]

(14) "Lowest carload freight rate" means the lowest carload rail tariff applicable generally to the class of meat designated (fresh meat or packing house products): *Provided,* (i) That the general freight rate revisions occurring on or about May 15, 1943, shall apply only to sales made on and after June 1, 1943 and not to deliveries under contracts entered into prior to June 1, 1943; and (ii) That any other change in an applicable tariff shall apply only to sales and deliveries made after the effective date of such change.

[Subparagraph (14) added by Am. 4, 8 F.R. 7322]

(15) "Purveyor of meals" means:

(i) Any restaurant, hotel, cafe, cafeteria or establishment which purchases meats and where meals, food portions or refreshments are served for a consideration;

(ii) The War Shipping Administration of the U. S. Government;

(iii) Any person operating an ocean going vessel, engaged in the transportation of cargo or passengers in foreign, coastwise or intercoastal trade, to the extent that meat is delivered to him as ship's stores for consumption aboard such vessel;

(iv) Any hospital, asylum, orphanage, prison or other similar institution, which is operated by any federal, state or local government or agency thereof.

(v) Any contract school (means and includes any person who is feeding pursuant to a written contract with any agency of the United States, personnel of the armed services of the United States, fed under the command of a commissioned or noncommissioned officer or other authorized representative of the armed services of the United States.)

[Subparagraph (15) added by Am. 6, 8 F.R. 7826. (v) added by Am. 15]

(b) When used in this Revised Maximum Price Regulation No. 148 the term:

(1) "Ready to serve without further heating" refers to pork products which have been heated so that all parts of the pork muscle contained therein have reached a temperature of at least 148° F. by a method of heating and under conditions known to insure such result.

[Subparagraph (1) as amended by Am. 2 8 F.R. 2922]

(2) "Baked" refers to a pork product which (i) has been heated in an oven for sufficient time to cause the formation of a brown crust on the surface, the rendering out of the surface fat, the caramelization of sugar, if applied, and the formation of all other characteristics of a baked product; (ii) is ready to serve without further heating; and (iii) the lean meat of which weighs not in excess of 80% of its weight in the green state, or the moisture content of which is not in excess of 3 times the weight of protein minus the weight of sodium chloride as chemically tested.

(3) "Barbecued" refers to a product which (i) has been covered with a spiced sauce and cooked, either in a smokehouse or oven, sufficiently to assume the characteristics of cooked meat; (ii) is ready to serve without further heating; and (iii) the lean meat of which weighs not in excess of 80% of its weight in the green state or the moisture content of which is not in excess of 3 times the weight of protein minus the weight of sodium chloride as chemically tested.

(4) "Cooked" refers to a pork product which (i) has been heated, otherwise than in the smokehouse or by barbecuing or baking, for sufficient time to assume the characteristics of a cooked product; (ii) is ready to serve without further heating; and (iii) the lean meat of which weighs not in excess of 85% of its weight in the green state, or the moisture content of which is not in excess of 3.2 times the weight of protein minus the weight of sodium chloride as chemically tested, except that the cooked products referred to in Items 5, 6, 7, and 8 of Schedule I (c) of Appendix A (§ 1364.35) may have a lean meat weight not in excess of 90% of the weight in the green state, or a lean meat moisture content not in excess of 3.4 times the weight of protein minus the weight of sodium chloride as chemically tested.

[Subparagraph (4) as amended by Am. 2, 8 F.R. 2322]

(5) "Ready-to-eat" refers to a pork product which (i) has been heated in the smokehouse for sufficient time to assume the characteristics of a cooked product; (ii) is ready to serve without further heating, and (iii) the lean meat of which weighs not in excess of 90% of its weight in the green state, or the moisture content of which is not in excess of 3.4 times the weight of protein minus the weight of sodium chloride as chemically tested.

(6) "Chemically tested" means tested by the methods described in Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists, 5th Edition, 1940:

Salt (sodium chloride)	Ch. XXVIII, para. 2.
Moisture	Ch. XXVIII, para. 5.
Protein	6.25 x wt. of total nitrogen, Ch. XXVIII, para. 8.

(7) "Dried" refers to a product from which moisture has been evaporated by an artificial drying process: The lean meat of Virginia Hams, Proscuitto Hams, Virginia Shoulders and Capicolli Butts shall have a total moisture content not in excess of 65 percent of such moisture in the green state or not in excess of 2.5 times the weight of protein minus the weight of sodium chloride as chemically tested. The lean meat of Virginia Sides, Virginia Bacon and Virginia Jowls shall weigh not in excess of 90 percent of its weight in the green state, or its moisture content shall not be in excess of 3.4 times the weight of protein minus the weight of sodium chloride as chemically tested.

(8) "Smoked" refers to a product which has been smoked by the actual burning of hardwood or hardwood sawdust in such manner as (i) to impart a smoked flavor to the meat, and (ii) to cause the finished weight to be no more than the green weight and to cause the following smoking and hanging shrinks from the weights at the beginning of the smoking process:

Wholesale pork cut	*Minimum smoking and hanging shrink (percent)*
Regular and skinned ham	10
Picnic and shoulder	10
Boston butt	8
Boneless butt (cottage butt)	12
Belly (dry cured, semi-dry cured or sweet-pickle cured)	10
Brisket	12
Pork loin	10
Dry salt belly	7
Dry salt fat back	7
Jowl and plate	8
Spareribs	15
Hock, knuckle, and tail	7
Other smoked cuts	7

(9) "Boneless" refers to a product from which all of the bone has been removed.

(10) "Fatted" refers to a product from which the fat has been removed to within ½ inch of the lean.

(c) When used in this Revised Maximum Price Regulation No. 148 the following names of wholesale pork cuts refer to cuts meeting the following minimum specifications:

(1) "Grade A sliced bacon": Bacon sliced from dry sugar-cured or semi-dry sugar-cured, fancy-trimmed square-cut, seedless whole bellies, from which the rind has been removed, in whole slices not over 9½ inches in length and not over 2¼ inches or less than ¾ of an inch in width, containing no more than two part slices to the package.

(2) "Grade B sliced bacon": Bacon sliced from dry sugar-cured, semi-dry sugar-cured or sweet pickle sugar-cured whole bellies, from which the rind has been removed, in whole slices not over 11 inches in length and not over 3 inches or less than ¾ of an inch in width, containing no more than two part slices to the package.

(3) "Grade C sliced bacon": All bacon sliced from oily bacon bellies, and all other bacon sliced from bellies which will not qualify as Grade A or Grade B sliced bacon, exclusive of ends and broken pieces.

(4) "Regular ham": Hams cut off from the hog carcass not less than 2¼ inches nor more than 2¾ inches from the exposed end of the aitch bone, properly faced, with the shank cut off at or above the hock joint, with loose and gut fat removed from the face and pelvic cavity, with the cushion side well rounded and no excessive flank.

(5) "Skinned ham": Hams cut as regular hams but with the skin removed to leave a collar covering not more than 40% of the length of the ham, with the fat beveled back at least 3 inches from the lean meat at the butt, neatly rounded and beveled on flank and cushion, with not over 1¼ inches of fat left on any portion of the ham from which the skin has been removed.

(6) "Regular or skinned ham, short shank": Regular or skinned hams from which the shank has been cut off 2½ inches shorter than in the regular or skinned hams.

(7) "Regular or skinned ham, shankless": Regular or skinned hams from which the shank has been cut off at least 3 inches above the stifle joint to remove the entire shank.

(8) "Regular picnic": Picnics cut from shoulders not less than one rib wide in such manner as to leave not less than 1 inch or more than 2½ inches of blade bone in the picnic, closely trimmed, properly faced, with the lip and breast flap removed, well rounded and with the fat properly beveled on the butt end.

(9) "Regular picnic, short shank": Regular picnics from which the shank has been cut off 2 inches from the arm pit and parallel to the knee joint.

(10) "Regular picnic, shankless": Regular picnics from which the shank has been cut off close to the breast and parallel to the knee joint.

(11) "Regular picnic, half skinned": Regular picnics from which the skin has been removed to leave a collar covering not more than 50% of the length of the picnic.

(12) "Rough shoulder": An untrimmed shoulder with foot and jowl cut off and neck bone left in or out.

(13) "Regular shoulder": Shoulders cut not less than one rib wide, with the breast flap taken off and the neck removed close to the body of the shoulder, and with the foot cut off at the knee joint.

(14) "Skinned shoulders": Shoulders cut as regular shoulders, but with skin taken off within 4 inches of the base of the shank, neatly beveled on the edges, and with not over ¾ inch of fat left on any portion of the shoulder from which the skin has been removed.

(15) "Regular or skinned shoulder, short shank": Regular or skinned shoulders from which the shank has been cut off 2 inches from the arm pit and parallel to the knee joint.

(16) "Regular or skinned shoulder, shankless": Regular or skinned shoulders from which the shank has been cut off close to the breast and parallel to the knee joint.

(17) "Blade butt or blade bone": Blade bones and lean meat taken from a regular plate in converting it to a clear plate.

(18) "Boston butt": Butts the surplus fat of which has been removed to within ½ inch of the lean meat on all portions of the butt and which are neatly beveled on the edges.

(19) "Boneless butt, cellar trim": Boneless butts from which the lip has been removed and which are trimmed smooth on all edges.

(20) "Regular pork loins": Loins from which all excess fat over the tenderloin has been removed and the fat on the back of which does not exceed ½ inch in thickness.

(21) "Regular pork loins, bladeless": Regular pork loins from which the whole shoulder blade bone has been removed.

(22) "Boneless pork loins or Canadian bacon": The boneless eye-muscle only, which has been separated from the other parts of the pork loin at the natural muscle seam. The fat shall not exceed ¼ inch in thickness.

(23) "Fat back pork": Pork derived from the fat back of well finished hogs and cut into pieces about 6 inches square.

(24) "Bean pork": Jowl butts, neatly trimmed on the face and squared on the edges.

(25) "Clear plate pork": Clear plates, free of bone, reasonably free of lean, and squared on the neck side.

(26) "Regular pork trimmings": Trimmings having not in excess of 50% trimmable fat.

(27) "Special lean pork trimmings": Pork trimmings having not in excess of 15 percent trimmable fat.

(28) "Extra lean pork trimmings": Trimmings having not in excess of 5 percent trimmable fat.

(29) "Blade meat": Meat removed from blade bones and having not in excess of 5 percent trimmable fat.

(30) "Virginia cured": Products dry salt cured, washed, peppered and hung from 10 to 30 days before smoking, smoked and hung until product is at least 5 months old.

(31) "Bellies, square cut and seedless": Boneless bellies made from smooth barrows, gilts, or sows and trimmed square on all edges except that the flank may be cut on a bias of not to exceed 1 inch, and if derived from gilts or sows, cut down until seed is removed, except for slight traces of firm white or pink seed. This term does not include bellies of 12 lbs. and under, which are less than ⅝ of an inch in thickness, bellies of 12 lbs. and up, which are less than ¾ of an inch in thickness, nor bellies damaged by scribing, or cut extremely long and narrow, or extremely wide and short, or 1¼ inches beyond the scribe mark, which bellies shall be deemed substandard.

(32) "Bellies, fancy trimmed": Boneless bellies of high quality free from skin cuts, hair roots, rough skin and bruises, which meet all requirements for square-cut and seedless bellies except that all traces of seed must be removed, and the cartilage must be removed from the brisket end and they must be practically free of buttons.

(33) "Bellies, fancy trimmed with brisket off": All fancy trimmed bellies from which the brisket has been cut off behind the shoulder crease.

(34) "Clear bellies, dry salt trim": Bellies reasonably square-cut without excessive boot-jack and boneless.

(35) "Rib bellies, dry salt trim": Bellies cut like clear bellies, dry salt trim, but with the spareribs left in.

(36) "Clear bellies, dry salt square cut trim": Boneless bellies with the boot-jack removed and squarely trimmed on all sides.

(37) "Hams, long-cut bone-in": Hams cut off from the hog carcass at a point not to exceed three inches beyond the end of the saucer bone (slip bone), with the shank cut off not to exceed one inch below the hock joint, with loose gut fat removed from the face and pelvic cavity, with the cushion side well rounded and no excessive flank.

[Paragraph (c) amended by Am. 2, 8 F.R. 2922; Am. 12, 8 F.R. 15191; Am. 14, 8 F.R. 16426; and Am. 15]

§ 1364.33 *Revocation of orders issued under Maximum Price Regulation No. 148.* Orders numbered 1 and 3 to 28, both inclusive, under Maximum Price Regulation No. 148 are hereby revoked.

§ 1364.34 *Effective date.* Revised Maximum Price Regulation No. 148 (§§ 1364.21 to 1364.35, inclusive) shall become effective November 2, 1942. [RMPR 148 originally issued October 22, 1942.]

[Effective dates of amendments follow:
Amendment 1, effective January 19, 1943.
Amendment 2, effective March 6, 1943, except that as to all sales to war procurement agencies of the United States Government, effective March 1, 1943.
Amendment 3, effective April 10, 1943.
Amendment 4, effective May 31, 1943.
Amendment 5, effective (1) as to sales or deliveries of fresh and frozen wholesale pork cuts, by others than wholesalers, June 14, 1943; (2) as to sales or deliveries of fresh and frozen wholesale pork cuts, by wholesalers, June 19, 1943; (3) as to sales or deliveries of cured and processed wholesale pork cuts, by others than wholesalers, June 28, 1943; and (4) as to sales or deliveries of cured and processed wholesale pork cuts, by wholesalers, July 5, 1943. (Amended by Am. 7, 8 F.R. 8677.)
Amendment 6, effective June 9, 1943.
Amendment 7, effective June 14, 1943.
Amendment 8, effective August 3, 1943, except that, as to sales and deliveries of dressed hogs, effective August 8, 1943.
Amendment 9, effective July 30, 1943.
Amendment 10, effective August 13, 1943.
Amendment 11, effective October 4, 1943.
Amendment 12, effective November 9, 1943.
Amendment 13, effective November 20, 1943.
Amendment 14, effective December 10, 1943, except that as to § 1364.35, Schedule I (d), effective January 15, 1944.
Amendment 15, effective February 24, 1944, except that as to revocation of § 1364.22a, effective March 1, 1944.]

§ 1364.35 *Appendix A: Schedules I, II, III and IV.*

SCHEDULE I—PRICES OF WHOLESALE PORK CUTS

[All prices are per hundredweight loose basis, and do not include boxing, transportation or delivery costs, except where indicated otherwise. Weights are by range and not by average]

(a) Pork cuts: green or frozen, cured, smoked, ready-to-eat and cooked

Item	Green or frozen		Cured		Smoked		Ready-to-eat		Cooked	
	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)
1. Hams—regular bone-in	Under 14	$22.25	Under 14	$22.25	Under 14	*Wrapped* $20.25	Under 12	*Wrapped* $29.60	Under 12	*Wrapped* $29.00
	14-18	21.50	14-18	21.50	14-18	23.50	12-16	28.25	12-16	28.25
	Over 18	20.50	Over 18	20.50	Over 18	24.50	Over 16	27.25	Over 16	27.25
2. Hams—long cut, bone-in (may be sold only to be "Virginia cured").	Under 14	22.25								
	14 to 18	21.50								
	Over 18	20.50								
3. Hams—skinned bone-in	Under 14	24.25	Under 14	24.25	Under 14	23.50	Under 12	31.50	Under 12	31.50
	14-18	23.50	14-18	23.50	14-18	27.75	12-16	29.75	12-16	29.75
	Over 18	22.50	Over 18	22.50	Over 18	23.75	Over 16	29.75	Over 16	29.75
4. Hams—regular boneless	Under 14	25.25	Under 14	23.25	Under 12	29.75	Under 12	32.75	Under 12	32.75
	14-18	24.50	14-18	21.50	12-16	29.00	12-14	32.00	12-14	32.00
	Over 18	23.50	Over 18	23.50	Over 16	23.00	Over 14	31.00	Over 14	31.00
5. Hams—skinned boneless	Under 14	27.50	Under 14	27.50	Under 12	32.25	Under 12	33.50	Under 12	33.50
	14-18	26.75	14-18	23.75	12-16	31.50	12-14	34.75	12-14	34.75
	Over 18	25.75	Over 18	25.75	Over 16	30.50	Over 14	33.75	Over 14	33.75
6. Hams—regular boneless and fatted.	Under 10	30.00	Under 10	30.00	Under 10	33.50	Under 8	38.75	Under 8	41.50
	10-14	29.00	10-14	29.00	10-12	34.50	8-12	37.75	8-10	39.75
	Over 14	27.50	Over 14	27.50	Over 12	33.00	Over 12	36.25	Over 10	37.50
7. Hams—skinless boneless and fatted.	Under 10	32.50	Under 10	32.50	Under 10	38.25	Under 8	41.75	Under 8	44.75
	10-14	31.50	10-14	31.50	10-12	37.25	8-12	40.75	8-10	43.00
	Over 14	30.00	Over 14	30.00	Over 12	33.75	Over 12	39.25	Over 10	40.50
8. Boston butts	4-8	25.00	4-8	25.50	4-8	30.25	4-7	33.25		
	Over 8	24.00	Over 8	21.50	Over 8	29.25	Over 7	32.25		
9. Bellies—square cut and seedless.	Under 8	18.00	Under 8	19.00	Under 8	23.00				
	8-12	17.50	8-12	18.50	8-12	22.50				
	12-16	16.00	12-16	17.00	12-14	21.00				
	16-20	15.50	16-20	16.50	14-18	20.50				
10. Bellies—square cut and seedless, derined.	Under 8	20.25	Under 8	21.25	Under 8	23.75				
	8-12	19.75	8-12	20.75	8-10	23.25				
	12-16	18.00	12-16	19.00	10-14	22.50				
	16-20	17.50	16-20	18.50	14-16	21.75				
11. Loins—regular	Under 12	23.50	Under 12	21.00	Under 10	23.50				
	12-16	22.00	12-16	22.50	10-14	27.00				
	16-20	21.00	16-20	21.50	14-18	23.00				
	Over 20	20.00	Over 20	20.50	Over 18	23.00				
12. Picnics:										
Bone in		20.50		20.50		24.50		27.25		27.25
Boneless		23.75		23.75		28.25		31.25		31.25
Boneless, fatted and skinless.		28.25		28.25		34.00		37.25		37.50
13. Shoulders—skinned (neck bone out):										
Bone in		22.50		22.50		23.50				29.50
Boneless		25.75		25.75		30.25				33.00
Boneless and fatted		23.50		23.50		34.25				38.25
14. Shoulders—regular neck bone out.		20.50		20.50		24.50				
15. Shoulders—rough:										
Neck bone in		19.75		19.75		23.75				
Neck bone out		20.25		20.25		24.25				
16. Butts—boneless C. T		29.75		30.25		33.25		42.00		
17. Loins-boneless (may not be sold to retailers)		33.50		34.00						
18. Canadian bacon						41.25		45.00		
19. Sliced Canadian bacon						49.75		53.50		
20. Briskets		12.50		13.50		17.75				
21. Sliced bacon—derined:										
Standard Grade A						30.00				
Standard Grade B						27.00				
Standard Grade C						23.75				
Sliced jowl butts						18.50				
Sliced regular plates						18.00				
Bacon end slices						16.00				

SCHEDULE I—PRICES OF WHOLESALE PORK CUTS—Continued

(b) Pork cuts: green or frozen, cured, smoked and barbecued

Item	Green or frozen	Cured		Smoked	Barbecued
		Loose	Packed in tierces		
1. Fat backs:					
Under 12 pounds	$11.00	$11.00		$13.50	--------
12-16	11.50	11.50		14.00	--------
Over 16 pounds	12.00	12.00		14.50	--------
2. Fat back ends or squares	10.25	10.25		12.75	--------
3. Bellies—dry salt trim (clear or rib)	14.50	15.00		17.50	--------
4. Plates and jowls:					
Clear plates	10.25	10.75		13.00	--------
Regular plates	11.25	11.75		14.00	--------
Jowl butts	10.25	10.75		13.00	--------
Square jowl butts	11.75	12.75		[1] 16.00	--------
5. Spareribs:					
3 pounds or less	16.25	$16.25	$17.25	22.25	--------
3 to 5 pounds	13.75	13.75	14.75	19.75	--------
5 pounds or over	12.25	12.25	13.25	18.25	--------
6. Barbecue ribs, brisket bone off	18.50	18.50	19.50	24.50	$29.00
7. Loin ribs	17.00	17.00	18.00	23.00	27.00
8. Sparerib brisket bones	6.75	6.75	7.75	10.75	--------

[1] Wrapped.

(c) Pork cuts; cooked and smoked and baked or barbecued (wrapped)

Item	Cooked and smoked		Baked or barbecued	
	Weight	Price	Weight	Price
	Pounds		*Pounds*	
1. Hams—regular, boneless and fatted	Under 8	$42.75	Under 8	$46.00
	8-10	41.00	8-10	44.00
	Over 10	38.75	Over 10	41.50
2. Hams—skinless, boneless and fatted	Under 8	46.25	Under 8	49.25
	8-10	44.50	8-10	47.25
	Over 10	42.00	Over 10	44.50
3. Picnics—skinless, boneless and fatted	All weights	38.50	All weights	42.25
4. Shoulders—skinned, boneless and fatted	--------	--------	All weights	41.75

(d) Dried pork products.

Item:	Price (dollars)
1. Virginia cured ham	38.50
2. Prosciutto hams	36.50
3. Virginia cured sides	26.00
4. Virginia cured bacon	28.75
5. Virginia cured jowls	20.00
6. Virginia cured shoulders	31.50
7. Capicolli butts	44.75

(e) Pork sausage material.

Item	Fresh or frozen	Cured
1. Regular trimmings—50% fat	$18.00	$18.00
2. Trimmings not more than 20% fat	27.25	27.25
3. Special lean trimmings (85% lean)	28.50	28.50
4. Extra lean trimmings (95% lean)	30.50	30.50
5. Neck bone trimmings	27.25	27.25
6. Blade meat	32.25	32.25
7. Skinned neck fat	11.00	------
8. Skin-on neck fat	10.25	------
9. Skinned back fat	11.00	------
10. Skinned ham fat	11.00	10.50
11. Skinned shoulder fat	11.00	------

SCHEDULE I—PRICES OF WHOLESALE PORK CUTS—Continued

(f) Miscellaneous pork cuts

Item	Fresh or frozen	Cured		Smoked
		Not packed in tierces	Packed in tierces	
1. Hocks	$14.25	$14.25	$15.25	$18.00
2. Knuckles	11.00	11.00	12.00	14.75
3. Feet, short-cut	4.75	4.75	--------	--------
4. Feet, long-cut	7.25	7.25	--------	--------
5. Tails	10.00	10.00	11.00	13.75
6. Neck bones	4.75	4.75	--------	7.50
7. No. 1 skins—strips	10.50	10.50	--------	--------
8. Bacon skins	4.50	4.50	--------	6.25
9. Gelatin skins (all rail shipments moving at carload rates must be sold on f. o. b. shipping point basis with buyer paying carrier's charges directly to the carrier)	8.25	8.25	--------	--------
10. Blade butts (blade bones)	18.75	18.75	--------	22.25
11. Back bones	3.75	--------	--------	--------
12. Pork tenderloins—10-lb. cartons or packages	32.00	--------	--------	--------
13. Pork tenderloin—tips	30.00	--------	--------	--------
14. Pork chops (this price applicable only to sales to purveyors of meals)	27.50	--------	--------	--------
15. Canned ham, imported into United States (may be sold on an f. o. b. shipping point basis in l. c. l. quantities, if buyers pay carrier's charges directly to the carrier)	--------	54.00	--------	--------

(g) Pork cuts packed in wood and glass containers

Item	Container and net weight				
	Kit, 13 pounds each	⅛ barrel, 25 pounds each	¼ barrel, 50 pounds each	½ barrel, 100 pounds each	Barrel, 200 pounds each
FAT BACK PORK					
[Pieces per barrel]					
1. 30-40 or 40-50	$2.35	$3.85	$7.45	$14.35	$26.75
2. 50-60 or 60-70	2.30	3.75	7.25	14.00	26.00
3. 70-80 or 80-100 or 100-125	2.20	3.65	7.00	13.50	25.00
PLATE PORK					
4. 25-35 or 35-44 pieces per barrel	2.25	3.55	6.85	13.25	24.50
5. Brisket pork	2.50	4.00	7.75	15.00	28.00

	Container	Net weight, pounds	Price each
6. Vinegar pickled pork feet, cooked, bone in	Tierce	300	$28.00
	Barrel	200	19.50
	½ barrel	75	7.90
	¼ barrel	35	3.80
	⅛ barrel	17	2.15
	Jar	37½	4.15
	Jar	22½	2.70
	Jar	18	2.20
	Jar	16¾	2.05
	Jar	6½	.80
	Kit	13	1.65
7. Vinegar pickled long-cut pork feet, cooked, bone in	Barrel	200	25.50
	Jar	16	2.65

SCHEDULE I—PRICES OF WHOLESALE PORK CUTS—Continued

(h) Products for War Procurement Agencies prepared according to United States Government specifications

Fresh, frozen, cured and smoked items	Weight (pounds)	Price
1. Wiltshires—cured		$20.00
2. Wiltshires—scalded, frozen in sacks		20.50
3. Overseas hams: Regular—shankless (96 hour smoke, long cure, wrapped in muslin. Packed in salt—C. Q. D. specifications).	8-10	31.75
	10-14	31.00
	14-18	30.00
4. Overseas hams: Skinned—shankless (96 hour smoke, long cure, wrapped in muslin. Packed in salt—C. Q. D. specifications).	8-10	34.25
	10-14	33.50
	14-18	32.50
5. Export hams: Regular—shank on (96 hour smoke, long cure, not wrapped. Packed in salt F. S. C. C. specifications).	Under 12	28.75
	12-16	28.00
	Over 20	27.00
6. Export hams: Skinned—shank on (96 hour smoke, long cure, not wrapped. Packed in salt F. S. C. C. specifications).	Under 12	31.00
	12-16	30.25
	Over 16	29.25
7. War hams: Regular (48 hour smoke, long cure, commercial wrapping, packed without salt, C. Q. D. specifications) (deduct $.75 per cwt. if smoked 24 hours or more but less than 48 hours).	8-12	28.00
	12-16	27.25
	Over 16	26.25
8. War hams: Skinned (48 hour smoke, long cure, commercial wrapping, packed without salt, C. Q. D. specifications) (deduct $.75 per cwt. if smoked 24 hours or more but less than 48 hours).	8-12	30.25
	12-16	29.50
	Over 16	28.50
9. Issue hams: Regular (short cure, 48 hour smoke, commercial wrapping). (If smoked 24 hours or more but less than 48 hours, use prices stated for smoked regular hams, item 1 of Schedule 1 (a).)	8-14	23.75
	14-18	23.00
	18-20	22.00
10. Issue hams: Skinned (short cure, 48 hour smoke, commercial wrapping). (If smoked 24 hours or more but less than 48 hours, use prices stated for smoked skinned hams, item 3 of Schedule 1 (a).)	8-14	29.00
	14-18	28.25
	18-20	27.25
11. Export hams: Regular (short cure, smoked 96 hours, not wrapped, packed in salt. F. S. C. C. specifications).	Under 12	23.75
	12-16	23.00
	Over 16	22.00
12. Export hams: Skinned (short cure, smoked 96 hours. Not wrapped, packed in salt, F. S. C. C. specifications).	Under 12	29.00
	12-16	28.25
	Over 16	27.25
13. War bacon (Fancy trimmed, Type 1, Smoked 48 hours. Commercial wrapping, C. Q. D. specifications).	6-8	24.75
	8-12	24.25
	12-14	22.75
	14-18	22.25
14. Overseas bacon (Fancy trimmed, Type 2, Smoked 96 hours. Dry salt cured, wrapped in muslin. Packed in salt C. Q. D. specifications).	Under 10	23.00
	10-14	24.00
	14-18	23.50
15. Rib backs:		
Short cut, dry salt cure		18.50
Short cut, dry salt cure, smoked (F. S. C. C. specifications)		22.75
16. Semi-boneless loins	10 and down	29.50
	10-12	28.00
	12-18	27.00
17. Smoked picnics—export (F. S. C. C. specifications)		23.00
18. Mess pork in barrels (200 pounds net green weight per barrel)		42.75
19. Pork sausage, fresh or frozen:		
Bulk		23.50
In artificial casings		29.50
In hog casings		28.50
In sheep casings		39.50

Canned pork items	Size of can	Price (Dollars per 100 pounds)
20. Spiced luncheon meat	12 oz.	35.25
	2½ lb.	32.50
	6 lb.	32.25
21. Spiced ham	12 oz.	37.25
	2½ lb.	34.50
	6 lb.	34.25
22. Pork sausage	1½ lb.	29.25
23. Pork sausage links S. C.	2 lb.	29.50
H. C.	2 lb.	34.50
24. Pork sausage soya links	1½ or 2 lb.	25.25
25. Corned pork	12 oz.	33.00
	6 lb.	32.00
26. Sliced bacon (F. D. A. specifications)	1½ lbs.	29.00
	7 lbs.	29.75
Sliced bacon (C. Q. D. tentative specifications)	1½ lbs.	32.75
	7 lbs.	32.50
27. Dry salt bacon	12 lb.	27.00
	14 lb.	26.75
28. Pork tongues	12 oz.	30.75
	2½ lb.	34.00
	6 lb.	32.75
29. Pork soya segments	1½ lb. or 2 lb.	23.75
30. Cvinaya tushonka	11½ oz.	41.50
	15½ oz.	49.75
	23 oz.	49.00
	30 oz.	29.50
31. Pork and gravy	30 oz.	49.00
32. Pork sausage meat (C. Q. D. 98A specifications)	34 oz.	33.25

[Schedule I amended by Am. 1, 8 F.R. 544; Am. 2, 8 F.R. 2922; Am. 4, 8 F.R. 7322; Am. 5, 8 F.R. 7671, 8376; Am. 10, 8 F.R. 11380; Am. 11, 8 F.R. 13296; Am. 12, 8 F.R. 15191; Am. 13, 8 F.R. 15609; Am. 14, 8 F.R. 16426 and Am. 15]

SCHEDULE II—REQUIRED DEDUCTIONS FROM PRICES LISTED IN SCHEDULE I

(a) (1) For all slightly miscut or skin cut fresh or frozen wholesale pork cuts, unintentionally so cut, otherwise up to standard, $0.50 per cwt.

(2) For all wholesale pork cuts otherwise substandard because of trim, cutting, thick or wrinkled skin, bruises, abscesses, blood clots, damage, or abnormal color, texture, odor or consistency or character of the lean flesh and of the fat included therein, unintentionally made so substandard, $1.00 per cwt.

(3) For all cured or processed wholesale pork cuts substandard because not in compliance with processing requirements contained in this regulation, unintentionally made so substandard, $2.00 per cwt.

(b) For the following wholesale pork cuts derived from oily hog carcasses, except when sold to an agency of the United States Government pursuant to United States Government specifications and except wholesale pork cuts listed in Schedule I (d) of this Appendix A:

Description of cut:	Required deduction per cwt.
Hams	$1.00
Shoulders and shoulder cuts	3.00
Pork loins	3.00
Bellies	3.00
Slab bacon	3.00
Fat backs	1.00

(c) For all wholesale pork cuts delivered in a straight or mixed carload shipment, $1.00 per cwt.

(d) (1) For all wholesale pork cuts delivered in a straight or mixed shipment of 5,000 lbs. or more, but less than a carload, $0.50 per cwt.

(2) For all wholesale pork cuts delivered in a shipment of more than 500 lbs. of wholesale pork cuts but less than 5,000 lbs., $0.25 per cwt.

(e) For all dried, smoked, ready-to-eat, cooked, baked or barbecued wholesale pork cuts, except sliced bacon, which are designated as wrapped in Schedule I but which the seller does not individually wrap in parchment paper, cellophane or artificial casings or similar packages, $0.50 per cwt.

(f) For sliced bacon not packed in

(1) ½ lb., 1 lb., or 1½ lb. cartons or sealed cellophane or sealed parchment packages, $0.75 per cwt.

(2) Cases of 12 lbs. or less, $0.25 per cwt.

(g) For semi-dry cured Grade A sliced bacon $1.00 per cwt.

(h) For gelatin skins, in lieu of all other deductions, $1.00 per cwt.

[Schedule II amended by Am. 1, 8 F.R. 544; Am. 2, 8 F.R. 2922; Am. 5, 8 F.R. 7671 and Am. 15]

SCHEDULE III—PERMITTED ADDITIONS TO PRICES LISTED IN SCHEDULE I

(a) For special cutting and trimming:

	Per cwt. over standard
(1) *Hams:*	
Short shank	$0.50
Shankless	.75
(2) *Shoulders:*	
Short shank	.50
Shankless	.75
(3) *Picnics:*	
Short shank	.50
Shankless	.75
Half skinned	.25
(4) *Loins,* bladeless	.50
(5) *Bellies:*	*Per cwt. over dry salt trim*
Clear, dry salt square cut trim	$1.00

(6) *Bacon bellies:*

Fancy trimmed, $1.00 per cwt. over square-cut seedless trim price.

Fancy trimmed with brisket off, $2.00 per cwt. over square-cut seedless trim price ($1.00 per cwt. over fancy trimmed price).

(b) For loins, shoulders, picnics, Boston butts, boneless butts, spareribs, feet, tails and neck bones derived from hogs killed in each of the following regions:

Region 1: New England; New Jersey; Delaware; Maryland; the District of Columbia; and those portions of New York and Pennsylvania lying east of the 77th meridian;

Region 2: Those portions of Pennsylvania and New York lying west of the 77th meridian;

Region 3: Virginia; West Virginia; Kentucky; Ohio; Indiana; Chicago, Illinois; and the lower peninsula of Michigan (that part of

Michigan lying between Lake Michigan and Lake Huron);

and delivered fresh for resale fresh, by local delivery within such region on the same market day as or on the first market day after that of the initial cutting of the carcass from which such cuts are derived:

Region:	Permitted addition per cwt.
Region 1	$1.50
Region 2	1.00
Region 3	.50

or delivered fresh or frozen to any war procurement agency of the United States Government:

Region:	Permitted addition per cwt.
Region 1	$1.00
Region 2	.50

(c) For packing in shipping containers:

(1) For domestic shipment (maximum addition permitted: $0.50 per cwt. No addition permitted where price in Schedule I includes shipping container):

Type of container:	Addition per cwt.
(i) All returnable containers	$0.25
(ii) Wood, metal or solid fiber boxes	.50
(iii) Corrugated boxes	.25
(iv) Wirebound crates	.50
(v) Barrels	.40
(vi) Sacks and/or cloth wrappings	.25

(2) For shipment to an agency of the United States Government:

[Item (i) and (vii) amended; items (vi) and (xi) added; items (vii) through (x) redesignated by Am. 15.]

Product	Type of container	Capacity of container	Addition
Fresh, frozen and cured meats:			Per cwt.
(i)	Nailed solid wood boxes	50 lbs. or less	$1.10
		More than 50 lbs., less than 200 lbs.	1.05
		200 lbs. or more	1.00
(ii)	V-1, V-2 fiber boxes (with sleeve)	All sizes	1.00
(iii)	V-1, V-2 fiber boxes (sleeveless)	All sizes	.75
(iv)	V-3, Army fiber boxes	All sizes	.60
(v)	Wirebound boxes	All sizes	.70
(vi)	Wirebound crates	All sizes	.50
Canned meats:			
(vii)	Nailed solid wood boxes	40 lbs. or less	1.20
		More than 40 lbs., less than 70 lbs.	1.10
		70 lbs. or more	1.00
(viii)	V-1, V-2 fiber boxes (with sleeve)	40 lbs. or less	1.10
		More than 40 lbs., less than 70 lbs.	1.00
		70 lbs. or more	.90
(ix)	V-1, V-2 fiber boxes (sleeveless)	40 lbs. or less	.85
		More than 40 lbs., less than 70 lbs.	.75
		70 lbs. or more	.65
(x)	Wirebound boxes	50 lbs. or less	.75
		More than 50 lbs., less than 70 lbs.	.65
		70 lbs. or more	.50
(xi)	Wirebound crates	All sizes	.50

(d) For local delivery:

(1) Where the seller makes local delivery to the buyer's store-door, otherwise than by peddler delivery as stated in paragraph (d) (2) of this schedule, he may add to the base prices specified in Schedule I, the sum of $0.25 per cwt., if such delivery is completed within 25 miles of the point from which such local delivery begins, or the sum of $0.50 per cwt., if such delivery is completed over 25 miles from such point of beginning.

(2) Where the seller makes a peddler truck sale, involving delivery of not more than 50 lbs. of wholesale pork cuts and not more than 150 lbs. of meats in any one day from the truck to any buyer's store-door, he may add to the prices specified in Schedule I the sum of $1.50 per cwt.

(e) For all wholesale pork cuts sold to a purveyor of meals otherwise than by peddler truck sale, $2.00 per cwt.

(f) For all wholesale pork cuts and dressed hogs sold by wholesalers, $0.50 per cwt. (as to dressed hogs, this addition may be made to the slaughterer's maximum price computed as provided in § 1364.22 (g) of this regulation).

(g) For breaking a box or barrel of wholesale pork cuts and delivering less than 30 lbs. of the kind of cuts contained in such box, loose, to a single buyer, an independent wholesaler or packer's branch house may add to the Schedule I price of the cuts so delivered, in lieu of the shipping containers addition permitted by paragraph (c) (1) of this schedule, an amount equal to such permitted shipping container addition. This provision does not apply to sales from branch houses located at or near the seller's packing plant.

(h) For freezing, in the seller's plant and not in a commercial warehouse, dressed hogs or wholesale pork cuts sold by the seller to war procurement agencies, $0.10 per hundredweight.

[Schedule III amended by Am. 1, 8 F.R. 544; Am. 2, 8 F.R. 2922; Am. 6, 8 F.R. 7826; Am. 8, 8 F.R. 10571; Am. 9, 8 F.R. 10732; Am. 11, 8 F.R. 13296; and Am. 15]

Schedule IV—Dressed Hogs

(a) Table of weight ranges and seasonal denominators

Weights of dressed hogs (by range)		Related live hog weight classifications	Denominators by seasons			
			December, January, February, March, April and May		June, July, Aug., Sept., Oct. and Nov.	
Packer style (pounds)	Shipper style (pounds)	Live weight (pounds)	Packer style	Shipper style	Packer style	Shipper style
BUTCHER HOGS						
1. 73-89	81-99	120-140	1.53	1.45	1.54	1.46
2. 90-107	100-119	140-160	1.46	1.38	1.47	1.39
3. 108-123	120-136	160-180	1.43	1.35	1.44	1.36
4. 124-138	137-153	180-200	1.41	1.33	1.42	1.34
5. 139-154	154-171	200-220	1.40	1.32	1.41	1.33
6. 155-169	172-188	220-240	1.39	1.31	1.40	1.32
7. 170-192	189-213	240-270	1.385	1.305	1.395	1.315
8. 193-213	214-235	270-300	1.38	1.30	1.39	1.31
9. 214-239	236-265	300-330	1.375	1.295	1.385	1.305
10. Over 239	Over 265	Over 330	1.37	1.29	1.38	1.30
SLAUGHTER PIGS						
11. Under 73	Under 79	Under 120	1.61	1.53	1.62	1.54
SOWS						
12. 184-280	202-312	270-400	1.405	1.325	1.415	1.335
13. 280 and over	312 and over	400 and over	1.40	1.32	1.41	1.33

(b) *Definitions.* As used in this regulation, the term

(1) "Packer style" means a dressed hog with the head off, kidneys and leaf fat out, and ham facings off.

(2) "Shipper style" means a dressed hog with the head on, kidneys and leaf fat in, and ham facings on.

(3) "Current Chicago live hog price" of hogs other than oily hogs, stags and boars means the highest price quoted, for live hogs of the applicable weight, in the current Chicago Daily Livestock Market Report of the Agricultural Marketing Administration of the U. S. Department of Agriculture, minus the current live cwt. subsidy rate. "Current Chicago live hog price" of oily hogs means a price determined by deducting from the highest price quoted, for live butcher hogs of the applicable weight, in such current report, $1.00 per cwt. and the current live cwt. subsidy rate. "Current Chicago live hog price" of stags and boars means a price determined by deducting from the highest price quoted for live sows or butcher hogs of the applicable weight, in such current report, $1.50 per cwt. and the current live cwt. subsidy rate in the case of stags, and $4.00 per cwt. and the current live cwt. subsidy rate in the case of boars. As to all shipments of dressed hogs from points east of the 85th meridian the current report shall be deemed to be that for the third market day preceding shipment of such dressed hogs. As to all shipments of dressed hogs from points west of the 109th meridian the current report shall be deemed to be that for the fifth market day preceding such shipment. As to all shipments of dressed hogs from points east of the 109th meridian and west of the 95th meridian and from points east of the Mississippi River, south of Kentucky and west of the 85th meridian, the current report shall be deemed to be that for the second market day preceding such shipment. As to all shipments of dressed hogs from any other point, the current report shall be deemed to be that for the market day preceding such shipment.

(4) "Designated transportation differential" means a transportation differential determined as provided in subparagraphs (1), (2), (3) and (4) of § 1364.22 (d).

(c) *Price instructions.* Except as provided in § 1364.22 (h), the maximum price for each dressed hog shall be fixed as follows:

(1) Ascertain the weight range applicable to the dressed hog to be priced. (Weight ranges for packer style dressed hogs are in the first column of the table in paragraph (a) of this Schedule IV, and weight ranges for shipper style dressed hogs are in the second column.) Ascertain the related live hog weight classification of such dressed hog (on the same line in the table, but in the third column). Multiply the current Chicago live hog price, for hogs of such related live hog weight classification, by the appropriate seasonal denominator (on the same line in the table, but in one of the last four columns).

Example: A butcher hog dressed shipper style and weighing 190 pounds falls in the 189 to 213 pound weight range and in the 240 to 270 pound related live hog weight classification. If it were slaughtered in New

York City and shipped on November 24, 1942, the appropriate seasonal denominator would be 1.315, and the current Chicago live hog price would be that reported for Thursday, November 19, 1942, three market days prior to Tuesday, November 24, 1942, ($14.00 per cwt.), minus an assumed current live hog subsidy at that time of $1.30 per cwt., equaling $12.70 per cwt. $12.70 multiplied by 1.315 equals $16.70.

(2) To the price determined under paragraph (c) (1) of this Schedule, add 25¢ per cwt. if the seller delivers such dressed hog by a local delivery to a point more than 50 miles away from the shipping point.

Example: If in the example stated in paragraph (c) (1), such local delivery were made, 25 cents would be added to $16.79 giving a price of $16.95 per cwt.

(3) To the price determined under paragraph (c) (2), add the following permitted fresh kill addition, if the dressed hog is derived from a hog killed in the region where the addition is applicable and delivered by local delivery within such region on the same day as or on the day after killing or sold to the Federal Surplus Commodities Corporation:

Region	Permitted addition per cwt.
(i) New England, New Jersey, Delaware, Maryland, District of Columbia and those portions of New York and Pennsylvania lying east of the 77th meridian	50¢
(ii) Those portions of Pennsylvania and New York lying west of the 77th meridian	35¢
(iii) Virginia; West Virginia; Kentucky; Ohio; Indiana; Chicago, Illinois; and the local peninsula of Michigan (that part of Michigan lying between Lake Michigan and Lake Huron)	15¢

Example: In the example stated in paragraph (c) (2), if the dressed hog is sold to the Federal Surplus Commodities Corporation, or if local delivery is made to a buyer within the region described in subparagraph (3) (i), 50 cents would be added to $16.95 giving a price of $17.45 per cwt.

(4) The maximum price for each dressed hog delivered to the buyer within the Central Price Zone, or delivered outside the Central Price Zone by a local delivery beginning in the Central Price Zone, shall be the applicable price determined under paragraph (c) (1) or (c) (2) of this Schedule.

(5) Except as provided in paragraph (c) (4) of this Schedule, the maximum price for each dressed hog delivered to the buyer in the Chicago Price Zone, or delivered to the buyer outside the Chicago Price Zone and the Central Price Zone by a local delivery beginning in the Chicago Price Zone, shall be the applicable price determined under paragraph (c) (1), (c) (2) or (c) (3) of this Schedule, plus 25¢ per cwt.

(6) Except as provided in paragraphs (c) (4) and (c) (5) of this Schedule, the maximum price for each dressed hog delivered to the buyer outside the Central Price Zone and the Chicago Price Zone shall be the applicable price determined under paragraph (c) (1) (c) (2) or (c) (3) of this Schedule, plus the designated transportation differential.

(d) *Brokers' fees.* The maximum prices fixed pursuant to paragraph (c) of this Schedule IV shall include all charges for brokerage and no addition to such prices may be made for brokers' fees. If the seller pays no brokerage fees on shipments of carload lots, the maximum price shall be reduced by $0.125 per cwt. If the seller pays brokerage on such shipments in an amount less than $0.125 per cwt., the maximum price shall be reduced by the difference between the amount of brokerage actually paid by the seller and $0.125 per cwt.

[Schedule IV added by Am. 1, 8 F.R. 544; amended by Am. 5, 8 F.R. 7671 and Am. 8, 8 F.R. 10571]

NOTE: The record-keeping and reporting provisions of this regulation have been approved by the Bureau of the Budget according to the Federal Reports Act of 1942.

Issued this 18th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2394; Filed, February 18, 1944; 4:23 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 329,[1] Amdt. 18]

PURCHASES OF MILK FROM PRODUCERS FOR RESALE AS FLUID MILK

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. 329 is amended in the following respects:

1. Section 1351.402 (a) (1) is amended to read as follows:

(1) Maximum prices for purchases of "milk" from producers for resale as fluid milk in the Atlanta regional area; the Arlington-Alexandria marketing area and in the Baltimore-Annapolis, Maryland, area; Fairfax County, Virginia, except that part of Fairfax County included in the Arlington-Alexandria, Virginia, marketing area; the Montgomery, Maryland, area; the Harford, Maryland, area; the Norfolk-Portsmouth and Newport News-Williamsburg, Virginia, area; the State of Florida; the Eastern Shore, Maryland, area; and the Charles-St. Marys, Maryland, area are modified and adjusted in § 1351.415 below. Maximum prices for purchases of "milk" from producers for resale as fluid milk in the Denver, Colorado, area, Colorado Springs-Manitou, Colorado, area, and the Pueblo, Colorado, area, are modified and adjusted in § 1351.416 below.

2. Section 1351.404 (p) is added to read as follows:

(p) "Eastern Shore, Maryland, area" means all the territory included within the Counties of Caroline, Dorchester, Queen Annes, Somerset, Talbot, Wicomico, and Worcester, in the State of Maryland.

3. Section 1351.404 (q) is added to read as follows:

(q) "Charles-St. Marys, Maryland, area" means all the territory included within the Counties of Charles and St. Marys, in the State of Maryland.

4. Section 1351.415 (q) is added to read as follows:

(q) *Adjusted maximum prices for purchases of "milk" from producers in the Eastern Shore, Maryland, area.* (1) The maximum prices for each grade of "milk" purchased from a producer for resale as fluid milk in the Eastern Shore, Maryland, area shall be the higher of the following prices:

(i) The maximum prices established under § 1351.402 of this regulation; or

(ii) $3.55 per hundredweight, f. o. b. purchaser's receiving station or processing plant, for milk testing 4 percent butterfat, plus or minus 5¢ for each 1/10 of 1 percent that the butterfat content varies over or under 4 percent as the case may be.

5. Section 1351.415 (r) is added to read as follows:

(r) *Adjusted maximum prices for purchases of "milk" from producers in the Charles-St. Marys, Maryland, area.* (1) The maximum price for each grade of "milk" purchased from a producer for resale as fluid milk in the Charles-St. Marys, Maryland, area shall be the higher of the following prices:

(i) The maximum price established under § 1351.402 of this regulation; or

(ii) $3.79 per hundredweight f. o. b. purchaser's receiving station or processing plant, for milk testing 4 percent butterfat, plus or minus 5¢ for each 1/10 of 1 percent that the butterfat content varies over or under 4 percent as the case may be.

This amendment shall become effective February 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 76th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of February 1944.

CHESTER BOWLES,
Administrator.

Approved: February 16, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-2393; Filed, February 18, 1944; 4:22 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 13 to Rev. Supp. 1]

"SPARE" STAMP 3 FOR PORK PRODUCTS

Section 1407.3027 (e) (4) is added to read as follows:

(4) "Spare" stamp numbered "3" in War Ration Book Four, is good for five points. It may be used by consumers from February 18, 1944, to 12:01 a. m., February 27, 1944, only to acquire all types of sausage, and 100 per cent pork products, except lard. It may be used by persons other than consumers in the same way as a five-point brown stamp.

This amendment shall become effective at 12:01 a. m., February 18, 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; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 18th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2395; Filed, February 18, 1944; 4:22 p. m.]

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

[1] 8 F.R. 2038, 2874, 3252, 3621, 4726, 5907, 5933, 6737, 8063, 9884, 10731, 13721, 15704, 16296; 9 F.R. 611.

[1] 8 F.R. 16334, 16339, 17372, 16393, 17206; 9 F.R. 105, 124, 731, 1181, 1819.

PART 1340—FUEL

[MPR 120,[1] Amdt. 88]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

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

Maximum Price Regulation No. 120 is amended in the following respect:

In § 1340.221 (b) new subparagraph (6) is added to read as follows:

(6) Notwithstanding the provisions of subparagraph (1), (3), (4) and (5) of this paragraph (b), the maximum prices for shipments of coals in Size Group Nos. 1 through 6, and 8 for uses other than locomotive fuel use shall in no case be less than the maximum prices for coals in such respective size groups for locomotive fuel use.

This amendment shall become effective February 19, 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 19th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2429; Filed, February 19, 1944; 11:55 a. m.]

PART 1340—FUEL

[MPR 120,[1] Amdt. 89]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

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. 120 is amended in the following respect:

In § 1340.219 (b), subparagraph (3), in the proviso, after the words "Western Railway Company of Alabama" the word "and" is deleted; after the words "Central of Georgia Railway Company," and before the words "for locomotive fuel, etc.," a comma and the words "and Live Oak, Perry and Gulf Railroad Company and East Tennessee and Western North Carolina Railroad Company." are inserted.

This amendment shall become effective February 25, 1944.

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

[1] 8 F.R. 14560, 15256, 15455, 15456, 16280, 16419, 16738, 16998.

(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 19th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2433; Filed, February 19, 1944; 11:54 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 19]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

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

1. A new paragraph (e) (8) is added to Appendix H, of Article III, section 15 to read as follows:

(8) All weighing and packing by growers and country shippers of the listed commodities shall be done in accordance with customary weighing and packing practices and the requirements of the applicable State Agricultural Code. The provisions of section 1 (f) (5) apply only to those containers of the listed commodities whose maximum prices are named in the applicable table in paragraph (b) hereof, on a per pound basis.

2. Appendix I is added to section 15, Article III, to read as follows:

APPENDIX I—MAXIMUM PRICES FOR CITRUS FRUITS

(a) *Explanation.* This appendix establishes maximum prices for certain sales of oranges, grapefruit, lemons, and tangerines. It supersedes the provisions of Maximum Price Regulation No. 292,[2] and applies to every seller of citrus fruits including growers, country shippers, carlot distributors, terminal brokers, carlot receivers, secondary jobbers, commission merchants and all other sellers except retailers.

Specifically, this appendix:

(1) Establishes designated basing points, maximum prices f. o. b. shipping point, for sales f. o. b. point of shipment,

(2) Establishes maximum prices at the wholesale receiving point for sales through certain named agents and for such sales by all sellers other than retailers,

(3) Establishes maximum prices for all sales of citrus fruits to retail stores, government procurement agencies and institutional buyers.

Each of the citrus fruits is covered by a separate table. Provisions which apply specially to any one kind of citrus fruit are to be found in footnotes to the applicable table. Provisions applicable to all the citrus fruits are to be found in the paragraphs following the tables. The maximum markups which may be added to the f. o. b. or delivered maximum prices, as the case may be, for certain types of sales common to all the citrus fruits, are set forth in a separate table.

Sales by growers of country shippers of five containers (not larger than a "standard" box) or less of citrus fruits in any one lot by mail or express to any one ultimate consumer shall be exempt from the provisions of this regulation, but such sales shall be subject to the provisions of this regulation when made by sellers other than growers or country shippers.

The Office of Price Administration reserves the right to change any basing point named in this Appendix at any time, or to establish new or additional basing points, without changing the maximum prices f. o. b. country shipping point.

(b) *Definitions*—(1) *Container definitions.* (i) For California and Arizona citrus fruits, "standard" or "legal" container means 1⅔ bushel containers (wooden nailed boxes or wire-bound crates) conforming to the specifications of the standard orange box or the standard lemon box respectively, as prescribed by the Agricultural Code of the State of California, or two "half boxes" or two "half strap" boxes, packed and lidded in conformity with the requirements of said Agricultural Code, or a "full box bag" or two "half box bags" containing a quantity of citrus fruit equivalent to that contained in a 1⅔ bushel container as described above.

(ii) For Florida and Texas citrus fruits, "standard" or "legal" container means 1⅔ bushel containers (wooden nailed boxes or wirebound crates) conforming to the specifications for citrus boxes and as published in Freight Container Bureau Tariffs No. 2B, ICC No. 14, and No. 3A, ICC No. 15, as amended, packed and lidded in conformity with the requirements of the Florida Citrus Commission for Florida fruit and in accordance with the requirements of the Texas Commissioner of Agriculture for Texas fruit, or two "half boxes" or two "half strap boxes" packed and lidded in conformity with the requirements of the Agricultural Codes of these states, or a "full box bag" or two "half box bags" containing a quantity of citrus fruit equivalent to that contained in a 1⅔ bushel container as described above.

(iii) "Loose box" means a container of the same size as the standard or legal box filled without any special arrangement or sizing of the fruit and which may be lidded or unlidded.

(2) *Commodity definitions.* (i) "Oranges" includes all oranges, except tangerines.

(ii) "Tangerines" means tangerines, tangelos, satsumas, clementines, temple, and king oranges.

(c) *Maximum price tables applicable to individual citrus fruits.* The following tables state the maximum prices which apply to certain sales of citrus fruits by growers, country shippers, and by intermediate sellers. (For other transactions by these sellers, see the table in paragraph (d) and the provisions of paragraphs (f) (g).)

Except as specified for bulk sales and "on the tree" 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.

[1] 8 F.R. 9546, 9548, 9727, 10571, 10673, 11589, 11691, 11756, 12098, 12951, 13743, 14012, 14154.

[2] 8 F.R. 135, 543, 2869, 3367, 6134.

TABLE 1—MAXIMUM PRICES FOR ORANGES PRODUCED IN CALIFORNIA AND ARIZONA

1	2	3	4	5	6	7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in California and Arizona.	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 stores, government procurement agency or institutional buyer.[4]
1	Oranges packed in standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	1⅗ bushel standard container.	Nov. 16-Apr. 30	$3.85	Col. 5 price plus freight (including 3% transportation tax) from Phoenix, Arizona, for all wholesale receiving points in the states of Oregon, Washington, Montana, Nevada, Idaho and Utah; and Los Angeles, California for wholesale receiving points in all other states; plus protective service.[3]	Col. 6 price plus 75 cents.
2			May 1-Nov. 15	$4.20		Col. 6 price plus 75 cents.
3	Oranges packed in containers other than standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	Pound	Nov. 16-Apr. 30	5.0 cents per pound	Maximum price above (Item 1) divided by 77.	Col. 6 price plus 1 cent per pound.
4			May 1-Nov. 15	5.0 cents per pound	Maximum price above (Item 2) divided by 77.	Col. 6 price plus 1 cent per pound.
5	Oranges sold in bulk (loose without containers) washed, graded and stamped for sale in all wholesale receiving points, except in California and Arizona.[1]	Pound	Nov. 16-Apr. 30	4.0 cents per pound	Maximum price per pound above (Item 3) minus 1 cent.	Col. 6 price plus 1 cent per pound.
6			May 1-Nov. 15	4.0 cents per pound	Maximum price per pound above (Item 4) minus 1 cent.	Col. 6 price plus 1 cent per pound.
7	Oranges packed in standard containers of 1⅗ bushel contents for sale in all wholesale receiving points in California and Arizona.	1⅗ bushel standard container.	Nov. 16-Apr. 30	$3.85	$4.07	$4.82.
8			May 1-Nov 15	$4.20	$4.57	$5.02.
9	Oranges sold loose in standard 1⅗ bushel containers for sale in all wholesale receiving points in California and Arizona.	1⅗ bushel standard container.	Nov. 16-April 30	$2.85	$3.02	$3.57.
10			May 1-Nov. 15	$3.22	$3.43	$3.93.
11	Oranges sold in containers other than standard 1⅗ bushel containers (either packed or loose) for sale in all wholesale receiving points in California and Arizona.	Pound	Nov. 16-April 30	4.7 cents per pound	5.0 cents per pound	6.0 cents per pound.
12			May 1-Nov. 15	5.4 cents per pound	5.7 cents per pound	6.7 cents per pound.
13	Oranges sold in bulk (loose without containers) washed, graded and stamped for sale in all wholesale receiving points in California and Arizona.[1]	Pound	Nov. 16-April 30	4.0 cents per pound	4.3 cents per pound	5.3 cents per pound.
14			May 1-Nov. 15	4.6 cents per pound	4.9 cents per pound	5.9 cents per pound.
15	Oranges sold by growers "on the the tree" to persons other than packers.[2]	Pound	Nov. 16-April 30	3.4 cents per pound		
16			May 1-Nov. 15	4.0 cents per pound		

[1] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be 3/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded and stamped listed for Items 5, 6, x 13, and 14 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 4 below.)

[2] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not ship the commodity being priced in this table. (See paragraph (c) (1) of this appendix.)

[3] Protective service allowances shall be added in accordance with the following schedule of freight rate classes:

Freight per 100 lbs.	Allowances for refrigeration and accessorial charges	
	November 16-April 30	May 1-November 15
$1.31 or higher	$0.14	$0.21
1.11 to 1.30	.14	.17
.83 to 1.10	.12	.15
Less than .83	.12	.13

[4] For sellers covered by column 7, see general provisions of this appendix.

TABLE 2—MAXIMUM PRICES FOR ORANGES PRODUCED IN FLORIDA (EXCEPT THOSE MARKED "INDIAN RIVER"), TEXAS AND ALL OTHER STATES, EXCEPT CALIFORNIA AND ARIZONA[1]

Column 1	2	3	4	5	6	7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in Florida and Texas[5]	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[7]
1	Oranges place packed in standard containers of 1⅗ bushel contents.[2]	1⅗ bushel standard container.	Sept. 1–Feb. 29	$3.45	Col. 5 price plus freight (including 3% transportation tax) from homestead, Florida plus 10 cents protective service[6]	Col. 6 price plus 75 cents.
2			Mar. 1–Aug. 31	$3.75		Col. 6 price plus 75 cents.
3	Oranges sold loose in standard containers of 1⅗ bushel contents, and those packed in containers other than standard containers of 1⅗ bushel contents.	Pound	Sept. 1–Feb. 29	3.8 cents per pound	Maximum price above (item 1) divided by 90.	Col. price plus 8/10 cent per pound.
4			Mar. 1–Aug. 31	4.2 cents per pound	Maximum price above (item 2) divided by 90.	Col. 6 price plus 8/10 cent per pound.
5	Oranges sold in bulk (loose without containers), washed, graded and stamped.[3]	Pound	Sept. 1–Feb. 29	3.0 cents per pound	Maximum price per pound above (item 3) minus 8/10 cent.	Col. 6 price plus 8/10 cent per pound.
6			Mar. 1–Aug. 31	3.3 cents per pound	Maximum price per pound above (item 4) minus 8/10 cent.	Col. 6 price plus 8/10 cent per pound.
7	Oranges sold by growers "on the tree" to persons other than packers.[4]	Pound	Sept. 1–Feb. 29	2.5 cents per pound.		
8			Mar. 1–Aug. 31	2.8 cents per pound.		

[1] Oranges produced in Florida and marked "Indian River" shall be priced under the provisions of Table 3.
[2] Provisions of items 1 and 2 also apply to citrus fruits sold in 1⅗ bushel and half box bags even though fruit sold in such containers is not place packed.
[3] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be 2/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded and stamped listed for items 5 and 6 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 5 below.)
[4] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not pack and ship the commodity being priced in this table. (See paragraph (E) (1) of this appendix.)
[5] Maximum prices f. o. b. shipping point in column 5 do not apply to fruit produced in Florida that is marked "Indian River". (See Table 3.)
[6] For all wholesale receiving points in the State of Florida and that part of the State of Texas including and south of the following counties: Galveston, Harris, Waico, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards, and Valverde, the total allowance for freight and protective services to be added to the Col. 5 price shall be 25 cents per standard container of 1⅗ bushel contents.
[7] For sellers covered by Column 7, see general provisions of this appendix.

TABLE 3—MAXIMUM PRICES FOR ORANGES PRODUCED IN FLORIDA AND MARKED "INDIAN RIVER"[1]

Column 1	2	3	4	5	6	7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point for oranges produced in Florida and marked "Indian River"[5]	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
1	Oranges place packed in standard containers of 1⅗ bushel contents.[2]	1⅗ bushel standard container.	Sept. 1–Feb. 29	$3.89	Col. 5 price plus freight (including 3% transportation tax) from Homestead, Florida plus 10 cents protective service.[6]	Col. 6 price plus 75 cents.
2			Mar. 1–Aug. 31	$4.01		Col. 6 price plus 75 cents.
3	Oranges sold loose in standard containers of 1⅗ bushel contents, and those packed in containers other than standard containers of 1⅗ bushel contents.	Pound	Sept. 1–Feb. 29	4.3 cents per pound	Maximum price above (item 1) divided by 90.	Col. 6 price plus 8/10 cent per pound.
4			Mar. 1–Aug. 31	4.4 cents per pound	Maximum price above (item 2) divided by 90.	Col. 6 price plus 8/10 cent per pound.
5	Oranges sold in bulk (loose without containers), washed, graded and stamped.[3]	Pound	Sept. 1–Feb. 29	3.5 cents per pound	Maximum price per pound above (item 3) minus 8/10 cent.	Col. 6 price plus 8/10 cent per pound.
6			Mar. 1–Aug. 31	3.6 cents per pound	Maximum price per pound above (item 4) minus 8/10 cent.	Col. 6 price plus 8/10 cent per pound.
7	Oranges sold by growers "on the tree" to persons other than packers.[4]	Pound	Sept. 1–Feb. 29	3.0 cents per pound.		
			Mar. 1–Aug. 31	3.1 cents per pound.		

[1] Oranges produced in Florida and not marked "Indian River" shall be priced under the provisions of table 2.
[2] Provisions of items 1 and 2 also apply to citrus fruits sold in 1⅗ bushel and half box bags even though fruit sold in such containers is not place packed.
[3] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be 2/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded and stamped listed for items 5 and 6 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 5 below.)
[4] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not pack and ship the commodity being priced in this table. (See paragraph (e) (1) of this appendix.)
[5] Maximum prices f. o. b. shipping point in column 5 do not apply to fruit produced in Florida and not marked "Indian River." (See table 2.)
[6] For all wholesale receiving points in the State of Florida and that part of the State of Texas including and south of the following counties: Galveston, Harris, Waico, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards, and Valverde, the total allowance for the freight and protective services to be added to the col. 5 price shall be 25 cents per standard container of 1⅗ bushel contents.
[7] For sellers covered by column 7, see general provisions of this appendix.

TABLE 4—MAXIMUM PRICES FOR WHITE GRAPEFRUIT PRODUCED IN CALIFORNIA AND ARIZONA

Column 1	2	3	4	5	6	7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in California and Arizona	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 truckloads delivered to the premises of any retail store, Government procurement agency or institutional buyer [4]
1	White grapefruit packed in standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	1⅗ bushel standard container.	Nov. 1-Apr. 30	$2.79	Col. 5 price plus freight (including 3% transportation tax) from Phoenix, Arizona, for all wholesale receiving points in the States of Oregon, Washington, Montana, Nevada, Idaho, and Utah, and Los Angeles, California for wholesale receiving points in all other States; plus protective services.[3]	Col. 6 price plus 65 cents.
2			May 1-Oct. 31	$3.48		Col. 6 price plus 65 cents.
3	White grapefruit packed in containers other than standard containers of 1⅗ bushel contents for sale in all wholesale receiving points except in California and Arizona.	Pound	Nov. 1-Apr. 30	4.1 cents per pound	Maximum price above (item 1) divided by 63.	Col. 6 price plus 1 cent per pound.
4			May 1-Oct. 31	5.1 cents per pound	Maximum price above (item 2) divided by 63.	Col. 6 price plus 1 cent per pound.
5	White grapefruit sold in bulk (loose without containers) washed, graded & stamped for sale in all wholesale receiving points, except in California and Arizona.[1]	Pound	Nov. 1-Apr. 30	3.0 cents per pound	Maximum price per pound above (item 3) minus 1.1 cent.	Col. 6 price plus 1 cent per pound.
6			May 1-Oct. 31	4.0 cents per pound	Maximum price per pound above (item 4) minus 1.1 cent.	Col. 6 price plus 1 cent per pound.
7	White grapefruit packed in standard containers of 1⅗ bushel contents for sale; in all receiving points in California—Arizona.	1⅗ bushel standard container.	Nov. 1-Apr. 30	$2.79	$3.09	$3.74.
8			May 1-Oct. 31	$3.48	$3.73	$4.33.
9	White grapefruit sold loose in standard 1⅗ bushel containers for sale in all wholesale receiving points in California-Arizona.	1⅗ bushel standard container.	Nov. 1-Apr. 30	$2.21	$2.43	$3.01.
10			May 1-Oct. 31	$2.79	$3.00	$3.55.
11	White grapefruit sold in containers other than standard 1⅗ bushel containers (either packed or loose) for sale in all wholesale receiving points in California-Arizona.	Pound	Nov. 1-Apr. 30	3.8 cents per pound	4.1 cents per pound	5.1 cents per pound.
12			May 1-Oct. 31	4.8 cents per pound	5.2 cents per pound	6.2 cents per pound.
13	White grapefruit sold in bulk (loose without containers) washed, graded, and stamped for sale in all wholesale receiving points in California-Arizona [1]	Pound	Nov. 1-Apr. 30	3.0 cents per pound	3.3 cents per pound	4.3 cents per pound.
14			May 1-Oct. 31	4.0 cents per pound	4.4 cents per pound	5.4 cents per pound.
15	White grapefruit sold by growers "on the tree" to persons other than packers [2]	Pound	Nov. 1-Apr. 30	2.0 cents per pound.		
16			May 1-Oct. 31	3.0 cents per pound.		

[1] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be 3/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded and stamped listed for items 5, 6, & 13, and 14 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See Footnote 4 below.)

[2] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not ship the commodity being priced in this table. (See paragraph (E)(1) of this appendix).

[3] Protective service allowance shall be added in accordance with the following schedule of freight rate classes:

Freight per 100 pounds	Allowances for refrigeration and commercial charges	
	November 1-April 30	May 1-October 31
$1.31 or higher	$0.14	$0.21
$1.11 to $1.30	.14	.17
$0.83 to $1.10	.12	.15
Less than $0.83	.12	.13

[4] For sellers covered by column 7, see general provisions of this appendix.

TABLE 5—MAXIMUM PRICES FOR PINK GRAPEFRUIT PRODUCED IN CALIFORNIA AND ARIZONA

Column 1	2	3	4	5	6	7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in California and Arizona	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 truckloads delivered to the premises of any retail store, Government procurement agency or institutional buyer.[4]
1	Pink grapefruit packed in standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	1⅗ bushel standard container.	All year	$3.03	Col. 5 price plus freight (including 3% transportation tax) from Phoenix, Arizona for all wholesale receiving points in the States of Oregon, Washington, Montana, Nevada, Idaho and Utah: and Los Angeles, California, for wholesale receiving points in all other States: plus protective services.[3]	Col. 6 price plus 65 cents.
2	Pink grapefruit packed in containers other than standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	Pound	All year	4.5 cents per pound	Maximum price above (Item 1) divided by 68.	Col. 6 price plus 1 cent per pound.
3	Pink grapefruit sold in bulk (loose without containers) washed, graded and stamped for sale in all wholesale receiving points except in California—Arizona.[1]	Pound	All year	3.4 cents per pound	Maximum price per pound above (item 2) minus 1.1 cent.	Col. 6 price plus 1 cent per pound.
4	Pink grapefruit packed in standard containers of 1⅗ bushel contents for sale in all wholesale receiving points in California—Arizona.	1⅗ bushel standard container.	All year	$3.03	$3.33	$3.93.
5	Pink grapefruit sold loose in standard 1⅗ bushel containers for sale in all wholesale receiving points in California-Arizona.	1⅗ bushel standard container.	All year	$2.41	$2.66	$3.21.
6	Pink grapefruit sold in containers other than standard 1⅗ bushel containers (either packed or loose) for sale in all wholesale receiving points in California-Arizona.	Pound	All year	4.2 cents per pound	4.6 cents per pound	5.6 cents per pound.
7	Pink grapefruit sold in bulk (loose without containers) washed, graded and stamped for sale in all wholesale receiving points in California-Arizona.[1]	Pound	All year	3.4 cents per pound	3.8 cents per pound	4.8 cents per pound.
8	Pink grapefruit sold by growers "on tree" to persons other than packers.[2]	Pound	All year	2.9 cents per pound		

[1] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be 3/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded and stamped listed for items 3 and 7 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 4 below.)

[2] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not ship the commodity being priced in this table. (See paragraph (E) (1) of this appendix.)

[3] Protective service allowances shall be added in accordance with the following schedule of freight rate classes:

Freight per 100 lbs.	Allowances for refrigeration and accessorial charges	
	November 1-April 30	May 1-October 31
$1.31 or higher	$0.14	$0.21
1.11 to 1.30	.14	.17
.83 to 1.10	.12	.15
Less than .83	.12	.13

[4] For sellers covered by column 7, see general provisions of this appendix.

TABLE 6—MAXIMUM PRICES FOR WHITE GRAPEFRUIT PRODUCED IN FLORIDA (EXCEPT THOSE MARKED "INDIAN RIVER"), TEXAS, AND ALL OTHER STATES, EXCEPT CALIFORNIA AND ARIZONA [1]

Column 1	2	3	4	5	6	7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price F. O. B. shipping point in Florida and Texas [5]	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.[7]
1	White grapefruit place packed in standard containers of 1⅗ bushel contents.[2]	1⅗ bushel standard container.	Sept 1-Feb. 29	$2.51	Col. 5 price *plus* freight (including 3% transportation tax) from Homestead, Florida plus 10 cents protective service.[6]	Col. 6 price plus 65 cents
2			March 1-Aug. 31	$2.77		Col. 6 price plus 65 cents.
3	White grapefruit sold loose in standard containers of 1⅗ bushel contents, and those packed in containers other than standard containers of 1⅗ bushel contents.	Pound	Sept. 1-Feb. 29	3.1 cents per pound	Maximum price above (Item 1) divided by 80.	Col. 6 price plus 8/10 cent per pound.
4			March 1-Aug. 31	3.5 cents per pound	Maximum price above (Item 2) divided by 80.	Col. 6 price plus 8/10 cent per pound.
5	White grapefruit sold in bulk (loose without containers), washed, graded and stamped.[3]	Pound	Sept. 1-Feb. 29	2.2 cents per pound	Maximum price per pound above (Item 3) minus 8/10 cent.	Col. 6 price plus 8/10 cent per pound.
6			March 1-Aug. 31	2.6 cents per pound	Maximum price per pound above (Item 4) minus 8/10 cent.	Col. 6 price plus 8/10 cent per pound.
7	White grapefruit sold by growers "on the tree" to persons other than packers.[4]	Pound	Sept. 1-Feb. 29	1.8 cents per pound.		
8			March 1-Aug. 31	2.1 cents per pound.		

[1] White grapefruit produced in Florida and marked "Indian River" shall be priced under the provisions of table 7.
[2] Provisions of items 1 and 2 also apply to citrus fruits sold in 1⅗ bushel and half box bags even though fruit sold in such containers is not place packed.
[3] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be 8/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded and stamped listed for items 5 and 6 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 5 below.)
[4] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not pack and ship the commodity being priced in this table. (See paragraph (e) (1) of this appendix.)
[5] Maximum prices f. o. b. shipping point in column 5 do not apply to fruit produced in Florida that is marked "Indian River". (See table 7.)
[6] For all wholesale receiving points in the State of Florida and that part of the State of Texas including and south of the following counties: Galveston, Harris, Waleo, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards, and Valverde, the total allowance for freight and protective services to be added to the col. 5 price shall be 25 cents per standard container of 1⅗ bushel contents.
[7] For sellers covered by column 7, see general provisions of this appendix.

TABLE 7—MAXIMUM PRICES FOR WHITE GRAPEFRUIT PRODUCED IN FLORIDA AND MARKED "INDIAN RIVER" [1]

Column 1	2	3	4	5	6	7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point for white grapefruit produced in Florida and marked "Indian River" [5]	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.[7]
1	White grapefruit place packed in standard containers of 1⅗ bushel contents.[2]	1⅗ bushel standard container.	Sept. 1-Feb. 29	$3.01	Col. 5 price *plus* freight (including 3% transportation tax) from homestead, Florida *plus* 10 cents protective service [6]	Col. 6 price plus 65 cents.
2			March 1-Aug. 31	3.27		Col. 6 price plus 65 cents.
3	White grapefruit sold loose in standard containers of 1⅗ bushel contents, and those packed in containers other than standard containers of 1⅗ bushel contents.	Pound	Sept. 1-Feb. 29	3.8 cents per pound	Maximum price above (item 1) divided by 80.	Col. 6 price plus 8/10 cent per pound.
4			March 1-Aug. 31	4.1 cents per pound	Maximum price above (item 2) divided by 80.	Col. 6 price plus 8/10 cent per pound.
5	White grapefruit sold in bulk (loose without containers), washed, graded and stamped.[3]	Pound	Sept. 1-Feb. 29	2.9 cents per pound	Maximum price per pound above (item 3) minus 8/10 cent.	Col. 6 price plus 8/10 cent per pound
6			March 1-Aug. 31	3.2 cents per pound	Maximum price per pound above (item 4) minus 8/10 cent.	Col. 6 price plus 8/10 cent per pound.
7	White grapefruit sold by growers "on the tree" to persons other than packers.[4]	Pound	Sept. 1-Feb. 29	2.4 cents per pound		
8			March 1-Aug. 31	2.8 cents per pound		

[1] White grapefruit produced in Florida and not marked "Indian River" shall be priced under the provisions of Table 6.
[2] Provisions of Items 1 and 2 also apply to citrus fruits sold in 1⅗ bushel and half box bags even though fruit sold in such containers is not place packed.
[3] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be 8/10 cent per pound less than the maximum prices per pound for fruit sold in bulk, washed, graded and stamped listed for Items 5 and 6 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 5 below.)
[4] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not pack and ship the commodity being priced in this table. (See paragraph (e) (1) of this Appendix.)
[5] Maximum prices f. o. b. shipping point in column 5 do not apply to fruit produced in Florida and not marked "Indian River." (See Table 6.)
[6] For all wholesale receiving points in the State of Florida and that part of the State of Texas including and south of the following counties: Galveston, Harris, Waleo, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards, and Valverde, the total allowance for freight and protective services to be added to the col. 5 price shall be 25 cents per standard container of 1⅗ bushel contents.
[7] For sellers covered by column 7, see general provisions of this appendix.

TABLE 8—MAXIMUM PRICES FOR PINK GRAPEFRUIT PRODUCED IN ALL STATES, EXCEPT CALIFORNIA AND ARIZONA

Column 1	2	3	4	5	6	7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in Florida and Texas	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
1	Pink grapefruit place packed in standard containers of 1⅗ bushel contents.[1]	1⅗ bushel standard container.	Sept. 1–Feb. 29	$2.96	Col. 5 price plus freight (including 3% transportation tax) from Weslaco, Texas plus 10 cents protective service[4]	Col. 6 price plus 65 cents.
2			Mar. 1–Aug. 31	$3.17		Col. 6 price plus 65 cents.
3	Pink grapefruit sold loose in standard containers of 1⅗ bushel contents, and those packed in containers other than standard containers of 1⅗ bushel contents.	Pound	Sept. 1–Feb. 29	3.7 cents per pound	Maximum price above (item 1) divided by 80.	Col. 6 price plus 9/10 cent per pound.
4			Mar. 1–Aug. 31	4.0 cents per pound	Maximum price above (item 2) divided by 80.	Col. 6 price plus 9/10 cent per pound.
5	Pink grapefruit sold in bulk (loose without containers), washed, graded and stamped.[2]	Pound	Sept. 1–Feb. 29	2.8 cents per pound	Maximum price per pound above (item 3) minus 9/10 cent.	Col. 6 price plus 9/10 cent per pound.
6			Mar. 1–Aug. 31	3.1 cents per pound	Maximum price per pound above (item 4) minus 9/10 cent.	Col. 6 price plus 9/10 cent per pound.
7	Pink grapefruit sold by growers "on the tree" to persons other than packers.[3]	Pound	Sept. 1–Feb. 29	2.4 cents per pound.		
8			Mar. 1–Aug. 31	2.6 cents per pound.		

[1] Provisions of items 1 and 2 also apply to citrus fruits sold in 1⅗ bushel and half box bags even though fruit sold in such containers is not place packed.

[2] The maximum price for grove run fruit (not washed, graded and stamped) sold in bulk shall be 9/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded and stamped listed for items 5 and 6 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 4 below.)

[3] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not pack and ship the commodity being priced in this table. (See paragraph (E) (1) of this appendix.)

[4] For all wholesale receiving points in the State of Florida and that part of the State of Texas including and south of the following counties: Galveston, Harris, Waleo, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards, and Valverde, the total allowance for freight and protective services to be added to the Col. 5 price shall be 25 cents per standard container of 1⅗ bushel contents.

[5] For sellers covered by Column 7, see general provisions of this appendix.

TABLE 9—MAXIMUM PRICES FOR LEMONS PRODUCED IN ALL STATES

Column 1	2	3	4	5	6	7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in California and Arizona	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[4]
1	Lemons packed in standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	1⅗ bushel standard container.	Nov. 1–Apr. 30	5.08	Col. 5 price plus freight (including 3% transportation tax) from Phoenix, Arizona, for all wholesale receiving points in the States of Oregon, Washington, Montana, Nevada, Idaho and Utah; and Los Angeles, California, for wholesale receiving points in all other States; plus protective services.[5]	Col. 6 price plus 90 cents.
2			May 1–Oct. 31	5.57		
3	Lemons packed in other than standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	Pound	Nov. 1–Apr. 30	6.4 cents per pound	Maximum price above (item 1) divided by 79.	Col. 6 price plus 1.1 cents per pound.
4			May 1–Oct. 31	7.0 cents per pound	Maximum price above (item 2) divided by 79.	Col. 6 price plus 1.1 cents per pound.
5	Lemons sold in bulk (loose without containers) washed, graded and stamped for sale in all wholesale receiving points, except in California and Arizona.[1]	Pound	Nov. 1–April 30	5.0 cents per pound	Maximum price per pound above (items 3) minus 1.4 cent.	Col. 6 price plus 1.1 cents per pound.
6			May 1–Oct. 31	5.6 cents per pound	Maximum price per pound above (items 4) minus 1.4 cent.	Col. 6 price plus 1.1 cents per pound.
7	Lemons packed in standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	1⅗ bushel standard container.	Nov. 1–Apr. 30	$5.80	$5.31	$6.21.
8			May 1–Oct. 31	$5.57	$5.80	$6.70.
9	Lemons sold loose in standard 1⅗ bushel containers for sale in all wholesale receiving points in California and Arizona.	1⅗ bushel standard container.	Nov. 1–Apr. 30	$3.94	$4.12	$4.84
10			May 1–Oct. 31	$4.33	$4.51	$5.23.

Footnotes on following page.

TABLE 9—MAXIMUM PRICES FOR LEMONS PRODUCED IN ALL STATES

Column 1	2	3	4	5	6	7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f.o.b. shipping point in California and Arizona	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
11	Lemons sold in other than standard 1⅝ bushel containers (either packed or loose) for sale in all wholesale receiving points in California and Arizona.	Pound	Nov. 1-Apr. 30	6.2 cents per pound	6.5 cents per pound	7.5 cents per pound.
12			May 1-Oct. 3	6.8 cents per pound	7.1 cents per pound	8.1 cents per pound.
13	Lemons sold in bulk (loose without containers) washed, graded and stamped for sale in all wholesale receiving points in California and Arizona.[1]	Pound	Nov. 1-Apr. 30	5.9 cents per pound	6.3 cents per pound	6.3 cents per pound.
14			May 1-Oct. 31	5.6 cents per pound	5.9 cents per pound	6.9 cents per pound.
15	Lemons sold by grower "on tree" to persons other than packers.[2]	Pound	Nov. 1-Apr. 30	3.8 cents per pound		
16			May 1-Oct. 31	4.4 cents per pound		

[1] The maximum price for grove run fruit (not washed, graded, and stamped) sold in bulk shall be 5/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed, graded, and stamped listed for items 5, 6, 13, and 14 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 4 below.)

[2] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not ship the commodity being priced in this table. (See paragraph (e) (1) of this appendix.)

[3] Protective service allowances shall be added in accordance with the following schedule of freight rate classes:

Freight per 100 lbs.	Allowances for refrigeration and accessorial charges	
	November 1-April 30	May 1-October 31
$1.31 or higher	$0.03	$0.17
$1.11 to $1.30	.03	.17
$0.83 to $1.10	.02	.14
Less than $0.83	.01	.14

[4] For sellers covered by column 7, see general provisions of this appendix.

TABLE 10—MAXIMUM PRICES FOR TANGERINES, PRODUCED IN ALL STATES, EXCEPT CALIFORNIA AND ARIZONA

Column 1	2	3	4	5	6	7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in Florida and Texas	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[6]
1	Tangerines place packed in standard containers of 1⅝ bushel contents.[1] [2]	1⅝ bushel standard container.	All year	$4.40	Col. 5 price plus freight (including 3% transportation tax) from homestead, Florida plus 10 cents protective service.[3]	Col. 6 price plus 90 cents.
2	Tangerines sold loose in standard containers of 1⅝ bushel contents, and those packed in containers other than standard containers of 1⅝ bushel contents.	Pound	All year	5.2 cents per pound	Maximum price above (item 1) divided by 88.	Col. 6 price plus 1 cent per pound.
3	Tangerines sold in bulk (loose without containers), washed, graded.[5]	Pound	All year	4.0 cents per pound	Maximum price per pound above (item 2) minus 1.2 cent.	Col. 6 price plus 1 cent per pound.
4	Tangerines sold by growers "on the tree" to persons other than packers.[4]	Pound	All year	3.2 cents per pound		

[1] Half boxes (⅝bu.) or half box bags shall have a maximum price one half that of 1⅝ bushel standard containers. (Item 1.)

[2] Provisions of items 1 and 2 also apply to citrus fruits sold in 1⅝ bushel and half box bags even though fruit sold in such containers is not place packed.

[3] The maximum price for grove run fruit (not washed, graded) sold in bulk shall be 3/16 cent per pound less than the maximum prices per pound for fruit sold in bulk washed and graded listed for item 3 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 4 below.)

[4] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not pack and ship the commodity being priced in this table. (See paragraph (e) (1) of this appendix.)

[5] For all wholesale receiving points in the State of Florida and that part of the State of Texas including and south of the following counties: Galveston, Harris, Waco, Washington, Lee, Bastrop, Travis, Blanco, Kerr, Edwards, and Valverde, the total allowance for freight and protective services to be added to the col. 5 price shall be 25 cents per standard container of 1⅝ bushel contents.

[6] For sellers covered by column 7, see general provisions of this appendix.

TABLE 11—MAXIMUM PRICES FOR TANGERINES PRODUCED IN CALIFORNIA AND ARIZONA

Column 1	2	3	4	5	6	7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point in California and Arizona	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 [4]
1	Tangerines packed in standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	1⅗ bushel standard container.	All year	$5.13	Col. 5 price *plus* freight (including 3% transportation tax) from Phoenix, Arizona for all wholesale receiving points in the States of Oregon, Washington, Montana, Nevada, Idaho and Utah; and Los Angeles, California for wholesale receiving points in all other States; *plus* protective services.[3]	Col. 6 price plus 10 cents.
2	Tangerines packed in containers other than standard containers of 1⅗ bushel contents for sale in all wholesale receiving points, except in California and Arizona.	Pound	All year	6.7 cents per pound	Maximum price above (Item 1) divided by 77.	Col. 6 price plus 1 7/10 cents per pound.
3	Tangerines sold in bulk (loose without containers) washed, graded for sale in all wholesale receiving points, except in California and Arizona.[1]	Pound	All year	5.3 cents per pound	Maximum price per pound above (Item 2) minus 1.4 cents.	Col. 6 price plus 1 7/10 cents per pound.
4	Tangerines packed in standard containers of 1⅗ bushel contents for sale in all wholesale receiving points in California and Arizona.	1⅗ bushel standard container.	All year	$5.13	$5.40	$6.30.
5	Tangerines sold in containers other than standard containers of 1⅗ bushel contents for sale in all wholesale receiving points in California and Arizona.	Pound	All year	6.7 cents per pound	7.0 cents per pound	8.2 cents per pound.
6	Tangerines sold in bulk (loose without containers) washed, graded for sale in all wholesale receiving points in California and Arizona.[1]	Pound	All year	5.3 cents per pound	5.6 cents per pound	6.8 cents per pound.
7	Tangerines sold by growers "on the tree" to persons other than packers.[2]	Pound	All year	4.4 cents per pound		

[1] The maximum price for grove run fruit (not washed, graded) sold in bulk shall be 3/10 cent per pound less than the maximum prices per pound for fruit sold in bulk washed and graded listed for items 3 and 6 above. The maximum price for grove run fruit sold in bulk shall apply only to sales made by growers to persons other than packers. (See footnote 3 below.)

[2] Persons other than packers are those not regularly engaged in the business of operating a packing or shipping plant and who do not ship the commodity being priced in this table. (See paragraph (e) (1) of this appendix.)

[3] Protective service allowances shall be added in accordance with the following schedule of freight rate classes:

Allowances for refrigeration and accessorial charges (all year)

Freight per 100 lbs.:	
$1.31 or higher	$0.21
$1.11 to $1.30	.17
$0.83 to $1.10	.15
Less than $0.83	.13

[4] For sellers covered by column 7, see general provisions of this appendix.

(d) *Table of maximum markups applicable to all citrus fruits.* 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 (see Column 6 of the applicable table in paragraph (c)), as the case may be. In figuring maximum prices, markups may not be taken cumulatively.

For example: If a carlot receiver buys a carlot of oranges delivered at the wholesale receiving point from a grower selling through a broker, the grower's ceiling price is the maximum delivered price (see Column 6 of the applicable table in paragraph (c)), plus the broker's fee (not to exceed 7¢ per box) and the carlot receiver's ceiling price on the resale (ex store) is the maximum carlot delivered price plus 45¢ per standard box. In other words, the broker's fee comes out of the 45¢ and is not added to it.

TABLE OF MAXIMUM MARK-UPS FOR DISTRIBUTIVE SERVICES TO BE ADDED TO MAXIMUM DELIVERED PRICES (SEE COLUMN 6 OF TABLES IN PARAGRAPH (c))

Column 1	2	3	4	5	6	7	8	9	10	11	12	13
			Sales by a grower or country shipper				Sales by anyone, other than a grower, or country shipper, who has purchased a carlot or truckloot and sells such a carlot or truckloot unbroken	Sales by carlot receivers in less-than-carlots or less-than-truckloots		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	
			Through a broker or shipper's sales agent in any quantity or through a commission merchant in carlots or truckloots [1]	Through a terminal auction in less-than-carlots or less-than-truckloots [1]	Through a commission merchant in less-than-carlot or less-than-truckloot [1]							
Item No.	Commodity	Unit			Ex car, truck, dock, terminal sales platform	Ex store or warehouse		Through a terminal auction or ex car, truck, dock, terminal sales platform	Ex store or warehouse		Original containers and quantities in excess of half of original container	Half original containers and less [2]
1	Oranges	Standard container	$0.07	$0.10	$0.20	$0.45	$0.10	$0.20	$0.45	$0.75	$0.75	
		California standard container loose pack.	$0.05	$0.12	$0.16	$0.35	$0.08	$0.16	$0.35	$0.55	$0.55	
		Other containers or bulk: California, per pound	1/10 cent.	2/10 cent.	3/10 cent.	6/10 cent.	1/10 cent.	3/10 cent.	6/10 cent.	1 cent	1 cent	1 3/10 cents.
		All other, per pound	1/10 cent.	2/10 cent.	3/10 cent.	6/10 cent.	1/10 cent.	3/10 cent.	6/10 cent.	8/10 cent	8/10 cent	1 cent.
2	Grapefruit	Standard container	$0.07	$0.10	$0.18	$0.40	$0.10	$0.18	$0.40	$0.65	$0.65	
		California standard container loose pack.	$0.06	$0.14	$0.15	$0.34	$0.08	$0.15	$0.34	$0.55	$0.55	
		Other container or bulk: California, per pound	1/10 cent.	2/10 cent.	3/10 cent.	6/10 cent.	1/10 cent.	3/10 cent.	6/10 cent.	1 cent	1 cent	1 3/10 cents.
		All other, per pound	1/10 cent.	2/10 cent.	3/10 cent.	7/10 cent.	1/10 cent.	3/10 cent.	8/10 cent.	8/10 cent	8/10 cent	1 cent.
3	Lemons	Standard container	$0.07	$0.10	$0.25	$0.55	$0.10	$0.25	$0.55	$0.90	$0.90	
		California standard container loose pack.	$0.06	$0.13	$0.20	$0.45	$0.08	$0.20	$0.45	$0.72	$0.72	
		Other containers or bulk: All, per pound	1/10 cent.	3/10 cent.	3/10 cent.	7/10 cent.	1/10 cent.	3/10 cent.	7/10 cent.	1 1/10 cents	1 1/10 cent	1 3/10 cents.
4	Tangerines, Temples, King oranges, Clementines, Tangelos, Satsumas	Standard container	$0.07	$0.10	$0.25	$0.55	$0.10	$0.25	$0.55	$0.90	$0.90	
		Other containers or bulk: California, per pound	1/10 cent.	3/10 cent.	3/10 cent.	7/10 cent.	1/10 cent.	3/10 cent.	7/10 cent.	1 3/10 cents	1 3/10 cents	1 1/10 cents.
		All other, per pound	1/10 cent.	3/10 cent.	3/10 cent.	8/10 cent.	1/10 cent.	3/10 cent.	8/10 cent.	1 cent	1 cent	1 1/10 cents.

[1] Charges determined under MPR 165 shall be used instead of those listed in this table if such charges are lower than the mark-ups shown.
[2] Column 12 does not apply to sales made in bulk. Bulk sales of any quantity shall be priced under column 11.

(e) *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) (see Column 6 of the applicable table in paragraph (c)), regardless of the type of sale or the type of purchaser, and regardless of any existing 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 citrus fruit being priced and who does not regularly operate a packing and shipping plant for that commodity, shall purchase citrus fruits in bulk (but not washed, graded and stamped) or "on the tree" at a price higher than the maximum price for the applicable purchase and sale named in the applicable table in paragraph (c).

For example: Suppose a grower of Florida "Indian River" oranges receives an offer from an eastern jobber to "split the wholesale markup" on a delivered sale to the buyer's place of business. It is illegal for the grower to accept any amount of money in excess of the maximum price, f. o. b. country shipping point, plus freight from the applicable basing point and the allowance for protective services listed in the table in paragraph (c) for Florida "Indian River" oranges. The grower may enter into a "joint account" with an eastern buyer, but after the sale the gross return to the grower must not exceed the applicable maximum price, f. o. b. country shipping point plus freight from the basing point and the named protective service allowance.

"Country shipper" means any person, including a grower, grower's cooperative, or packer, who grades, sizes, and packs, or otherwise prepares the kind of citrus fruit being priced for shipment and who sells the commodity from a farm, orchard, grove or other country shipping point. A person who has the citrus fruit 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 citrus fruit has been prepared for shipment.

"Ultimate consumer" means a person who buys the kind of citrus fruit being priced for direct consumption. However, as used in this Appendix, the term does not include a commercial, industrial, institutional user or government procurement agency.

(2) *Sales by country shippers or growers through brokers, shippers' sales agents, commission merchants or terminal auctions.* (i) For sales of citrus fruits by growers or country shippers in carlots or truckloots through a broker, shipper's sales agent or commission merchant, or in less-than-carlots or less-than-truckloots 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 (see Column 6 of the applicable table in paragraph (c)), as the case may be, for the kind of citrus fruit being priced, as named in the applicable table in paragraph (c), 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 [3]) or the markup shown in Column 4 of the table in paragraph (d), 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 kind of citrus fruit being priced on behalf of his principal, without packing any part of the particular citrus fruits sold.

"Commission merchant" means a seller's agent who receives the kind of citrus fruit being priced and who, for a commission or fee, sells it in any quantity in a terminal market or other wholesale receiving point, and who, in the case of less-than-carlot and less-than-truckloot sales, performs the wholesale functions of unloading the fruit from the car or truck in which it is received.

[3] 8 F.R. 14930.

"Commission" or "fee" means the charge made by an agent for services performed in connection with the sale of citrus fruits. No amount which the agent pays over to his principal shall be considered part of his fee or commission.

(ii) For sales 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 kind of citrus fruit being priced, as named in Column 6 of the applicable table in paragraph (c), 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 applicable markup (for ex car or ex store sales, as the case may be, named in Columns 6 and 7 of the table in paragraph (d)), whichever is lower. (For deliveries made in conveyances owned by the seller, see paragraph (iv), below.)

For example: Assume that the maximum price for a carlot of oranges in standard boxes delivered in a particular market is $4.50 per box. Assume the commission merchant is selling ex store, and that his actual fee (and his maximum fee under MPR 165) is 7% of the selling price, or 34¢ per box. The maximum markup for sales by commission merchants (ex store) in Column 7 of the table in paragraph (d) is 45¢ per box. The maximum price for sales through the commission merchant is therefore $4.50 plus 34¢, or $4.84 per box.

(iii) The maximum price in each case for sales by growers or country shippers through a terminal auction is the maximum delivered price named in Column 6 of the applicable table in paragraph (c), plus (1) the respective actual commissions 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) or the markup named in Column 5 of the table in paragraph (d), whichever is lower, plus (2) any actual unloading charges in the terminal market.

"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 citrus fruit 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 government procurement agencies, to institutional buyers or to retail stores where resale is made to ultimate consumers, the maximum price, in each case, is the price for the kind of citrus fruit being priced, as named in Column 7 of the applicable table in paragraph (c). (For deliveries made in conveyances 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 price for the kind of citrus fruit being priced, as named in Column 7 of the applicable table in paragraph (c) multiplied by 1.33.

(f) *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 in unbroken carlots or unbroken trucklots, the maximum price in each case is the maximum price f. o. b. country shipping point, or the maximum delivered price named in Column 6 of the applicable table in paragraph (c), plus the markup named in Column 8 of the table in paragraph (d).

(2) *Sales by carlot or trucklot receivers in less-than-carlots or less-than-trucklots.* (i) For sales ex car, ex truck, ex dock, or ex terminal sales platform, at a terminal market or any wholesale receiving point the maximum price shall be the maximum delivered price (see Column 6 of the applicable table in paragraph (c)) plus the markup named in Column 9 of the table in paragraph (d) for such sales.

(ii) If a carlot or trucklot receiver breaks a car or truck, unloads into a store or warehouse owned or leased in whole or part by him, and makes sales ex store or ex warehouse, the maximum price in these sales shall be the maximum delivered price (see Column 6 of the applicable table in paragraph (c)) plus the markup named in Column 10 of the table in paragraph (d) for ex store or ex warehouse sales. This price does not include delivery charges. If the carlot or trucklot receiver 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 (g)).

(iii) If a carlot or trucklot receiver makes a delivered sale to the premises of a purchaser, within the free delivery zone, without first unloading into a store or warehouse owned or leased by him, the maximum price shall be the maximum price for ex car, ex truck, ex dock, or ex terminal sales platform sales plus the amount which the appropriate regional or district office determines to be applicable to such sales (see paragraph (g)).

(3) *Sales through terminal auctions.* (i) 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 Column 6 of the applicable table in paragraph (c), plus the markup named in Column 9 of the table in paragraph (d). All charges incurred in the making of the sale are included in the named markup, and shall not be added to it.

(ii) "Carlot receiver" or "trucklot receiver" means a person who for his own account and profit buys the citrus fruit 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 citrus fruits in unbroken carlots or unbroken trucklots, the seller shall not be considered a carlot or trucklot receiver.

(4) *Sales by secondary jobbers.* (i) The maximum price in each case for sales by secondary jobbers on a delivered basis is the maximum delivered price named in Column 6 of the applicable table in paragraph (c) plus the markup named in Column 11 of the table in paragraph (d). "Delivered" means delivered to the buyer's premises within the free delivery zone and, in the case of retailers, delivered to the retail store.

(ii) 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 (g)).

(iii) "Secondary jobber" means a person other than a retailer who for his own account and profit purchases the kind of citrus fruit being priced in less-than-carlots or less-than-trucklots and resells it in any quantities.

(5) *Sales by service wholesalers.* (i) The maximum price in each case for sales by service wholesalers on a delivered basis is the maximum delivered price named in Column 6 of the applicable table in paragraph (c) plus the markup named in Column 12 of the table in paragraph (d). "Delivered" means delivered to the buyer's premises within the free delivery zone and, in the case of retailers, delivered to the retail store.

(ii) A service wholesaler, when selling the kind of citrus fruit being priced on a delivered basis in quantities of one-half container or less, may add to the maximum delivered price for that kind of citrus fruit, as named in the applicable table in paragraph (c), the markup named in Column 13 of the table in paragraph (d), but only if he has first offered to sell to the buyer on a full-container basis. This paragraph applies only where the seller breaks the original container received by him and sells a quantity not in excess of half of the quantity in that container. The paragraph does not apply to sales of "half box bags", "half strap boxes", or other fractional units of a standard or legal container, received by the seller and sold unbroken in the form in which it was received.

(iii) 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 (g)).

(iv) "Service wholesaler" means a person who maintains a store or warehouse at which the kind of citrus fruit 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, sorting, repacking, and other handling of the fruit, 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.

(v) 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 named in Column 6 of the applicable table in paragraph (c) plus the markup named in Column 11 of the table in paragraph (d), plus the cost of transportation, beyond the free delivery zone, figured 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 (g)).

(g) *Adjustments by regional and district offices.* The authority delegated by sections 2 (a) and 2 (b) of this regulation to the regional and district offices does not apply to citrus fruits. For citrus fruits, 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 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, 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 re-

ceiving point, and to adjust upwards or downwards the maximum markups established for sales by carlot or trucklot receivers ex car, ex truck, ex dock, or ex terminal sales platform, or at auction. However, any upward adjustment that is made under this paragraph shall not exceed the maximum markup established for sales by carlot or trucklot receivers ex store or ex warehouse.

(h) *Record keeping and notification requirements.* Every sale by any person to intermediate sellers shall be accompanied by a notification in writing showing the date of the sale, the names and addresses of the seller and buyer, the quantity being sold and total price charged. When the total actual price includes brokerage, commission, freight, trucking, refrigeration, or any other charge or fee recognized by this Appendix, the notice shall also set forth the nature of such charges, where the giving of such information is not inconsistent with state law.

(i) *Weights.* (i) All weighing and packing of citrus fruits by growers and country shippers shall be done in accordance with customary weighing and packing practices and the requirements of the applicable State Agricultural Code.

(ii) The provisions of section 1 (f) (5) shall apply to those containers of citrus fruits whose maximum prices named in the applicable table in paragraph (c) are stated on a per pound basis.

This amendment shall become effective February 23, 1944, as to maximum prices, f. o. b. shipping point and March 9, 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 18th day of February 1944.

CHESTER BOWLES,
Administrator.

Approved: February 9, 1944.

MARVIN JONES,
War Food Administrator.

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PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Supp. 3]

FOOD RATIONING FOR INSTITUTIONAL USERS

§ 1305.216 *Average point values, December use factors, allowances per person, and refreshment multipliers to be used in determining bases and allotments of Group III, IV, V and VI users after February 29, 1944*—(a) *Average point values to be used in determining December use of processed foods and foods covered by Ration Order 16 for services of refreshments only:*

	Average point value (per pound)
Processed foods	11
Foods covered by Ration Order 16	6

NOTE: The point values to be used in determining total December 1942 use of processed foods are set forth in Supplement 1. The point values set forth in Supplement 2 are used in determining 75% of the total December 1942 use of foods covered by Ration Order 16.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 17486, 9 F.R. 401, 455, 492.

(b) *December use factors (for determining percentage reduction of December use of rationed foods) for meal services.*

	December use factor	
	Group III, IV or V user	Group VI user
	Percent	*Percent*
Sugar:		
1. If month used in determining the base under this order was after April 1942	100	100
2. If month used in determining the base was April 1942 or earlier	60	60
Processed foods:		
1. If month used in determining the base was February 1943 or earlier	70	100
2. If month used in determining the base was after February 1943	100	100
Foods covered by Ration Order 16:		
1. If month used in determining the base was March 1943 or earlier	75	100
2. If month used in determining the base was after March 1943	100	100

(c) *Allowance per person.* (1) Institutional users who themselves baked less than forty percent (40%) of the baked products (bread, rolls, doughnuts and crullers, pies, cake and pastries) served by them in December 1942, apply the following allowances per person.

	Allowance per person
Sugar	.03 pound
Processed foods:	
1. If the user himself baked less than 80% of the pies served	.7 point
2. If he baked 80% or more of the pies served	.8 point
Foods covered by Ration Order 16	1.0 point

(2) Institutional users who themselves baked forty percent (40%) or more of the baked products (bread, rolls, doughnuts and crullers, pies, cake and pastries) served by them in December 1942, apply the following allowances per person:

	Allowance per person
Sugar	.04 pound
Processed foods:	
1. If the user himself baked less than 80% of the pies served	.7 point
2. If he baked 80% or more of the pies served	.8 point
Foods covered by Ration Order 16	1.1 points

NOTE: For the purposes of determining the percentage of baked products baked by institutional users, Form R-1307 Supplement contains the question: "Of the total number of each of the following baked products that you served in December 1942 what percentage of each did you buy?" This question is intended for the purpose of determining the amount of baked goods which the institutional user himself baked on the assumption that all baked products served which he did not buy were products which he baked. For example, if an institutional user reported that he bought 35% of the baked products which he served, it is taken to indicate that he baked the remaining 65%.

In determining the percentage of all baked products that the user himself baked, the percentage of the total number of items that he baked in each of the 6 categories listed in the parentheses is to be found and the average of those percentages is considered to be the percentage of all baked products that he himself baked.

(d) *December use factors for services of refreshments only:*

	Refreshment December use factor (percent)
Sugar:	
1. If month used in determining the base under this Order was after April 1942	100
2. If month used in determining the base was April 1942 or earlier	60
Processed foods:	
1. If month used in determining the base was February 1943 or earlier	70
2. If month used in determining the base was after February 1943	100
Foods covered by Ration Order 16:	
1. If month used in determining the base was March 1943 or earlier	75
2. If month used in determining the base was after March 1943	100

(e) *Refreshment multiplier (figure to be multiplied by refreshment base to determine the refreshment allotment):*

	Refreshment multiplier
Sugar	2
Processed foods	2
Foods covered by Ration Order 16	2

(f) *Allowances per person to be used in determining adjusted bases of Group VI user serving school lunches:*

(1) Group VI users who serve Type "A" lunch, as approved by War Food Administration, or a similar lunch:

	Allowance per person
Sugar	.03
Processed foods	.7
Foods covered by Ration Order 16	1.0

(2) Group VI users who serve Type "B" lunch, as approved by War Food Administration, or a similar lunch:

	Allowance per person
Sugar	.03
Processed foods	.4
Foods covered by Ration Order 16	.5

This supplement shall become effective on March 1, 1944.

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

Issued this 19th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2430; Filed, February 19, 1944; 11:55 a. m.]

PART 1309—COPPER

[RPS 12,[1] Amdt. 8]

BRASS MILL SCRAP

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

Section 1309.19 (e) is amended by adding thereto a new subparagraph (3) to read as follows:

(3) *Briquetted cartridge brass turnings.* (i) Any person may sell and any

[1] 7 F.R. 2132, 3520, 5515, 8650, 8948, 9392; 8 F.R. 3169, 3852, 4928.

person may buy briquetted cartridge brass turnings at a maximum price of 8⅝ cents per pound of material, f. o. b. point of shipment, subject to the applicable quantity premiums for brass mill scrap established by this regulation.

(ii) As used in this subparagraph, the term "briquetted cartridge brass turnings" shall mean turnings generated in the production of brass cartridge cases, such scrap to contain no free iron or other harmful material and to be delivered to the buyer in compressed self-adhering bundles whose measurements do not exceed 16" x 10" x 12".

This amendment shall become effective February 25, 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 19th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2432; Filed, February 19, 1944; 11:53 a. m.]

PART 1316—COTTON TEXTILES

[RPS 35,[1] Amdt. 16]

CARDED GREY AND COLORED-YARN COTTON GOODS

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

Revised Price Schedule No. 35 is amended in the following respects:

1. Under the heading "Cotton pants coverts" in Table V of § 1316.61 (b) (4) the following is added:

Mill finish:	
1.85	27.95
2.20	23.00
2.67	19.68

2. In § 1316.61 (b) (4) footnote 3a appended to the item "Class C" under the heading "Four Leaf Twills" in Table III is revoked.

3. In Table III of § 1316.61 (b) (4) the following proviso is added to the next to the last paragraph of footnote 5: *Provided further,* That Defense Supplies Corporation may sell and deliver to the Lend Lease Section in the Procurement Division of the Treasury Department at its cost of acquisition any or all 60" osnaburg which it had in inventory on December 1, 1943.

4. In § 1316.61 (c) (5) the Table after the first paragraph is amended to read as follows:

	Premium allowable (cents per lb.)
United States Army specification No. 6-247 (July 12, 1937) and Amendment No. 1 (July 10, 1940) for cloth, drill unbleached (fully shrunk)	1
United States Army Specifications No. 6-261 (January 7, 1939) and Amendment No. 1 (May 24, 1940) for cloth, cotton, herringbone twill [1]	1
United States Army Specification for synthetic resin coated raincoats delivered after March 14, 1942	½
Quartermaster Corps tentative specification (October 31, 1940) for raincoats, Single Texture, Rubberized, O. D	½
Specifications of any War Procurement Agency for products requiring synthetic resin-coated sheeting or print cloths otherwise than as laminations for laminated plastic material [2]	½
Quartermaster Corps Specification P. Q. D. No. 142 (in its present form or as hereafter amended) (Bags, Barrack, O. D.) where the water-repellent process is applied by the producer of the cloth or by an affiliated concern [3]	1.25
Quartermaster Corps Specification P. Q. D. No. 142 (in its present form or as hereafter amended) (Bags, Barrack, O. D.) where the water-repellent process is applied by a job processor: *Provided,* That where the water-repellent process is applied by a job processor the seller shall deliver to the purchaser a certificate stating that the water-repellent process was applied by a job processer and setting forth the name and address of such job processor [3]	1.75

[1] Grey goods made for use in meeting this specification are classified under Price Schedule No. 35 as Class A drills.

[2] This provision shall apply to any deliveries made pursuant to Order No. 8 under Revised Price Schedule No. 35 issued January 27, 1944.

Deliveries against contracts entered into before February 19, 1944, may be made through March 20, 1944 at the premium price even if the fabric is to be used as a lamination in laminated plastics.

[3] These premiums are predicated upon information from the Quartermaster Corps that the specifications will require that the water-repellent finish meet the following minimum requirements:

	Spray rating
Initially	80
After 10 days exposure to weather in accordance with Federal Specification CCC-TO191a, as amended, Section XIII, Par. 3	70

This amendment shall become effective as follows:

(a) The provision relating to footnote 3a to Table III in § 1316.61 (b) (4) shall become effective as of November 27, 1943.

(b) The provision relating to footnote 5 in Table III of § 1316.61 (b) (4) shall become effective as of December 1, 1943.

(c) All other provisions of this amendment shall become effective February 25, 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 19th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2431; Filed, February 19, 1944; 11:52 a. m.]

PART 1336—RADIO, X-RAY AND COMMUNICATION

[MPR 430, Amdt. 1]

ASSEMBLED RADIOS AND PHONOGRAPHS

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. 430 is amended in the following respect:

Section 12 (a) is amended to read as follows:

SEC. 12. *Pricing by specific authorization by the Office of Price Administration.* (a) The maximum price for any assembled radio receiving set or phonograph which is assembled by any person other than a distributor-assembler or retailer-assembler or which is not guaranteed as required by section 10 of this regulation, or which cannot be determined by the seller, shall be the price specifically authorized by the Office of Price Administration, Washington, D. C.

This Amendment No. 1 shall become effective February 26, 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 21st day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2504; Filed, February 21, 1944; 11:43 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53,[1] Amdt. 17]

FATS AND OILS

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

Maximum Price Regulation No. 53 is amended in the following respects:

1. In section 3.1 (c) the text preceding the table is amended to read as follows:

(c) Refined cottonseed oil and bleachable cottonseed oil stearine produced from cottonseed obtained from the 1943-1944 cotton crop, or any subsequent cotton crop, delivered in tankcars, as follows:

2. In section 5.1 (c) the text preceding the table is amended to read as follows:

(c) Refined soybean oil produced from the 1943-1944 soybean crop, or any subsequent soybean crop—in tankcars, basis f. o. b. Decatur, Illinois:

This amendment shall become effective February 26, 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 21st day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2509; Filed, February 21, 1944; 11:42 a. m.]

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

[1] 7 F.R. 1270.

[1] 8 F.R. 11150, 11508, 11508, 11296, 11739, 12022, 12542, 12559, 12873, 15523.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[2d Rev. MPR 346, Amdt. 1]

CORN

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.*

Second Revised Maximum Price Regulation 346 is amended in the following respects:

1. The definition of "corn" in section 3 is amended to read as follows:

"Corn" means corn as defined in the Official Grain Standards of the United States and ear corn and snapped corn as herein defined; and certain mixed grains as set forth in paragraph (h) of the appendix.

2. The definition of "interior barge loading point" in section 3 is amended to read as follows:

"Interior barge loading point" refers to the points specified or described as interior barge loading points in subparagraph (3) of section 20 (d) hereof.

3. The definition of "transportation cost" in section 3 is amended to read as follows:

"Transportation cost" means the cost of transportation actually incurred by a person except that for movement other than by for hire carrier the transportation cost shall not exceed the following scale:

(a) For shelled corn, for distances not exceeding 100 miles, 3 cents per 100 pounds for the first five miles or fraction thereof plus 1 cent per 100 pounds for each succeeding five miles or fraction thereof.

(b) For ear or snapped corn for distances not exceeding 100 miles, 6 cents per 100 pounds for the first five miles or fraction thereof plus 2 cents per 100 pounds for each succeeding five miles or fraction thereof.

(c) For distances in excess of 100 miles, the lowest local carload rail rate from the rail point nearest the point of origin to the rail point nearest the point of destination, plus 8 cents per 100 pounds.

(d) All distances hereunder shall be determined via the shortest route between point of origin and point of destination reasonably suitable for truck movement.

4. The definition of "trucker-merchant" is added to the definitions in section 3 to read as follows:

"Trucker-merchant" means one who purchases corn for resale and transports and delivers the same to his purchaser in a truck owned, leased or operated by him without unloading into an elevator, warehouse, barge or railroad car.

5. The definition of "country shipper" in section 3 is amended to read as follows:

"Country shipper" means, with respect to any lot of corn, a person who has purchased from producers corn which he places in storage facilities such as an elevator or warehouse or which he loads in a railroad car or barge, and (1) which he resells in carload quantities or (2) which he sells and delivers to a trucker-merchant at any point.

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

(1) If delivered to purchaser at farm where grown the formula price set forth in the appendix at the nearest interior rail or barge loading point (whichever is nearer to the farm where grown) less 4 cents per bushel.

7. Section 4 (a) (2) is amended to read as follows:

(2) If delivered to an elevator or warehouse at an interior point other than a barge loading point, either (i) the formula price at such point less 2½ cents per bushel, or (ii) the formula price at the barge loading point nearest to such elevator or warehouse, less 2½ cents per bushel, and less transportation charges, if any, from such elevator or warehouse to such barge loading point at the applicable scale of transportation charges set forth below:

(a) For shelled corn, 1½ cents per bushel for the first five miles or fraction thereof and ¼ cent per bushel for each succeeding five miles or fraction thereof;

(b) For ear corn or snapped corn, 3 cents per bushel for the first five miles or fraction thereof, and ½ cent per bushel for each succeeding five miles or fraction thereof.

(c) All distances hereunder shall be determined via the shortest route between point of origin and point of destination reasonably suitable for truck movement.

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

(3) If delivered to an elevator or warehouse at an interior barge loading point, including any elevator or warehouse within the switching, corporate, town or city limits of such barge loading point, the formula price set forth in the appendix for such barge loading point less 2½ cents per bushel.

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

(4) If delivered to the purchaser loaded aboard rail car or barge, the formula price at such point of delivery, less 1½ cents per bushel.

10. Section 4 (a) (5) is added to read as follows:

(5) If delivered in Area A in any manner other than as provided in subparagraphs (1), (2), (3) and (4) hereof, the formula price set forth in the appendix for the nearest interior rail point or interior barge loading point (whichever is nearer to the point of production) less 2½ cents per bushel.

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

(6) If corn produced in Area A is delivered to a purchaser in Area B, the formula price set forth in the appendix at the interior rail or barge loading point nearest to the point of production plus transportation costs to the point of delivery to the purchaser less 4 cents per bushel.

12. Section 4 (a) (7) is added to read as follows:

(7) If corn produced in Area B is delivered to the purchaser at any other point in Area B, the formula price at the place of delivery less 2½ cents per bushel.

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

(b) Where corn is sold and delivered at farm where grown, if the purchaser performs any services connected with the growing, harvesting, collecting from field or assembling at point or farm where available for ready transportation from farm, the reasonable value of all such services must be deducted from the appropriate maximum price hereinbefore set forth.

14. Section 5 is amended to read as follows:

(a) The maximum price per bushel, bulk, for the sale of any corn by a country shipper shall be the formula price set forth in the appendix at the point from which shipment is made by him plus his transportation cost, if any, to the point of delivery to the purchaser: *Provided*, That if such corn is sold and delivered to an interior barge loading point for barge movement, he may use as his maximum price the formula price at such interior barge loading point.

(b) Notwithstanding the provisions of section 11 of this regulation, the maximum price for sales by a country shipper to a trucker-merchant shall be the formula price at point of delivery to the trucker-merchant.

(c) If a maximum price determined under this section results in a fraction of a cent other than ⅛ of a cent or a multiple thereof, the same may be increased to the next higher ⅛ of a cent.

15. Section 6 (c) (1) is amended to read as follows:

(1) Maximum price per bushel, bulk, for the sale of any corn (other than ex-lake corn) by a merchandiser shall be 1¼ cents per bushel, maximum markup, over the basic price set forth in subparagraphs (i), (ii) and (iii) hereof.

(i) If the corn has transit billing available to the merchandiser, the formula price at the point of origin of the transit billing plus the lowest rail rate from such point of origin to the point of delivery to his customer.

(ii) If the corn has moved into any terminal city named in Appendix A, and no transit billing is available to the merchandiser, the formula price at such terminal city plus the transportation cost from said terminal city to the point of delivery to his customer.

(iii) In all other cases the maximum price at which his supplier could have delivered the corn to him at the point he received the same from his supplier, plus his transportation cost from such

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

point to point of delivery to his purchaser.

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

(d) *Maximum price for sales by trucker-merchants.* Notwithstanding the provisions of paragraphs (a) and (b) of this section, the maximum price for the sale of corn by a trucker-merchant shall be the maximum price he could lawfully have paid to the person from whom he purchased the corn in question plus transportation cost as defined in section 3 from point of loading to point of delivery to his purchaser: *Provided,* That when such delivery is made within a terminal city, the maximum price shall not exceed the formula price at such terminal city less 2½ cents per bushel.

(1) A trucker-merchant shall with respect to every lot of corn transported by him, procure or prepare a statement of information which shall accompany the corn while in transit on the truck. Said statement shall set forth the name and address of the trucker-merchant and of the person from whom the corn was purchased, the date of the purchase and the cost of the corn. Upon delivery of the corn by the trucker-merchant to his purchaser a signed copy of the statement of information shall be given to the purchaser, endorsed to set forth the transportation charge being made, and which shall be retained by the purchaser as part of his record.

17. Section 20 (c) is amended by deleting Evansville, Indiana, from the list of terminal cities.

18. Section 20 (d) (1) is amended to read as follows:

(1) All interior rail points in Area A shall calculate their formula price as set forth in subparagraph (2) of this paragraph (d). All interior barge loading points listed in subparagraph (3) of this paragraph (d) shall calculate their formula prices as set forth in subparagraph (3). The formula price of every other interior point in Area A shall be the formula price of the interior rail point or barge loading point nearest thereto. "Nearest" means the shortest distance between the two points in question by the most usually traveled route.

19. Section 20 (d) (2) is amended to read as follows:

(2) The formula price for No. 1 and No. 2 yellow and mixed corn, bulk, shelled, at any interior rail point in Area A shall be the highest price obtained by deducting from the formula price at any terminal city set forth in paragraph (c) of this appendix or from the figure set forth opposite the following cities:

	No. 1 and No. 2 Yellow and Mixed Corn per Bushel
Milwaukee, Wis	$1.16
Duluth, Minn. and Superior, Wis	1.15¼
Nashville, Tenn	1.28⅞
Louisville, Ky	1.20¼
Philadelphia, Pa	1.29⅞

transportation charges computed at the lowest carload rail rate from the interior rail point in question to the various terminal or other cities above named: *Provided,* That the formula price for interior rail points in the following counties of Illinois, may be determined as the highest price obtained by deducting from a basic maximum price of $1.21½ per bushel for No. 1 and No. 2 Yellow and Mixed corn transportation charges computed at the lowest applicable interior carload rail rate from the point in question to Cairo, Illinois. The counties referred to are as follows:

Alexander, Clay, Clinton, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Lawrence, Marion, Massac, Monroe, Perry, Pope, Pulaski, Randolph, Richland, Saint Clair, Saline, Union, Wabash, Washington, Wayne, White and Williamson.

20. Section 20 (d) (3) is added to read as follows:

(3) The formula price per bushel for No. 1 and No. 2 yellow or mixed corn, bulk, at the following interior barge loading points shall be as follows:

Interior barge loading points:	*No. 1 and No. 2 yellow and mixed corn per bushel*
Morris, Ill	$1.14¾
Seneca, Ill	1.14¾
Ottawa, Ill	1.14½
La Salle, Ill	1.14½
Peru, Ill	1.14½
Hennepin, Ill	1.14¼
Henry, Ill	1.14
Lacon, Ill	1.14
Chillicothe, Ill	1.14
Peoria, Ill	1.15
Pekin, Ill	1.15
Havana, Ill	1.14¼
Beardstown, Ill	1.14¼
Naples, Ill	1.14¼
Clinton, Iowa	1.14¼
Davenport, Iowa	1.14¼
Rock Island, Ill	1.14¼
Muscatine, Iowa	1.14¼
New Boston, Ill	1.14¼
Keithburg, Ill	1.14¼
Oquawka, Ill	1.14¼
Burlington, Iowa	1.14¼
Dallas City, Ill	1.14¼
Meyer Light, Ill	1.14¼
Quincy, Ill	1.14¼
Stillwater, Minn	1.12¾
Hastings, Minn	1.13
Redwing, Minn	1.13
Winona, Minn	1.13½
LaCrosse, Wis	1.13½
Hennepin Canal barge loading points	1.11¾
E. H. Morris Elevator, Evansville, Ind	1.16½

Provided, That if any such corn is shipped out of the interior barge loading point other than by barge, the formula price at the interior barge loading point on resale shall be:

(i) If such barge loading point is also an interior rail point the formula price which would be applicable to such point if it were not also a barge loading point.

(ii) In other cases the formula price at the nearest interior rail point.

21. Section 20 (f) (1), (2) and (3) are amended to read as follows:

(1) For lower grades determined by factors other than moisture content:

Discount per bushel:	*Cents*
No. 3	½
No. 4	1
No. 5	1½
Sample	2

The discounts set forth in this subdivision (1) shall not be cumulative.

(2) The formula price of corn containing over 15½ percent moisture content shall be the formula price for like corn computed without reference to the provision, with the following adjustments for moisture content:

If the moisture content is over 15½ percent and less than 17½ percent deduct ½ cent per bushel for each ½ percent (or fraction thereof) by which the moisture content exceeds 15½ percent.

If the moisture content is 17½ percent or more but less than 20 percent, deduct 2 cents per bushel and in addition deduct ¾ cent per bushel for each ½ percent (or fraction thereof) by which the moisture content exceeds 17½ percent.

If the moisture content is 20 percent or more, deduct 5¾ cents per bushel and in addition deduct 1 cent per bushel for each ½ percent (or fraction thereof) by which the moisture content exceeds 20 percent.

22. Section 20 (h) is amended to read as follows:

(h) *Formula price for certain mixed grain.* The formula price for mixed grain (as defined in the Official Grain Standards of the United States) containing corn, shall be determined at each terminal city and interior point by multiplying the percentage of each such grain in the mixture by the appropriate maximum price thereof at said point or, if there is no such maximum price for a particular grain, by the reasonable market value thereof at said city or point and adding the results.

23. Section 20 (i) is added to read as follows:

(i) *Formula price for ear corn and snapped corn.* The formula price per bushel, bulk, for ear corn and snapped corn shall be the formula price for the kind, grade, quality and quantity of shelled corn into which such corn can be converted, less the reasonable value of all services necessary to make such conversion.

This regulation shall become effective February 21, 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 21st day of February 1944.

CHESTER BOWLES,
Administrator.

FEBRUARY 16, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-2516; Filed, February 21, 1944; 11:36 a. m.]

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

[MPR 364,[1] Amdt. 12]

FROZEN FISH AND SEAFOOD

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

Maximum Price Regulation No. 364 is amended in the following respects:

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

(a) Every processor making a sale and every person making a purchase of frozen fish or seafood in the course of trade or business or otherwise dealing therein, other than a purchaser at retail, after April 13, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity, species, size, grade, style of processing of pack of frozen fish or seafood, and the container type and size, and indicating that the fish or seafood is frozen.

2. Section 7 (e) is amended by changing the first sentence to read as follows:

(e) Every person making a sale of any frozen fish or seafood subject to this regulation shall furnish to the purchaser at the time of delivery a written statement setting forth the date; the names and addresses of the buyer and seller; the species sold; a notation that the fish or seafood is frozen; the quantity, sizes, grades, and styles of processing of such species, and the prices charged therefor, a separate statement of the container differentials, if any, and a separate statement of allowable transportation costs, if any.

3. In section 12, after the definition of "Processor" and before the definition of "Scaled" the following definition is inserted:

"Round" fish or seafood means fish or seafood as it comes from the water.

This amendment shall become effective February 26, 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 21st day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2510; Filed, February 21, 1944; 11:40 a. m.]

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

[1] 8 F.R. 4640, 5566, 7592, 11175, 12023.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[2] Amdt. 20]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

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

Maximum Price Regulation No. 426 is amended in the following respects:

1. Table 7 of Appendix H, Article III, section 15 is amended to read as follows:

TABLE 7—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, California and Iowa.[4]	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.[3]
1	Cucumbers, except hothouse 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 3% transportation tax) from Wauchula, Florida, plus 10 cents protective services[1] for all markets east of and including Chicago, Illinois; and from Chula Vista, California, plus 10 cents for all markets west of Chicago, Illinois.	Col. 6 price plus 75 cents.
2			Jan. 1-Mar. 31	$5.00		Col. 6 price plus 75 cents.
3			Apr. 1-May 31	$3.40		Col. 6 price plus 75 cents.
4			June 1-Oct. 31	To be announced later.		
5	Cucumbers, except hothouse cucumbers, in lug boxes with a net weight of 28 pounds or more.	Lug	Nov. 1-Dec. 31	$2.00	Col. 5 price plus freight (including 3% transportation tax) from Wauchula, Florida, plus 8 cents protective services[1] 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.
6			Jan. 1-Mar. 31	$2.00		Col. 6 price plus 45 cents.
7			Apr. 1-May 31	$2.00		Col. 6 price plus 45 cents.
8			June 1-Oct. 31	To be announced later.		
9	Cucumbers, except hothouse 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.[2]	Pound	Nov. 1-Dec. 31	7.1 cents per pound	Maximum price for item 1 above divided by 48.	Col. 6 price plus 1⅙ cents per pound.
10			Jan. 1-Mar. 31	10.4 cents per pound	Maximum price for item 2 above divided by 48.	Col. 6 price plus 1⅙ cents per pound.
11			Apr. 1-May 31	7.1 cents per pound	Maximum price for item 3 above divided by 48.	Col. 6 price plus 1⅙ cents per pound.
12			June 1-Oct. 31	To be announced later.		
13	Hothouse cucumbers in any container.	Pound	Nov. 1-Dec. 31	13.8 cents per pound	Col. 5 price plus express (including 3% transportation tax) from Davenport, Iowa.[5]	Col. 6 price plus 1⅙ cents per pound.
14			Jan. 1-Mar. 31	19.3 cents per pound		Col. 6 price plus 1⅙ cents per pound.
15			Apr. 1-May 31	13.8 cents per pound		Col. 6 price plus 1⅙ cents per pound.
16			June 1-Oct. 31	To be announced later.		

[1] For all wholesale receiving points in California and Florida no allowance shall be added for protective services.

[2] 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.

[3] For the sellers covered by column 7, see general provisions of this appendix.

[4] Maximum prices f. o. b. shipping point for hothouse cucumbers apply only t Iowa.

[5] Express charges to be computed at the published less than carlot rate per 100 pounds without regard to minimum or fixed charges per package or per shipment. No protective service charge to be added to express shipments.

This amendment shall become effective February 19, 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 19th day of February 1944.

CHESTER BOWLES,
Administrator.

Approved: February 18, 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44-2446; Filed, February 19, 1944; 3:22 p. m.]

[2] 8 F.R. 9546, 9568, 9727, 10571, 10673, 11589, 11691, 11756, 12098, 12951, 13743, 14012, 14154.

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

[RMPR 169,[3] Amdt. 37]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment

[3] 8 F.R. 4037, 4787, 4844, 5170, 5478, 5824, 6053, 6427, 7109, 6345, 7199, 7200, 8011, 8677, 8759, 8963, 9300, 9935, 10364, 10671, 11233, 11445.

has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. The last sentence in § 1364.452 (o) (1) (i) is amended to read as follows: "No person shall sell or deliver, and no person in the course of trade or business shall buy or receive, any fabricated beef cut, other than one defined in § 1364.455 (b) (3) or 1364.452 (o) (8); and no person shall sell or deliver any fabricated beef cut which does not meet War Shipping Administration Specifications, to the War Shipping Administration, or to any ship operator for ship stores."

2. Section 1364.452 (o) (3) is amended to read as follows:

(3) The applicable zone prices in zones 1 and 2 and 5 to 10 for fabricated beef cuts and for ground beef and miscellaneous beef items shall be the prices specified in subparagraphs 4, 5, 6, 7 or 10 hereof (the applicable zone 3 and 4 price), plus the following:

Zone 1	$1.75
Zone 2	1.00
Zone 5	.50
Zone 6	.75
Zone 7	1.00
Zone 8	1.25
Zone 9	1.50
Zone 10	1.75

3. Section 1364.452 (o) (6) is redesignated as § 1364.452 (o) (10).

4. Section 1364.452 (o) (6), (7), (8) and (9) are added to read as follows:

(6) Subject to the additions and deductions hereafter provided in Column IV, the following table prices shall be the applicable Zone 3 or 4 prices on sales of fabricated beef cuts (War Shipping Administration Specifications) made:

Column I—By—	Column II—To—	Column III—Which sales require deliveries	Column IV—Additions and deductions
(i) Any person licensed or nonlicensed ship supplier (other than slaughterers, packers or packers branch houses).	The War Shipping Administration or to such person as may be authorized by the War Shipping Administration to make such purchases under the direction and control of that agency.	To a commercial warehouse or a storage place designated by the War Shipping Administration.	None.
(ii) Any person licensed or nonlicensed ship supplier (other than slaughterers, packers or packers branch houses).	A licensed ship supplier	To the buyer's place of business.	None.
(iii) A slaughterer, packer or packers branch house which is a licensed ship supplier.	A ship operator	To ship side	None.
(iv) Any licensed ship supplier (other than a slaughterer, packer or packers branch house) which purchased the fabricated beef cuts (War Shipping Administration Specifications) from the War Shipping Administration or a person authorized by the War Shipping Administration to make purchases and sales under its direction and control.	A ship operator	To ship side	Add $1.50 per cwt. to table price.
(v) Any licensed ship supplier (other than a slaughterer, packer, or packers branch house).	A ship operator	To ship side	Add $1.25 per cwt. to table price.
(vi) Any slaughterer, packer or packers branch house (licensed or unlicensed).	A licensed ship supplier	To the buyer's place of business.	Deduct 50¢ per cwt. from table price.

(All prices are on dollars per hundredweight basis. The prices for any fraction of a hundredweight shall be reduced accordingly. The prices set forth herein include costs of freezing and one month's storage, wrapping, boxing, strapping, inspection and grading in accordance with War Shipping Administration specifications. The additions and deductions specified in Schedule III (§ 1364.454) and Schedule II (§ 1364.453) of this regulation are not applicable.)

	Choice or AA	Good or A	Commercial or B	Utility or C
Ground beef	18.50	18.50	18.50	18.50
Boneless round	31.25	29.25	25.75	21.50
Strip loin (bone in)	46.75	42.25	35.25	28.75
Sirloin butt (boneless)	34.75	32.50	25.50	19.50
Full trimmed beef tenderloin	54.75	54.75	45.75	45.75
Oven prepared rib	30.25	28.25	26.25	22.75
Boneless regular chuck	25.75	24.25	22.50	20.00
Boneless plate	19.50	19.50	18.25	18.25
Boneless brisket (deckle on)	22.75	22.75	19.50	19.50

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

All sales under this subparagraph are made subject to the provisions of § 1364.452 (k), and for the purposes of this subparagraph (6) the term "fabricated beef cut (War Shipping Administration specifications)" shall be substituted for the term "wholesale cut" in § 1364.452 (k).

For purposes of this subparagraph (6), a sale of fabricated beef cuts (War Shipping Administration specifications) to any person authorized to make such purchase subject to the direction and control of the War Shipping Administration or to a licensed ship supplier for resale as ship stores, shall be deemed a sale to a purveyor of meals.

(7) Notwithstanding the provisions of § 1364.451 (a) (4), the War Shipping Administration or any person authorized by the War Shipping Administration to make purchases under its direction and control, is authorized to purchase and sell fabricated beef cuts (War Shipping Administration specifications).

(8) "Fabricated beef cut (War Shipping Administration Specifications)" means beef derived from steers and heifers of the grades choice, good, commercial or utility and satisfying the specifications and requirements contained in War Shipping Administration Food Control Regulation No. 2. Fabricated beef cuts (War Shipping Administration Specifications), shall be graded in accordance with § 1364.411 (a) (1) and (2) of this regulation, and no fabricated beef cut (War Shipping Administration Specifications) so graded shall be packed for sale and/or delivery to the War Shipping Administration or to any person authorized to make such purchase under the direction and control of the War Shipping Administration, or to a ship operator, except in the presence of an official United States inspector designated by the Food Distribution Administration, or other United States Government agency regularly performing grading and/or inspection service who shall certify that the cutting, boning, trimming and other fabrication, the grade, the weight and the other specifications of the War Shipping Administration and/or the Office of Price Administration have been complied with and that the legends affixed to the package by the seller are correct. Certification by the official United States inspector shall be made by affixing a stamp or sticker to the container, which stamp or sticker shall attest the accuracy of all representations appearing upon the container.

(9) For purposes of subparagraphs (6), (7), and (8) hereof, (i) a licensed ship supplier means any person who has been licensed by the War Food Administration under the provisions of Food Distribution Regulation No. 3,[2] as amended, (issued October 8, 1943) to sell and/or deliver meats and other food products to ship operators and (ii) a "ship operator" means any person as defined in Food Distribution Regulation No. 3, who conducts "* * * the business of vessels for the account of the United States under a general agency form of service agreement approved by the Administrator of the War Shipping Administration; or operating, as the owner or owner's agent, a vessel time chartered to the United States, represented by the Administrator of the War Shipping Administration; or operating a vessel, the services of which are employed by the United States, represented by the Administrator of the War Shipping Administration; which is owned, chartered, or operated by any allied or neutral country", or any other person conducting the business of vessels who is designated as a ship operator by the War Shipping Administration.

5. The last sentence in § 1364.467 (n) (1) is amended to read as follows:

(1) * * * No person shall sell or deliver, and no person in the course of trade or business shall buy or receive, any fabricated veal cut or fabricated veal carcass (War Shipping Administration Specifications), other than one defined in § 1364.470 (b) (3) or § 1364.467 (n) (8); and no person shall sell or deliver any fabricated veal carcass which does not meet War Shipping Administration Specifications to the War Shipping Ad-

[2] 8 F.R. 13880, 14017.

ministration or to any ship operator for ship stores.

6. Section 1364.467 (o) (3) is amended to read as follows:

(3) The applicable zone prices in zones 1 to 3 and 5 to 10 for fabricated veal cuts or fabricated veal carcasses (War Shipping Administration Specifications) shall be the prices specified in subparagraphs (4), (5), (6), or (7) hereof (the applicable zone 4 prices) plus the following:

Zone 1	$2.50
Zone 2	1.50
Zone 3	$0.75
Zone 5	.50
Zone 6	.75
Zone 7	1.00
Zone 8	1.25
Zone 9	1.50
Zone 10	1.75

7. Section 1364.467 (n) (6), (7), (8), (9), and (10) are added to read as follows:

(6) Subject to the additions and deductions hereafter provided in Column IV, the following table prices shall be the applicable Zone 4 prices on sales of fabricated veal carcasses (War Shipping Administration Specifications), made:

Column I—By—	Column II—To—	Column III—Which sales require deliveries	Column IV—Additions and deductions
(i) Any person (licensed or non-licensed ship supplier other than slaughterers, packers or packers branch houses).	The War Shipping Administration or to such person as may be authorized by the War Shipping Administration to make such purchases under the direction and control of that agency.	To a commercial warehouse or a storage place designated by the War Shipping Administration.	None.
(ii) Any person (licensed or non-licensed ship supplier other than slaughterers, packers or packers branch houses).	A licensed ship supplier	To the buyer's place of business.	None.
(iii) A slaughterer, packer or packers branch house which is a licensed ship supplier.	A ship operator	To ship side	None
(iv) Any licensed ship supplier (other than a slaughterer, packer or packers branch house) which has purchased the fabricated veal carcasses (War Shipping Administration Specifications) from the War Shipping Administration or a person authorized by the War Shipping Administration to make purchases and sales under its direction and control.	A ship operator	To ship side	Adds $1.50 per cwt. to table price.
(v) Any licensed ship supplier (other than a slaughterer, packer or packers branch house).	A ship operator	To ship side	Adds $1.25 per cwt to table price.
(vi) Any slaughterer, packer or packers branch house (licensed or unlicensed).	A licensed ship supplier	To the buyer's place of business.	Deduct 50¢ per cwt. from table price.

(All prices are on dollars per hundredweight basis. The price for any fraction of a hundredweight shall be reduced accordingly. The prices set forth herein include costs of freezing and one month's storage, wrapping, boxing, strapping, inspection and grading in accordance with War Shipping Administration specifications. The additions and deductions specified in Schedule III (§ 1364.469) and Schedule II (§ 1364.468) of this regulation are not applicable).

	Choice or AA	Good or A	Commercial or B	Utility or C
Veal carcass	$23.75	$22.75	$20.50	$18.50

All sales under this subparagraph are made subject to the provisions of § 1364.467 (k), and for the purposes of this subparagraph (6) the term "fabricated veal carcass (War Shipping Administration Specifications)" shall be substituted for the term "wholesale cut" in § 1364.467 (k).

For purposes of this subparagraph (6), a sale of fabricated veal carcasses (War Shipping Administration Specifications) to any person authorized to make such purchase subject to the direction and control of the War Shipping Administration or to a licensed ship supplier for resale as ship stores, shall be deemed a sale to a purveyor of meals.

(7) Notwithstanding the provisions of § 1364.466 (a) (4), the War Shipping Administration or any person authorized by the War Shipping Administration to make purchases under its direction and control, is authorized to purchase and sell fabricated veal carcasses (War Shipping Administration Specifications).

(8) "Fabricated veal carcass, (War Shipping Administration Specifications)", means veal derived from calves of grades choice, good, commercial or utility and satisfying the specifications and requirements contained in War Shipping Administration Food Control Regulation No. 2. "Fabricated veal carcass (War Shipping Administration Specifications)", shall be graded in accordance with § 1364.411 (a) (1) and (2) of this regulation and no such fabricated veal carcass so graded shall be packed for sale and/or delivery to the War Shipping Administration or to any person authorized to make such purchase under the direction and control of the War Shipping Administration, or to a ship operator, except in the presence of an official United States inspector designated by the Food Distribution Administration, or other United States Government agency regularly performing grading and/or inspection service, who shall certify that the cutting, dressing, trimming and other fabrication, the grade, the weight and the other specifications of the War Shipping Administration and/or the Office of Price Administration have been complied with and that the legends affixed to the package by the seller are correct. Certification by the official United States inspector shall be made by affixing a stamp or sticker to the container, which stamp or sticker shall attest the accuracy of all representations appearing upon the container.

(9) For purposes of subparagraphs (6), (7) and (8), hereof, (i) a licensed ship supplier means any person who has been licensed by the War Food Administration under the provisions of Food Distribution Regulation No. 3, as amended, (issued October 8, 1943) to sell and/or deliver meats and other food products to ship operators. (ii) A "ship operator" means any person as defined in Food Distribution Regulation No. 3 who conducts "the business of vessels for the account of the United States under the general agency form of service agreement approved by the Administrator of the War Shipping Administration; or operating, as the owner or owner's agent, a vessel time chartered to the United States, represented by the Administrator of the War Shipping Administration; or operating a vessel, the services of which are employed by the United States, represented by the Administrator of the War Shipping Administration; which is owned, chartered, or operated by any allied or neutral country", or any other person conducting the business of vessels who is designated as a ship operator by the War Shipping Administration.

(10) The form in § 1364.531, Appendix F, is amended by the addition of column headings (6), (7) and (8), to the table designated "Direct Labor Costs in Production of Frozen Boneless Beef" under (b), all to read as follows:

Classification of direct production employees responsible for above production	No. in each classification	Total wages paid in each classification	Total wages paid at single rate	Total wages paid at overtime rate	Total hours worked	Total hours at single rate	Total hours at overtime rate
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Boners							
Weighers							
Packers							
Total							

This amendment shall become effective on February 25, 1944, and shall terminate on May 1, 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 21st day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2511; Filed, February 21, 1944; 11:43 a. m.]

PART 1381—SOFTWOOD LUMBER

[2d RMPR 19,[1] Amdt. 1]

SOUTHERN PINE LUMBER

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

The last sentence in the first paragraph of section 9 (b), *Anti-stain,* is amended to read. "Treatment by spraying (except of timbers) does not entitle the seller to the addition."

This amendment shall become effective February 26, 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 21st day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2512; Filed, February 21, 1944; 11:42 a. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 513]

YELLOW CYPRESS LUMBER

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1381.103 *Maximum prices for yellow cypress lumber.* 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, Maximum Price Regulation No. 513 (Yellow Cypress Lumber), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1381.103, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

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

[1] 9 F.R. 1162.

MAXIMUM PRICE REGULATION 513—YELLOW CYPRESS LUMBER

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SECTION 1. *Prices higher than maximum prohibited.* (a) On and after February 26, 1944, regardless of any contract or other obligation, no person shall sell or buy for direct-mill shipment, or deliver or receive on direct-mill shipment, any yellow cypress lumber at prices higher than the ceiling prices fixed by this regulation; and no person shall agree, offer or attempt to do any of these things.

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

SEC. 2. *To what products and transactions this regulation applies*—(a) *Products covered.* This regulation covers, under the term "yellow cypress lumber" all items of cypress lumber of all species (except tidewater red which is subject to Maximum Price Regulation 412[1]), whether the item is specifically named in the price tables or not.

(b) *What transactions are covered.* This regulation covers, under the term "sales for direct-mill shipment", all sales of yellow cypress lumber, no matter who the seller is, and regardless of the quantity involved, except sales of yellow cypress lumber which were part of the regular stock of a distribution yard at the time the sale was made.

(c) *How to tell a mill from a distribution yard.* The term "mill", as used here, covers what are known in the trade as sawmills, planing mills, and concentration yards. Three types of establishments are described below: The first, (1), a typical sawmill or planing mill; the second, (2) a typical concentration yard; and the third (3), a typical distribution yard. An establishment which resembles (1) or (2) more than it does (3) is considered a mill, and one which resembles (3) more than it does (1) or (2) is considered a distribution yard.

(1) "A typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing lumber from logs or rough lumber by sawing or planing; which is located in or near a lumber producing area; which makes and sells yellow cypress lumber.

[1] 8 F.R. 8712, 12406.

(2) "A typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment, which keeps in stock yellow cypress lumber, which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail or full truckload shipment, and which has been located at its particular site to be near the lumber producing area.

(3) "A typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber, except for local species, mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which has been located at its particular site in order to be near a lumber consuming area.

(4) *New yards or changed status.* In order to prevent violation of this regulation by unnecessary routing through yards, the Office of Price Administration will not recognize distribution yards, either new or resulting from a change in operations, set up after December 31, 1942, unless the yard writes to the Lumber Branch of the Office of Price Administration, Washington, D. C. and proves that it satisfies the requirements of the definition and that the purpose is not to get around this regulation by means of unnecessary yard business. Until approval is received, the new yard cannot consider itself a distribution yard for the purpose of this regulation.

(5) *"CPA contract yards".* "CPA yards", as defined in Second Revised Maximum Price Regulation 215,[2] are considered distribution yards, regardless of the above requirements.

SEC. 3. *Basic prices.* The maximum f. o. b. mill prices for yellow cypress lumber are set forth in the price tables in section 18.

SEC. 4. *Cash discount.* If cash is paid the maximum price must be reduced by the seller's August 1941 cash discount. When a seller was not in business in August 1941, 2 percent cash discount for payment in 10 days shall be allowed. On specific written allocations issued by the Office of Chief of Engineers, War Department, the terms 30 days net may be used by the seller regardless of his established practice.

SEC. 5. *Deduction on sales of rough lumber by certain mills.* In sales of all items of yellow cypress lumber in rough form, except timbers, where shipment originates at a sawmill which has no planing mill or which customarily sells the yellow cypress lumber produced by it in rough form, the maximum prices set forth in the price tables of this regulation:

(a) Shall include delivery within a radius of 30 miles, or

(b) Shall be reduced $2.50 per M'BM where the purchaser himself makes the pick-up at the mill, or

[2] 8 F.R. 14145; 9 F.R. 221.

(c) Shall be reduced $2.50 per M'BM before making the transportation additions provided in section 8 where the seller makes delivery over 30 miles.

SEC. 6. *Addition for direct-mill retail sales.* An addition of $3.50 per thousand board feet may be made by a mill or concentration yard on a sale of 2,000 feet board measure or less only within a radius of 25 miles of the seller's establishment to any consumer or buyer who does not purchase for resale, where the shipment originates at a mill.

SEC. 7 *Lumber not graded by seller.* If the seller himself does not specify the exact grades and items contained in a shipment, and furnish an invoice showing the exact footage of each grade and item sold, based on his own measurement and inspection, the maximum price is either:

(a) 10% below the maximum prices for the grades shown in the buyer's inspection; or

(b) the maximum price for the lowest priced grade in the shipment.

In both cases, the seller must furnish free delivery to the buyer's yard, plant, or other destination, up to a distance of 30 miles. Or if the buyer makes the pick-up at the mill, the maximum price must be reduced $2.50 to compensate for non-delivery. If delivery is made over 30 miles, the regular transportation additions permitted by Section 8 must be reduced by $2.50 per M'BM.

Note that these deductions apply regardless of who the purchaser is. The mill cannot sell to the box plant or the retail yard for more than he can to the concentrator, or vice versa.

SEC. 8, *Transportation charges*—(a) *Rail charges.* (1) Only two methods of selling are recognized by this regulation. Any other method is prohibited, as a device to evade the ceiling by manipulation of freight.

The two permitted methods are: on a delivered basis using the estimated weights in section 19 or on an f. o. b. mill basis with actual freight (figured, of course, on actual weights) to be paid by the purchaser.

The two methods may not be combined in a single transaction; that is, a seller may not sell on a basis which gives him the benefit of favorable estimated weights but requires the use of actual weights on items where estimated weights would be unfavorable to him.

(2) The estimated green weights may be used only when green lumber is actually specified and shipped.

(3) The transportation charge, when estimated weights are used, must be evened out to the nearest quarter-dollar per M'BM (or nearest 5 cents per 1,000 pieces of lath).

(b) *Common or contract carrier (other than rail).* Where transportation is by common or contract carrier (other than rail) the only rule is that actual cost of transportation may be added to the f. o. b. mill ceiling.

(c) *Private truck.* When shipment is by truck owned or controlled by the seller, the following amounts may be added for transportation: For distances up to and including 10 miles, $1.50 per M'BM, over 10 and up to and including 20 miles, $2.00 per M'BM and over 20 and up to and including 30 miles, $2.50 per M'BM. Where the distance is greater than 30 miles, the seller may charge the amount of the railroad charge at the carload rate for the most similar haul or $3.00 per M'BM, whichever is greater. Distance, as used in this paragraph, means the distance from the mill to the point of destination as measured by the speedometer. No addition may be made for the return trip.

(d) *Truck delivery after rail haul.* When truck delivery to yard or job site follows a rail haul, and is specified in the order, the actual cost of truck delivery may be added. This may include the actual cost of handling and reloading involved in transfer from rail cars to trucks.

(e) *All-truck haul.* When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in paragraphs (b) and (c) of this section.

SEC. 9. *Grades, services and extras not specifically priced*—(a) *Conditions.* If a seller wishes to sell a grade which is not specifically priced in the price tables, or wishes to make an addition for special workings, specifications, services, or other extras for which additions are not specifically permitted, he must apply to the Lumber Branch, Office of Price Administration, Washington, D. C., for a maximum price. He must provide the following information:

(1) The requested price;

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

(3) The price differential between it and the most comparable item in the price tables, between January 1 and August 1, 1941, from the seller's own records or if that is impossible, from the experience of the trade. If no established price differential existed, a detailed analysis of comparative value should be furnished.

(4) A true copy of the order or of customer's inquiry on the basis of which the application has been submitted.

(5) A statement by the purchaser that none of the items specifically priced in the regulation will serve the purpose for which the stock is intended to be used, which purpose is to be stated; and that it has been his custom to purchase lumber on this special specification.

(b) *Approval.* In each case where a special price is approved, an authorization number will be assigned which must appear on all final invoices covering shipments at the special price. Quotations and deliveries may not be made at the requested price until the price has been approved. Action on the request may be made by letter or telegram.

(c) *Cancellation.* A special price will be cancelled whenever it is found that the grounds on which the price was granted do not exist, or that lumber shipped on the special price is not up to specification, or that the special price or a class of special prices is endangering the general level of prices of yellow cypress lumber.

SEC. 10. *What the invoice must contain*—(a) *Price.* All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum f. o. b. mill or delivered prices must be mentioned in the description. The amount added for these does not have to be separately shown.

(b) *Charges for transportation.* In all delivered sales, the invoice must contain the:

(1) Point of origin of shipment;

(2) Destination;

(3) Rail rate, if estimated weights are used; otherwise the actual amount added for transportation;

(4) The words "Direct-mill shipment."

(c) *Delivery and related charges.* Any separate charge which the seller is permitted to make for truck delivery after rail haul must be separately shown on the invoice.

(d) *Direct-mill retail sale.* If the "direct-mill retail sale" mark-up is permissible and is added, this must be separately indicated in the invoice.

SEC. 11. *Exports.* The maximum prices on export sales of yellow cypress lumber are governed by the Second Revised Maximum Export Price Regulation.[5]

SEC. 12. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment.

SEC. 13. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher than ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price.

(b) *Specific practices.* The following are some of the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices from what they were in August 1941. This includes decreasing credit periods or making greater charges for extension of credit. In any case, on sales made through the Office of the Chief of Engineers, War Department, terms of 30 days net may be used.

(2) Refusing to ship except in specified or restricted random lengths, or under other circumstances which bring the seller an extra return.

(3) Selling as specified lengths or widths a shipment of lumber which is substantially equivalent to standard or random lengths or widths; or reselling as specified lengths or widths a shipment bought by the seller as standard or random lengths or widths.

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[5] 8 F.R. 4132, 5937, 7662, 9938, 15193.

(4) Grading as a special grade lumber which can be graded as a standard grade or wrongly or falsely grading or invoicing lumber in any way.

(5) Making additions for special specifications, services, or other extras which are not specifically permitted.

(6) Refusing to sell on an f. o. b. mill basis, and insisting on selling on a delivered basis.

(7) Unnecessarily routing lumber through a distribution yard.

(8) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(9) Making the buyer take something he does not want in order to get what he does want.

(10) Getting a higher price by charging the buyer for ripping or resawing, or charging on the basis of an original size larger than the item actually delivered (for example, charging the price of 4 x 4 ripped to 2 x 4 on a sale and delivery of 2 x 4's) except where the items ordered and delivered are non-standard sizes not specifically priced in the tables. This prohibition has no application where the item resulting from remanufacture is priced higher in the tables than the original larger size.

(11) Making any of the additions contained in the footnotes to the tables in section 18 to the prices of the various items set forth in the tables unless the purchaser's order expressly requires the working, grade, condition, size, or length for which the additions are permitted.

(12) Making an addition for double end trimming when standard lengths are ordered and shipped.

(c) *Adding commission to ceiling prohibited.* It is unlawful for any person to charge, receive, or pay a commission for the service of procuring (including buying, selling or locating lumber, or for any related service such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any compensation, however designated, which is paid for the procurement of lumber. This prohibition has no application to the case of a bona fide employer-employee relationship where the employee serves only one employer, in so far as lumber procurement is concerned, and where the compensation paid by the employer is a fixed salary and is not based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

SEC. 14. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* (See Procedural Regulation No. 6 [4]).

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [5], issued by the Office of Price Administration.

(c) In treating with petitions for amendment or applications for adjustment, consideration will not be given to log and bolt costs which are higher than the applicable maximum purchase prices for logs and bolts established in Maximum Price Regulation 348,[6] Logs and Bolts, or any revision or amendment of that regulation. This rule shall be followed regardless of whether the petitioner gets logs and bolts by purchasing them, logging his own standing timber, contracting for the logging of his own standing timber, or any other means. All petitions in any way based on the cost of logs or bolts must show the actual cost to the petitioner of logs and bolts received at his plant during the three months immediately prior to filing the petition, and the cost which would have been incurred by the petitioner if all of these logs and bolts had been purchased by him at ceiling prices. To figure these ceiling prices the petitioner should refer to the regulation which fixes the maximum prices for purchases and sales of the kinds of logs and bolts received at his plant.

SEC. 15. *Records.* All sellers of yellow cypress lumber must keep, for two years, records which show a compete description of the items of lumber sold, the name and address of the buyer, the date of the sale and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought 5,000 feet board measure or more of yellow cypress lumber.

SEC. 16. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as Amended.

SEC. 17. *Licensing.* The provisions of Licensing Order No. 1,[7] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license, or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 18. *Price tables.* The maximum prices for yellow cypress lumber, f. o. b. mill per 1,000 feet board measure (or per 1,000 pieces of lath) shall be as follows:

[4] 7 F.R. 5087, 5064; 8 F.R. 6173, 6174, 12024.

[5] 7 F.R. 8961; 8 F.R. 3313, 3533.

[6] 7 F.R. 16115, 16198, 16204, 16297; 9 F.R. 220, 392, 343, 402, 452, 538, 539, 574, 682, 792.

[7] 8 F.R. 13240.

TABLE 1—FACTORY GRADES

ROUGH

	Boat and tank stock—standard lengths 8' and longer	FAS—Standard lengths 8' and longer	Selects—Standard lengths 8' and longer	No. 1 shop—Standard lengths 6' and longer	Box—Standard lengths 4' and longer
4/4" R/W	$86.00	$76.00	$62.00	$44.00	$23.00
4/4 x 4" and 6"	86.00	76.00	62.00	44.00	23.00
4/4 x 8"	88.00	78.00	64.00	40.00	29.00
4/4 x 5 and 10"	91.00	81.00	67.00	51.00	31.00
4/4 x 12"	107.00	97.00	85.00	56.00	34.00
4/4 x 14"	110.00	103.00	89.00		
4/4 x 16"	120.00	113.00	99.00		
4/4 x 18"	132.00	125.00	111.00		
4/4 x 13 to 19" R/W	123.00	115.00	101.00		
4/4 x 20"	145.00	137.00	123.00		
4/4 x over 20"	155.00	147.00	133.00		
5/4" R/W	98.00	88.00	74.00	57.00	31.00
5/4 x 4" and 6"	98.00	88.00	74.00	57.00	31.00
5/4 x 8"	100.00	90.00	76.00	59.00	32.00
5/4 x 5 and 10"	103.00	93.00	79.00	64.00	34.00
5/4 x 12"	119.00	109.00	97.00	69.00	37.00
5/4 x 14"	122.00	115.00	101.00		
5/4 x 16"	132.00	125.00	111.00		
5/4 x 18"	144.00	137.00	123.00		
5/4 x 13 to 19" R/W	135.00	127.00	113.00		
5/4 x 20"	157.00	149.00	135.00		
5/4 x over 20"	167.00	159.00	145.00		
6/4" R/W	107.75	96.25	74.00	64.25	31.00
6/4 x 4 and 6"	107.75	96.25	74.00	64.25	31.00
6/4 x 8"	109.75	98.25	76.00	66.25	32.00
6/4 x 5 and 10"	112.75	101.25	79.00	71.25	34.00
6/4 x 12"	128.75	117.25	97.00	76.25	37.00
6/4 x 14"	131.75	123.25	101.00		
6/4 x 16"	141.75	133.25	111.00		
6/4 x 18"	153.75	145.25	123.00		
6/4 x 13 to 19" R/W	144.75	135.25	113.00		
6/4 x 20"	166.75	157.25	135.00		
6/4 x over 20"	176.75	167.25	145.00		
8/4" R/W	122.00	115.25	84.25	75.00	30.75
8/4 x 4" and 6"	122.00	115.25	84.25	75.00	30.75
8/4 x 8"	124.00	117.25	86.25	77.00	31.75
8/4 x 5 and 10"	127.00	120.25	89.25	82.00	33.75
8/4 x 12"	143.00	136.25	107.25	87.00	36.75
8/4 x 14"	146.00	142.25	111.25		
8/4 x 16"	156.00	152.25	121.25		
8/4 x 18"	168.00	154.25	133.25		
8/4 x 13 to 19"	159.00	154.25	123.25		
8/4 x 20"	181.00	176.25	145.25		
8/4 x over 20"	191.00	186.25	155.25		
10/4 and 12/4 R/W	145.25	128.75	95.25	84.25	
10/4 and 12/4 x 4 and 6"	145.25	128.75	95.25	84.25	
10/4 and 12/4 x 8"	147.25	130.75	97.25	86.25	

TABLE 1—FACTORY GRADES—Continued

ROUGH—continued

	Boat and tank stock—standard lengths 8' and longer	FAS—Standard lengths 8' and longer	Selects—Standard lengths 8' and longer	No. 1 shop—Standard lengths 6' and longer	Box—Standard lengths 4' and longer
10/4 and 12/4 x 5 and 10"	$150.25	$133.75	$100.25	$91.25	
10/4 and 12/4 x 12"	160.25	140.75	118.25	92.25	
10/4 and 12/4 x 14"	169.25	155.75	122.25		
10/4 and 12/4 x 16"	172.25	165.75	132.25		
10/4 and 12/4 x 18"	191.25	177.75	144.25		
10/4 and 12/4 x 13 to 19"	182.25	167.75	134.25		
10/4 and 12/4 x 20"	204.25	189.75	153.25		
10/4 and 12/4 x over 20"	214.25	199.75	163.25		
16/4" R/W	151.25	152.25	103.25	91.25	
16/4 x 4 and 6"	151.25	152.25	103.25	91.25	
16/4 x 8"	153.25	134.25	105.25	93.25	
16/4 x 5 and 10"	159.25	137.25	108.25	95.25	
16/4 x 12"	172.25	153.25	120.25	103.25	
16/4 x 14"	175.25	159.25	130.25		
16/4 x 16"	185.25	169.25	140.25		
16/4 x 18"	197.25	181.25	152.25		
16/4 x 13 to 19" R/W	188.25	171.25	142.25		
16/4 x 20"	210.25	193.25	164.25		
16/4 x over 20" R/W	220.25	203.25	174.25		

Additions and deductions per 1,000 feet board measure: (see section 13 (b) (11)).

For working:

1. S1S, S2S, add $3.00.
2. S3S, S4S, S1S1E, S2S & M, shiplap, grooved roofing, add $4.00.
3. Casing, base, jambs, sill stock, casket moulding or any other pattern stock, (except moulding), add $9.00. For lots of less than 1,000 feet board measure any pattern (except moulding), add a flat $5.00 machine set up charge.

For grade:

4. Heart face selects, add to selects, $5.00 for 4/4 and 5/4; $14.00 for 6/4; $23.00 for 8/4 and thicker.
5. No. 2 shop, all thicknesses, deduct $10.00, from No. 1 shop prices.

For size:

6. For any average width, charge the specified width prices for the widths shipped.
7. Extra standard thickness or width other than American Lumber Standards, add $1.00 when stock is dressed clean. No addition may be made for extra standard thickness or width, hit or miss dressing.

For length:

8. For precision cutting to a specified exact length, with tolerance of not more than 1/16" allowed, add $1.00. No addition is permitted for customary double end trimming.
9. For any specified average length, except odd lengths, 16' or longer, charge the specified length prices for the lengths shipped.
10. Specified lengths, add to Standard length prices:

	16'	18'	20'
4/4, 5/4, 6/4, 8/4, all grades (except box)	$5.00	$7.50	$10.00
10/4 and thicker, boat and tank stock and F. A. S.	5.00	10.00	10.00
10/4 and thicker selects, No. 1 shop	5.00	7.50	10.00
Box, all thicknesses	3.00	3.00	5.00

11. Any length 6' or shorter, cut to a specified exact length, all grades (except No. 1 Shop and Box) charge the Standard length price and add $1.50 for each necessary cross cut, but the total charge may not exceed $9.00 and must be based on the nearest Standard multiple length. No additional charge may be made for precision cutting. If length breaks on even one half foot, compute footage on actual length, otherwise compute on 6" breaks, on the next break above. This footnote covers lengths under 6' in No. 1 Shop and under 4' in Box.
12. No additional charge may be made when 18' and 20' are excluded from standard lengths, either at request of buyer or through inability of seller to supply.

(For other working, condition, grade and handling additions and deductions, see table (11).

TABLE 2—FINISH AND COMMON YARD GRADES

ROUGH

	A Finish—standard lengths 8' and longer	B Finish—standard lengths 8' and longer	C Finish—standard lengths 8' and longer	D Finish—standard lengths 8' and longer	No. 1 common—standard lengths 8' to 20'	No. 2 common—standard lengths 6' to 20'	No. 3 common—standard lengths 6' to 20'	Peck—standard lengths 6' to 20'
4/4 x 4" to 12" R/W	$81.00	$68.75	$65.75	$62.50	$45.00	$30.00	$20.00	$20.00
4/4 x 4" and 6"	77.00	64.75	61.75	58.50	45.00	30.00	20.00	20.00
4/4 x 8"	79.00	66.75	63.75	60.50	48.00	42.00	31.00	31.00
4/4 x 5 and 10"	82.00	69.75	66.75	63.50	49.00	43.00	34.00	34.00
4/4 x 12"	98.00	88.75	85.75	83.50	54.00	49.00	37.00	37.00
4/4 x 14"	100.00	90.75	87.75					
4/4 x 16"	110.00	100.75	97.75					
4/4 x 18"	122.00	112.75	109.75					
4/4 x 13 to 19" R/W	112.00	102.75	99.75					
4/4 x 20"	134.00	124.75	121.75					
4/4 x over 20"	144.00	134.75	131.75					
5/4 x 4 to 12" R/W	93.00	89.75	77.75	74.50	55.00	44.00	33.00	33.00
5/4 x 4" and 6"	89.00	76.75	73.75	70.50	55.00	44.00	33.00	33.00
5/4 x 8"	91.00	78.75	75.75	72.50	58.00	45.00	34.00	34.00
5/4 x 5 and 10"	94.00	81.75	78.75	75.50	59.00	48.00	37.00	37.00
5/4 x 12"	110.00	100.75	97.75	95.50	64.00	51.00	40.00	40.00
5/4 x 14"	112.00	102.75	99.75					
5/4 x 16"	122.00	112.75	109.75					
5/4 x 18"	134.00	124.75	121.75					
5/4 x 13 to 19" R/W	124.00	114.75	111.75					
5/4 x 20"	146.00	136.75	133.75					
5/4 x over 20"	156.00	146.75	143.75					
6/4 x 4 to 12" R/W	95.00	89.75	77.75	74.50	55.00	44.00	33.00	33.00
6/4 x 4 and 6"	91.00	76.75	73.75	70.50	55.00	44.00	33.00	33.00
6/4 x 8"	93.00	78.75	75.75	72.50	58.00	45.00	34.00	34.00
6/4 x 5 and 10"	96.00	81.75	78.75	75.50	59.00	48.00	37.00	37.00

TABLE 2—FINISH AND COMMON YARD GRADES—Continued

ROUGH—continued

	A Finish—standard lengths 8' and longer	B Finish—standard lengths 8' and longer	C Finish—standard lengths 8' and longer	D Finish—standard lengths 8' and longer	No. 1 common—standard lengths 8' to 20'	No. 2 common—standard lengths 6' to 20'	No. 3 common—standard lengths 6' to 20'	Peck—standard lengths 6' to 20'
6/4 x 12"	$112.50	$100.75	$97.75	$95.50	$64.00	$51.00	$40.00	$40.00
6/4 x 14"	122.50	110.75	107.75					
6/4 x 16"	132.50	120.75	117.75					
6/4 x 18"	144.50	130.75	129.75					
6/4 x 13 to 19" R/W	134.50	120.75	119.75					
6/4 x 20"	156.50	142.75	141.75					
6/4 x over 20"	166.50	152.75	151.75					
8/4 x 4 to 12" R/W	114.50	92.25	89.25	81.00	57.50	44.00	33.00	33.00
8/4 x 4 and 6"	110.50	88.25	85.25	77.00	57.50	44.00	33.00	33.00
8/4 x 8"	112.50	90.25	87.25	79.00	58.50	45.00	34.00	34.00
8/4 x 5 and 10"	115.50	93.25	90.25	82.00	61.50	48.00	37.00	37.00
8/4 x 12"	131.50	112.25	109.25	102.00	66.50	52.00	40.00	40.00
8/4 x 14"	136.50	117.25	114.25					
8/4 x 16"	146.50	127.25	124.25					
8/4 x 18"	158.50	139.25	136.25					
8/4 x 13 to 19" R/W	148.50	129.25	126.25					
8/4 x 20"	170.50	151.25	148.25					
8/4 x over 20"	180.50	161.25	158.25					

Additions and deductions per 1,000 feet board measure (see section 13 (b) (11)).

For working:

1. S1S, S2S, add $3.00.
2. S3S, S4S, S1S1E, S2S & M, shiplap, grooved roofing, add $4.50.
3. Casing, base, jambs, sill stock, casket moulding, or any other pattern stock (except moulding), add $6.00. For lots of less than 1,000 feet board measure, any pattern (except moulding) add a flat $5.00 machine set up charge.
4. Cleat stock in grade equal to No. 1 common or better, counted on leaver measurement, 1 x 6" and under in width, under 8' in length, bundled, $48.00 per M'BM. for 5/4 and 6/4, add $10.00 per M'BM.

For grade:

5. Clear heart 4/4 and 5/4, add $10.00 to A finish, 6/4 and 8/4 charge boat and tank stock prices.
6. All heartwood No. 1 and No. 2 common, add $10.00, No. 3 common, add $5.00 to grade item price.
7. 75 to 85% heartwood No. 1 and No. 2 common, add $5.00. For No. 3 common, add $3.00 to grade item price.
8. No. 2 peck or peck droppings, deduct $11.00 from peck prices, for all thicknesses.
9. Dunnage, $15.00 for all thicknesses, per M'BM.

For size:

10. For any average width, charge the specified width prices for the widths shipped.
11. Extra standard thickness and/or width, other than American lumber standards, add $1.50 when stock is dressed clean. No addition may be made for extra standard thickness or width, hit or miss dressing.
12. 10/4 and 12/4 No. 1, No. 2 and No. 3 common, add $6.50 to the 8/4 price. For 16/4, add $10.50 to the 8/4 price.

For length:

13. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.
14. For any specified average length, 16' or longer, charge the specified length price for the lengths shipped.
15. Specified lengths, add to standard length prices:

	16'	18'	20'
A and B finish, all thicknesses	$5.00	$7.50	$10.00
C, D and No. 1 common, all thicknesses	5.00	7.50	10.00
No. 2 and No. 3 common, all thicknesses	3.00	3.00	5.00
Peck, all thicknesses	4.00	3.00	5.00

16. Random lengths peck in 4' multiples, add $4.00 to standard length prices.
17. Any length 6' or shorter cut to a specified exact length, all grades, (except peck), charge the standard length price and add $1.50 for each necessary cross cut, but the total charge may not exceed $6.00 and must be based on the nearest standard multiple length. No additional charge may be made for precision cutting. If length breaks on even half foot, compute footage on actual length, otherwise compute on 6" breaks on the next break above. This footnote covers lengths under 4' in peck.
18. No additional charge may be made when 18' and 20' are excluded from standard lengths, either at request of buyer or through inability of seller to supply.

(For other working, condition, grade and handling additions and deductions, see table (11).)

TABLE 3—TIMBERS

ROUGH—GREEN

	No. 1 Common—Standard lengths 8' to 20'	No. 2 Common—Standard lengths 6' to 20'	No. 3 Common—Standard lengths 6' to 20'	Peck—Standard lengths 6' to 20'
3 x 3 to 4 x 4"	$44.00	$39.00	$29.00	$29.00
3 x 5 to 5 x 5"	44.00	39.00	29.00	29.00
3 x 6 to 6 x 6"	42.00	37.00	27.00	27.00
3 x 8 to 6 x 8"	45.00	40.00	30.00	30.00
7 x 8 to 8 x 8"	46.00	41.00	31.00	31.00
3 x 10 to 5 x 10"	51.00	46.00	36.00	36.00
6 x 10 to 10 x 10"	50.00	45.00	35.00	35.00
3 x 12 to 5 x 12"	58.00	53.00	43.00	43.00
6 x 12 to 10 x 12"	56.00	51.00	41.00	41.00
11 x 12 to 12 x 12"	56.00	51.00	41.00	41.00
3 x 14 to 7 x 14"	66.00	61.00	51.00	51.00
8 x 14 to 12 x 14"	64.00	59.00	49.00	49.00
13 x 14 to 14 x 14"	64.00	59.00	49.00	49.00
3 x 16 to 7 x 16"	76.00	71.00	61.00	61.00
8 x 16 to 14 x 16"	74.00	69.00	59.00	59.00
15 x 16 to 16 x 16"	74.00	69.00	59.00	59.00
3 x 17 to 9 x 18"	86.00	81.00	71.00	71.00
10 x 17 to 18 x 18"	84.00	79.00	69.00	69.00
3 x 19 to 10 x 20"	98.00	93.00	83.00	83.00
11 x 19 to 20 x 20"	96.00	91.00	81.00	81.00

Additions and deductions per 1,000 feet board measure: (See Section 13 (b) (11)).

For working:

1. S1S, S2S, S3S, S4S, Shiplap, T & G, add $3.00.
2. Grooved two edges, add $3.00 to dressed prices.
3. Beveling and/or outgauging, for two edges on one face, add $4.00; for four edges, or one face and one edge, add $8.00 (to dressed price in each case).
4. Tapered posts or posts resawn diagonally, add $7.50 to item price.

For grade:

5. 75–85% heart, girth measurement, add $7.50; all heart, add $15.00.

For size:

6. Fractional widths, add $3.00 to nearest listed wider width and compute footage on nominal size.
7. Fractional thickness, add $3.00 to nearest listed greater thickness and compute footage on nominal size.

For length:

8. For precision cutting to a specified exact length, with tolerance of not more than ½" allowed, add $1.50. No addition is permitted for customary double end trimming.
9. Specified lengths 16', add $5.00; for lengths over 16', add $1.50 to the 16' price for each lineal foot over 16'.
10. For any specified average length (16' or over), charge the specified length price for the lengths shipped.

(For other working, condition, grade and handling additions and deductions, see table (11).)

TABLE 4—FLOORING, CEILING AND PARTITION

KILN DRIED (BUNDLED)

	A clear heart—standard lengths 8' and longer	Grade A—standard lengths 8' and longer	Grade B—standard lengths 8' and longer	Grade C—standard lengths 8' and longer	Grade D—standard lengths 8' and longer	Grade No. 1 common—standard lengths 8' to 20'	Grade No. 2 common—standard lengths 6' to 20'
Flooring:							
1 x 3, 4 and 6"	$96.50	$86.50	$74.25	$71.25	$68.00	$54.50	$48.50
5/4 x 3, 4 and 6"	109.50	99.50	87.25	84.25	81.00	63.50	54.00
6/4 x 3, 4 and 6"	112.50	102.50	87.75	84.75	81.50	63.00	55.00
Ceiling:							
5/16 x 3, 4 and 6"	49.75	44.75	38.50	37.00	35.50	23.75	23.75
7/16 x 3, 4 and 6"	70.25	64.00	56.25	54.50	52.50	42.75	33.00
9/16 x 3, 4 and 6"	86.75	79.25	68.00	65.75	63.50	51.75	43.00

Additions and deductions per 1,000 feet board measure: (See Sec. 13 (b) (11)).

For working:

1. Partition, add $10.00 to comparable item of flooring and ceiling.

For condition:

2. Air dried, for 4/4 deduct $4.00; 5/4, deduct $5.00; 6/4, deduct $5.50; 5/16", deduct $2.00; 7/16", deduct $2.50 and 9/16", deduct $2.75.

For size:

3. Stock worked other than standard width or thickness, add $2.00 to price of comparable item.

For length:

4. Specified lengths, all grades of flooring, 8', 10', 12', and 14', add $2.00; 16', add $5.00; 18', add $7.50; 20', add $10.00. For 6' or shorter, all grades except a Clear Heart, deduct $3.00.
5. Specified lengths, all grades of ceiling, 8', 10', 12', and 14', add $1.00; 16', add $2.50; 18', add $3.50; 20', add $5.00. For 6' or shorter, all grades except a Clear Heart, deduct $3.00.
6. No additional charge may be made, when 18' and 20' are excluded from standard lengths, either at request of buyer or through inability of seller to supply.

(For other working, condition, grade and handling additions and deductions, see table 11).

TABLE 5—SIDING

AIR DRIED OR KILN DRIED (BUNDLED)

	Grade A—standard lengths 8' and longer	Grade B—standard lengths 8' and longer	Grade C—standard lengths 8' and longer	Grade D—standard lengths 8' and longer	Grade No. 1 common—standard lengths 8' to 20'	Grade No. 2 common—standard lengths 6' to 20'	Grade No. 3 common—standard lengths 6' to 20'
Bevel siding:							
1/2 x 4" and 6"	$42.75	$36.75	$35.25	$33.50	$30.75	$23.75	$19.25
1/2 x 5"	45.25	39.25	37.75	36.00	28.75	25.75	21.25
1/2 x 8"	43.75	37.75	36.25	34.50	27.25	24.25	19.75
Bungalow siding:							
9/16 x 8"	62.25	54.50	52.75	50.75	40.25	33.50	----------
9/16 x 10"	64.00	56.50	54.50	52.50	42.25	35.25	----------
11/16 x 8"	66.00	59.50	56.50	54.50	44.00	38.75	----------
11/16 x 10"	67.75	60.25	57.50	55.50	45.00	40.25	----------
11/16 x 12"	77.75	70.25	67.50	65.50	49.00	42.25	----------
Drop siding, all patterns:							
1 x 6"	82.50	70.25	67.25	64.00	50.50	44.50	33.50
1 x 8"	84.50	72.25	69.25	66.00	51.50	45.50	39.50
1 x 10"	87.50	75.25	72.25	69.00	54.50	49.00	39.50

Additions and deductions per 1,000 feet board measure (see section 13 (b) (11)).

For working:

1. Rabbeting bevel siding or bungalow siding, add $1.25 to grade item price.

For length:

2. 3' to 7½' bevel or bungalow siding, deduct $2.00 from standard length price of listed item.
3. Specified lengths, all grades of bevel and bungalow siding, 8', 10', 12', and 14', add $1.00; 16', add, $2.50; 18', add $3.50; 20', add $5.
4. Specified lengths, drop siding, use charges listed in table 2 for the comparable grade.
5. No additional charge may be made, when 18' and 20' are excluded from standard lengths, either at request of buyer or through inability of seller to supply.

(For other working, condition, grade and handling additions and deductions, see table (11).)

TABLE 6—PANEL STOCK

S2S

Grade and widths	1½" finished 5/16" standard lengths 6' and longer	⅝" finished 7/16" standard lengths 6' and longer	¾" finished 9/16" standard lengths 6' and longer
A grade:			
4 and 6"	$41.50	$59.50	$73.25
8"	42.50	60.75	74.75
5 and 10"	44.00	62.50	77.00
12"	52.00	72.50	89.00
14"	53.00	73.75	96.50
16"	58.00	80.00	104.00
18"	64.00	87.50	113.00
20"	70.00	95.00	122.00
8 to 12" R/W	46.25	65.25	80.25
13 to 19" R/W	59.00	81.25	105.50

Additions and deductions per 1,000 feet board measure: (See Section 13 (b) (11).)

For working:

1. S3S, S4S, add $1.00.

For grade:

2. B, deduct $4.00.

For length:

3. Specified lengths, 8', 10', 12' and 14', add $2.00; 16', add $5.00; 18', add $7.50; 20', add $10.00. All additions shall be to the standard length prices. No additional charge may be made, when 18' and 20' are excluded from standard lengths, either at request of buyer or through inability of seller to supply.

(For other working, condition, grade and handling additions and deductions, see table (11).)

TABLE 7—STANDARD PLASTERING LATH AND FENCE LATH

AIR DRIED OR KILN DRIED (BUNDLED)

Size and length	Grade No. 1	Grade No. 2	Grade No. 3
3/8 x 1½"—4' plastering lath	$3.50	$3.50	$1.00
3/8 x 1½"—32" plastering lath	4.00	2.50	--------
3/8 x 1"—4' plastering lath	4.25	--------	--------
1/2 x 1½"—32" fence lath	5.50	3.50	--------
1/2 x 1½"—36" fence lath	6.25	4.25	--------
1/2 x 1½"—42" fence lath	7.50	5.50	--------
1/2 x 1½"—48" fence lath	9.00	7.00	--------
1/2 x 1½"—60" fence lath	11.25	9.25	--------
1/2 x 1½"—72" fence lath	13.50	11.50	--------

Additions and deductions per 1,000 pieces (see section 13 (b) (11)).

For condition:

1. Green, deduct 2%.

TABLE 8—MOULDINGS

BUNDLED

	B and Better—Standard Lengths 6' to 16' or 6' to 20'
Patterns listed at under $3.00	30% discount
Patterns listed at $3.00, or over	25% discount

8,000 Series Standard Moulding Book, Fourth Edition 1940.

Additions and deductions per 1,000 lineal feet (see section 13 (b) (11).

For Working:

1. Sanding flat surfaces one side, shorten discount 3 points.

For Grade:

2. Clear all heart, shorten discount 20 points.

For Quantity:

3. Lots of 25,000 lineal feet or more of a standard, non-standard or special pattern, lengthen discount 2 points.
4. Lots of less than 1,000 lineal feet of a standard pattern, or less than 3,000 lineal feet of a non-standard or special pattern, shorten discount 5 points and add a flat $5.00 machine set up charge.

For length:

5. For specified lengths or exclusion of any standard length or lengths, shorten discount 3 points.
6. Cut to length patterns, shorter than standard lengths, shorten discount 2 points.

TABLE 9—BATTENS

PER 1,000 LINEAL FEET, BUNDLED

	No. 1 Com. and better 6' and longer
5/8 x 3" S1S	$7.70
5/8 x 3" OG or S4S	8.35
2" OG or S4S	11.00
2½" OG or S4S	13.65

Additions and deductions per 1,000 lineal feet (See Section 13 (b) (11)).

For Length:

1. For any specified length or lengths, add 50¢ for 5/8 x 3 and $1.00 for 2" and 2½".

(For other working, condition, grade and handling additions and deductions see table (11)).

TABLE 10—GROUNDS

¾ x 7/8" S1S or S2S String Tied $0.32½

TABLE 11—SPECIAL WORKING, CONDITION, GRADE AND HANDLING ADDITIONS AND DEDUCTIONS.

Per 1,000 feet board measure. See section 13 (b) (11)

For working:

1. No charge may be made for dressing to flooring, ceiling, or any other pattern for which maximum prices are established in any of the tables of the regulation.
2. Sanding flat surfaces, one side (except moulding) add $3.00.
3. Ripping add $1.50 for each cut. Product of grade before ripping to be chipped.
4. Ripped once and each piece S4S or D & M, add $6.00 to rough grade item price.
5. Resawing and surfacing:

Resawing 1 line	$3.00
Resawing 2 lines	5.50
Surfacing 1 or 2 sides	3.00
Surfacing 3 or 4 sides or 1 side and 1 edge	4.50
Surfacing 2 sides and resawing	6.00
Resawing and surfacing 2 sides	6.50

6. Dadoing, add .05 per cut.
7. Cross cutting, add $1.50 per cut.

TABLE 11—Continued

For condition:

8. Green, deduct $5.00.
9. Kiln drying charges.

Graded before kiln drying—

½ & ⅝	$3.50
¾	3.50
4/4	4.00
5/4	5.00
6/4	5.50
8/4	6.00
10/4	7.50
12/4	9.00

10. For grading after kiln drying, add $3.00, all thicknesses, to above kiln drying charges.

For handling:

11. Staking, add $7.50 per car.
12. Cleating ends, add $3.00.

For handling—Continued.

13. Bundling rough or flat dressed items, all widths, add $2.00. This addition is not permitted for flooring, ceiling, siding, partition, mouldings, battens, grounds, lath or any other item on which the cost of bundling is included in the listed price.
14. Stenciling, other than association or grade marking, add $1.50.
15. Wrapping, add $5.00.

For inspection:

16. Where official inspection is requested by the buyer and an inspection certificate is required, the seller may make an added charge which does not exceed the inspection fees and expenses charged by the association to the seller and shown on the certificate.

SEC. 19. *Table of estimated weights.*

	Green		Dry	
	Dressed	Rough	Dressed	Rough
4/4, 5/4 and 6/4	4,000	5,000	2,400	3,000
8/4	4,200	5,000	2,600	3,200
10/4 and 12/4	4,400	5,000	2,900	3,500
16/4 and thicker	4,600	5,000	3,200	3,500
4/4 rough, resawed				2,800
4/4 rough resawed twice				2,700
4/4 s2s and resawed			2,250	
4/4 resawed and s2s			2,000	
8/4 rough resawed twice				2,800
⅜" panel			800	
½" panel			1,000	
⅝" panel			1,400	
¾" panel			1,600	
Worked flooring, partition, drop siding, shiplap, moulded casing and base			2,200	
⅝" ceiling			1,600	
½" ceiling			1,300	
⅜" ceiling			1,000	
½" bevel siding			1,000	
Bungalow siding ⅝" × 3/16"			1,100	
Bungalow siding 1 1/16" × 3/16"			1,300	
Lath ⅜"-4'			550	
Lath 32"			375	
Lath ⅝"-4'			900	
Sheathing, D & M, shiplap S4S, finished ¾"			1,850	
O. G. battens 2"			300	
O. G. battens 2½"			350	
O. G. battens 3"			400	
⅝ × 3 battens, S1S			300	
Car siding and roofing			2,000	

Effective date. The regulation shall become effective February 26, 1944, except that: If lumber has been received before February 26, 1944 by a carrier other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this regulation. It remains subject to the terms of the General Maximum Price Regulation. If this regulation lowers any maximum price below that established by the GMPR, contracts that were in existence prior to the issuance of this regulation at lawful prices may be completed according to their terms with respect to deliveries made on or before March 15, 1944.

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

Issued this 21st day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2505; Filed, February 21, 1944; 11:44 a. m.]

PART 1384—HARDWOOD LUMBER

[MPR 176,[1] Amdt. 8]

ROTARY CUT SOUTHERN HARDWOOD BOX LUMBER

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

In § 1384.7, a paragraph (d) is added, to read as follows:

(d) *Applications for adjustment under government contracts.* See Procedural Regulation No. 6 [2] for adjustment provisions on certain government contracts or sub-contracts.

This amendment shall become effective February 26, 1944.

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

[1] 7 F.R. 5180, 7243, 7454, 8949; 8 F.R. 2993, 4720, 7490, 13250.

[2] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9528, 8 F.R. 4681)

Issued this 21st day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2506; Filed, February 21, 1944; 11:43 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amdt. 108]

MACHINES AND PARTS, AND MACHINERY SERVICES

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 136, as amended, is amended in the following respects:

1. Section 1390.15 is amended to read as follows:

§ 1390.15 *Emergency service charges.* Notwithstanding any other provision of this regulation, any manufacturer or machinery service supplier may add to the maximum price for a machine or part or machinery service the extra material cost resulting from his purchasing materials (not including parts and subassemblies), in an emergency and at the request of the customer, from a source more expensive than the current usual source. Also, any manufacturer, other seller, lessor or machinery service supplier may add to the maximum price for a machine or part or a machinery service his extra transportation cost resulting from his shipping the machine or part or materials used in the production of the machine or part or the supplying of the machinery service, in an emergency and at the request of the customer, by means more expensive than the current usual method of shipping. No markup, overhead or profit shall be applied to the extra material or transportation cost. The extra charges allowed by this paragraph shall be billed separately on the invoice, and a copy of the invoice must be immediately forwarded to the Machinery Branch, Office of Price Administration, Washington, D. C.

2. Section 1390.25 (a) (40) is amended to read as follows:

(4) *Machines and parts containing silver*—(i) *Maximum price.* Notwithstanding any other provisions of this regulation, except where another provision of this regulation permits the increase in cost due to the increased price of silver to be reflected in the maximum price (see §§ 1390.7 (c) (3) (i) and 1390.10 (c)), the maximum price for the sale by any seller of any machine or part containing silver shall be determined as follows: The maximum price shall be the sum of the price determined in accordance with all other applicable provisions

[1] 8 F.R. 16132; 9 F.R. 1523.

of this regulation and an amount determined by multiplying the number of fine troy ounces of silver contained in the machine or part by 9.625 cents in the case of foreign silver and by 36.125 cents in the case of domestic or Treasury silver.

(ii) *Definitions.* When used in this paragraph, the term:

(*a*) "Domestic silver" means silver mined subsequent to July 1, 1939, from natural deposits in the United States or in any place subject to the jurisdiction thereof.

(*b*) "Treasury silver" means silver sold by the United States Treasury Department pursuant to an Act approved July 12, 1943, entitled "An Act to Authorize The Use for War Purposes of Silver Held or Owned by the United States" (Pub. Law 137, 78th Cong.).

(*c*) "Foreign silver" means any silver other than domestic or Treasury silver, as defined above.

This amendment shall become effective February 26, 1944.

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

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

Issued this 21st day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2507; Filed, February 21, 1944; 11:44 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 105]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

Ration Order 5C is amended in the following respects:

1. Section 1394.7701 (a) is amended to read as follows:

(a) The following coupons may be issued by a Board as supplemental rations to the owner or person entitled to the use of a registered passenger automobile or registered motorcycle (other than those specified in § 1394.7702), to provide occupational mileage driven in such vehicle by anyone, to the extent that such mileage is allowed by the Board pursuant to § 1394.7704:

(1) Class B or Class C coupon books for use with passenger automobiles, or Class B or C coupons in strip form bearing serial numbers in consecutive order and issued in connection with a folder, which shall identify the coupons with the vehicle and the owner of the vehicle for which the ration is issued.

(2) Class D coupon books marked "Supplemental" for use with motorcycles.

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

(b) Class B, Class C or supplemental Class D coupons issued as a supplemental ration shall each have a value of one unit. Coupons in Class B, Class C or supplemental Class D books shall authorize the transfer of gasoline to consumers from the validity date, which shall be noted on the ration book by the issuing Board, until such ration or books expire or are revoked. Serially numbered Class B or Class C coupons issued in strip form shall authorize the transfer of gasoline to consumers from the validity date which shall be noted by the Board on the folder which it issues with such coupons until such ration or coupons expire or are revoked.

3. The text of § 1394.7705 (a) is amended to read as follows:

Supplemental rations shall be issued to provide the total mileage allowed by the Board in accordance with § 1394.7704 or § 1394.7707. If the Board issues the ration in the form of Class B or Class C coupons such coupons shall be contained in a ration book, or, in the case of coupons in strip form, shall bear serial numbers in consecutive order and shall be accompanied by a folder. The person issuing the ration shall note on each ration book or folder issued the date of issuance as the date on which the coupons become valid, and an earliest renewal date three months from the date of issuance. The number of coupons issued shall be determined as follows:

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

(i) In the event that the mileage allowed by the Board is 460 miles per month or less: Class B coupons in the number specified in Table I for the mileage allowed.

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

(ii) In the event that the mileage allowed by the Board pursuant to §§ 1394.7704 (b) or 1394.7707 exceeds 460 miles per month: Class C coupons in the number specified in Table II for the mileage allowed.

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

(i) In the event that the mileage allowed by the Board is 325 miles per month or less: Class B coupons in the number specified in Table IA for the mileage allowed.

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

(ii) In the event that the mileage allowed by the Board pursuant to § 1394.7704 (b) or § 1394.7707 exceeds 325 miles per month: Class C coupons in the number specified in Table IIA for the mileage allowed.

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

(3) In the case of a passenger automobile for which application for a supplemental ration is made in Area B, the Board shall issue:

(i) In the event that the mileage allowed by the Board is 460 miles per month or less: Class B coupons in the number specified in Table I for the mileage allowed.

(ii) In the event that the mileage allowed by the Board pursuant to §§ 1394.7704 (b) or 1394.7707 exceeds 460 miles per month: Class C coupons in the number specified in Table II for the mileage allowed:

9. In § 1394.7751 (a) the text preceding subparagraph (1) is amended by inserting a comma and the word "coupons" after the words "The following coupon books."

10. Section 1394.7751 (a) (1) is amended to read as follows:

(1) Class B or Class C coupon books, or Class B or Class C coupons in strip form bearing serial numbers in consecutive order and accompanied by a folder for use with passenger automobiles:

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

(b) Official or fleet rations shall be issued in Class B, C or D coupons in the number specified in the tables set forth in §§ 1394.7705 and 1394.7755 (according to the type of coupon and the area in which it is issued) necessary to provide the mileage allowed by the Board. Such coupons issued in coupon books shall authorize the transfer of gasoline to consumers on and after the validity date, which shall be noted on such books by the issuing Board, until such rations or books expire or are revoked. Serially numbered coupons issued in strip form shall authorize the transfer of gasoline to consumers on and after the validity date, which shall be noted on the accompanying folder by the Board, until such rations or coupons expire or are revoked.

12. In § 1394.7755 (a) the text preceding subparagraph (1) is amended by adding the following sentences:

If the Board issues the ration in the form of Class B, C or D coupons, such coupons shall be contained in a ration book or books, or, in the case of coupons in strip form, shall bear serial numbers in consecutive order and shall be accompanied by a folder. The person issuing the ration shall note on each ration book or folder issued the date of issuance as the date on which the coupons become valid, and an earliest renewal date three months from the date of issuance. The number of coupons issued shall be determined as follows:

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

(i) In the event that the mileage allowed by the Board is 460 miles per month or less: Class B coupons in the number specified in Table III for the mileage allowed.

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

(ii) In the event that the mileage allowed by the Board pursuant to § 1394.7754 (b) exceeds 460 miles per month: Class C coupons in the number specified in Table IV for the mileage allowed.

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

[1] 8 F.R. 15937.

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

(i) In the event that the mileage allowed by the Board is 325 miles per month or less: Class B coupons in the number specified in Table IA in § 1394.7705 (a) (4) for the mileage allowed.

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

(ii) In the event that the mileage allowed by the Board pursuant to § 1394.7754 (b) exceeds 325 miles per month: Class C coupons in the number specified in Table IIA in § 1394.7705 (a) (4) for the mileage allowed.

17. Section 1394.7755 (a) (3) is amended to read as follows:

(3) In the case of passenger automobiles for which application for official or fleet rations is made in Area B, the Board shall issue:

(i) In the event that the mileage allowed by the Board is 460 miles or less: Class B coupons in the number specified in Table III for the mileage allowed.

(ii) In the event that the mileage allowed by the Board pursuant to § 1394.7754 (b) exceeds 460 miles per month: Class C coupons in the number specified in Table IV for the mileage allowed.

18. Section 1394.7756 is amended to read as follows:

§ 1394.7756 *Interchangeable official or fleet ration books or coupons.* An applicant for an official or fleet ration may request the Board to note on the folder accompanying the ration coupons issued, or, in the case of Class B, C or D ration books, upon the ration book, the name or other identification of the official vehicles or the fleet, in lieu of the registration number of the particular vehicle. The Board may grant such request with respect to any official or fleet vehicles which are used interchangeably and which bear a clearly discernible official or fleet name, identification or designation. Whenever any folder issued in connection with Class B or C coupons or any ration book issued as an official or fleet ration bears such an identification made by a Board, the coupons contained in such book or identified on such folder may be used interchangeably for all official or fleet vehicles bearing such identification.

19. In § 1394.7757 (c) the last two sentences are amended to read as follows:

The Board issuing the ration shall, at the time of issuance, make a clear notation of the Use Tax Stamp number on the cover of the ration book or folder and, in the space provided for the license number, shall insert the engine number of such vehicle and the words "dealer plates." The Board shall note on the cover of the book or folder the name and address of the person to whom the ration is issued and shall note on the book or folder and on the application the date on which the book becomes valid and the earliest renewal date.

20. In § 1394.7758 (c) the last three sentences are amended to read as follows:

At the time of issuance of the ration the Board shall note on the cover of the ration book or on the folder the name and address of the person to whom the ration is issued. If the term of the lease remaining from the date of issuance of the ration is less than three months, the Board shall issue coupons only in sufficient number to provide the allowed mileage for the remaining term of the lease, and shall remove from any ration book issued all coupons in excess of such number. In such a case the ration shall expire on the date on which the lease terminates, and the Board shall not note an earliest renewal date on the book or folder issued, but shall write on the outside front cover of the book or folder the date on which the lease terminates, and that the ration will expire on that date.

21. Section 1394.7856 (c) (3) is amended to read as follows:

(3) In the case of a vehicle available for public rental, if the term of the lease remaining from the date of issuance of the ration is less than three months, the Board shall issue coupons in sufficient number to allow the allowed mileage for only the remaining term of the lease and shall write on the outside front cover of the ration book or on the folder the date on which the lease terminates, and that the book will expire on that date.

22. Section 1394.7902 is amended to read as follows:

§ 1394.7902 *Non-highway ration coupons.* (a) Class E and R coupons shall be issued as non-highway rations. Class E and R coupons shall each have a value of one unit. Class E and R book coupons shall authorize the transfer of gasoline to a consumer from the validity date which shall be noted on such books by the Board until such rations or books expire or are revoked. Serially numbered Class E and R coupons issued in strip form shall authorize the transfer of gasoline from the validity date which shall be noted by the Board on the folder which it issues with such coupons, until such rations or coupons expire or are revoked.

(b) Each non-highway ration issued in coupons for use with a motorboat for non-occupational purposes shall be so indicated on the cover of the ration book or on the identifying folder.

23. Section 1394.7903 is amended to read as follows:

§ 1394.7903 *Application for non-highway rations.* Application for a non-highway ration shall be made to a Board on Form OPA R-537. Application may be signed by an agent. The applicant shall state the information required by such form and the amount of gasoline needed for non-highway use during the three-month period, or if the use is in connection with farming, during the six-month period, following the date on which the ration is required, and the non-highway purpose or purposes for which such gasoline is needed.

24. Section 1394.7904 (a) is amended to read as follows:

(a) *General rules for issuance.* The Board shall determine the amount of gasoline required for the three- or six-month period referred to in § 1394.7903 (b), and, subject to the provisions of paragraphs (b), (c) and (d) of this section, shall issue to the applicant a sufficient number of Class E or R coupons to enable the applicant to acquire the amount of gasoline determined by the Board to be necessary for such period, subject to the following provisions:

(1) The Board may refuse to issue such ration for the operation of machinery or equipment, other than boats or airplanes, used for athletic, recreational or amusement purposes, if in its opinion, taking into consideration the gasoline supply available, the use of gasoline for such purposes is not essential to the welfare of the area which it serves.

(2) If the ration is issued in the form of a ration book or books, the Board shall remove from the book or books and cancel any coupons in excess of the number allotted.

(3) If the ration is issued in the form of strip coupons, coupons of the same class must bear serial numbers in consecutive order. The Board shall issue a folder for each class of coupons issued and shall note on the folder the serial numbers of the coupons issued, the date of issuance, the earliest renewal date, the name and address of the applicant and the non-highway purpose or purposes for which the ration is issued.

(4) If the ration is issued for use in connection with farming, the Board shall issue appropriate ration evidences sufficient to provide either a part of the amount of gasoline determined for the six-month period or the total amount. If the Board has issued ration evidences sufficient to provide only part of the gasoline determined, it shall issue, upon the request of the applicant, additional ration evidences in an amount not to exceed the remainder of the ration originally determined or such portion of such remainder as the Board determines the applicant requires for the balance of the ration period.

25. Section 1394.7904 (b) is amended by inserting a headnote to read as follows: *"Allowance of a non-highway ration for use with a boat for a non-occupational purpose."*

26. Section 1394.7904 (b) (2) is amended by substituting for the second sentence the following two sentences:

The Board shall, in such a case, issue coupons in a separate ration book, or coupons bearing serial numbers in consecutive order and accompanied by a separate folder in sufficient number to provide the quantity of gasoline so determined. The Board shall note on such ration book or folder, in addition to the usual information required, that the coupons are issued for a non-occupational purpose.

27. Section 1394.7904 (c) is amended by inserting the following headnote: *"Allowance of non-highway ration for operation of a gasoline engine."*

28. Section 1394.7904 (d) is amended to read as follows:

(d) *Limitation on issuance of non-occupational ration.* Except as provided in § 1394.8102 (f) (1), no non-occupational ration may be issued for an inboard motorboat or an outboard motor during any three or six-month period

for which such a ration has already been issued.

29. Section 1394.8004 (b) (4) is added to read as follows:

(4) If the ration is issued in coupons in strip form, the serial numbers of the coupons issued.

30. Section 1394.8004 (c) is amended to read as follows:

(c) *Notations by Board on non-highway rations.* At the time of issuance of any non-highway ration represented by coupons, the Board shall make a notation on the cover of the ration book or folder of the name and address of the applicant, the date on which the ration becomes valid for use and the earliest renewal date. If serially numbered coupons are issued, the Board shall also note on the folder the numbers of the coupons.

31. Section 1394.8153 (b) is amended to read as follows:

(b) *Coupons issued for non-highway rations.* Bulk transfer may be made in exchange for Class E and R coupons under the following conditions:

(1) (i) In the case of a coupon issued in a ration book, the transferor at the time of transfer, must require presentation of the book and must detach therefrom coupons having an aggregate unit value equal to the number of gallons of gasoline transferred. No transfer may be made pursuant to this subparagraph in exchange for a coupon detached prior to the presentation of the coupon book to the transferor.

(ii) In the case of serially numbered coupons issued in strips in connection with an identifying folder, the transferor must require presentation of the coupons and identifying folder at the time of transfer. No transfer may be made pursuant to this subparagraph in exchange for a coupon which does not bear a serial number included in the sequence of serial numbers specified on the cover of the identifying folder.

(2) No transfer in exchange for Class E or R coupons may be made into the fuel tank of, or knowingly made for use in, a registered motor vehicle, commercial motor vehicle, or a motor vehicle held by a motor vehicle dealer for sale or resale or operated on dealer or other interchangeable plates, nor shall any such transfer be made into, or knowingly made for use in, the fuel supply tank of machinery or equipment mounted on a commercial motor vehicle.

(3) Transfer may be made only in exchange for coupons bearing the notations required by § 1394.8004 (e).

This amendment shall become effective the 25th day of February 1944.

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

Issued this 21st day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2513; Filed, February 21, 1944; 11:41 a. m.]

PART 1412—SOLVENTS

[MPR 36,[1] Amdt. 6]

ACETONE

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

Section 1412.66 (a) (1) is amended to read as follows:

(1) *Eastern territory:*	*Fermentation acetone per pound, delivered*
Tank cars	$0.070
Drums, carload lots	.030
Drums, l. c. l. lots	.035

This amendment shall become effective February 26, 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 21st day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2514; Filed, February 21, 1944; 11:42 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288,[2] Amdt. 20]

FOOD PRICES IN ALASKA

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 288 is amended in the following respects:

1. Section 1418.363 (t) Table XX is added to read as follows:

(t) *Table XX: Maximum retail prices for coffee.*

Coffee	Ketchikan	Petersburg Wrangell	Juneau Douglas	Skagway Haines	Sitka	Cordova	Valdez	Seward	Kodiak	Anchorage	Palmer	Pts. on Alaska R. R. north of Anchorage and south of Curry	Curry and all points on Alaska R. R. north of Curry and south of Fairbanks	Fairbanks	Nome
Amocat, 1-lb. bag	$0.35	$0.35	$0.36	$0.36	$0.36	$0.38	$0.38	$0.38	$0.38	$0.38	$0.37	$0.37	$0.38	$0.38	$0.41
Bliss, 1-lb. tin	.40	.40	.40	.41	.41	.42	.42	.42	.43	.42	.43	.43	.44	.44	.45
Chase & Sanborn, 1-lb. bag	.37	.37	.37	.38	.38	.40	.40	.40	.40	.38	.39	.39	.40	.40	.43
Chase & Sanborn, 1-lb. tin	.39	.39	.40	.40	.41	.42	.42	.42	.42	.42	.42	.42	.44	.44	.45
Chase & Sanborn, 2-lb. tin	.77	.77	.79	.79	.81	.83	.83	.83	.83	.83	.83	.83	.87	.87	.89
Crescent, 1-lb. bag	.36	.36	.36	.38	.38	.38	.38	.38	.38	.38	.38	.38	.40	.40	.40
Crescent, 1-lb. glass	.39	.39	.39	.40	.40	.42	.42	.42	.42	.42	.43	.43	.45	.45	.45
Empress, 2-lb. glass	.76	.77	.77	.78	.79	.83	.83	.83	.84	.82	.83	.83	.88	.88	.91
Folger's, 1-lb. glass	.38	.38	.39	.39	.39	.41	.42	.41	.42	.41	.42	.42	.44	.44	.45
Folger's, 2-lb. glass	.75	.75	.77	.77	.77	.81	.83	.81	.83	.81	.83	.83	.87	.87	.91
Gold Shield, 1-lb. bag	.37	.37	.38	.38	.38	.40	.40	.40	.40	.38	.39	.39	.40	.40	.43
Hill's Bros., 1-lb. tin	.39	.39	.39	.39	.39	.41	.41	.41	.41	.41	.41	.41	.43	.43	.44
Hill's Bros., 1-lb. glass	.40	.40	.40	.41	.41	.43	.43	.43	.43	.43	.44	.44	.45	.45	.47
Hill's Bros., 2-lb. tin	.77	.77	.77	.77	.77	.81	.81	.81	.81	.81	.81	.81	.85	.85	.87
Hill's Bros., 2-lb. glass	.79	.79	.79	.81	.81	.85	.85	.85	.85	.85	.87	.87	.91	.91	.93
I. G. A., 1-lb. glass	.38	.38	.39	.39	.39	.41	.42	.41	.42	.41	.42	.42	.44	.44	.45
Maxwell House, 1-lb. glass	.41	.41	.41	.41	.42	.44	.44	.44	.44	.43	.44	.44	.45	.45	.48
Maxwell House, 2-lb. glass	.81	.81	.81	.81	.83	.87	.87	.87	.87	.87	.87	.87	.91	.91	.95
M. J. B., 1-lb. glass	.39	.39	.39	.40	.40	.42	.42	.42	.43	.42	.43	.43	.45	.45	.48
Opeka, 1-lb. tin	.40	.40	.41	.41	.41	.43	.43	.43	.43	.43	.43	.43	.45	.45	.45
Par, 2-lb. glass	.77	.77	.78	.78	.79	.83	.83	.83	.84	.82	.84	.84	.88	.88	.92
Reliance, 1-lb. glass	.38	.39	.39	.39	.40	.42	.42	.42	.42	.41	.42	.42	.44	.44	.45
Reliance, 2-lb. glass	.75	.77	.77	.77	.79	.83	.83	.83	.83	.81	.83	.83	.87	.87	.91
S & W, 1-lb. glass	.37	.37	.38	.38	.38	.40	.40	.40	.41	.40	.41	.41	.43	.43	.44
Schillings, 1-lb. glass	.38	.38	.38	.38	.39	.40	.40	.40	.40	.41	.42	.42	.44	.44	.43
Schillings, 2-lb. glass	.75	.75	.75	.75	.77	.79	.79	.79	.79	.81	.83	.83	.87	.87	.85
Decaffeinated Coffee															
Kaffee Hag, 1-lb. tin	.50	.50	.51	.51	.51	.54	.54	.54	.54	.52	.53	.53	.55	.55	.59
Kaffee Hag, 1-lb. glass	.49	.49	.50	.50	.50	.53	.53	.53	.53	.52	.53	.53	.56	.55	.58
Sanka, 1-lb tin	.51	.52	.52	.52	.53	.55	.55	.55	.55	.53	.54	.54	.56	.56	.60
Sanka, 1-lb. glass	.51	.51	.51	.52	.52	.55	.55	.55	.55	.54	.55	.55	.57	.57	.60

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

[1] 7 F.R. 6655, 7001, 7910, 8941, 8948; 8 F.R. 16742; 9 F.R. 532.

[2] 7 F.R. 10581, 11012; 8 F.R. 23, 567, 2158, 2445, 6984, 3844, 8184, 12549, 13100, 14305, 16514, 16526, 16527, 16365, 16936, 16793; 9 F.R. 301, 849.

2. Section 1418.363 (u) Table XXI is added to read as follows:

(u) *Table XXI: Maximum retail prices for rice, barley, dried peas and dried beans.*

Item	Unit	Ketchikan	Wrangell-Petersburg	Juneau-Douglas	Skagway-Haines	Sitka	Cordova-Valdez-Seward	Kodiak	Anchorage	Palmer and points on Alaska R. R. north of Anchorage and south of Curry	Curry and points on Alaska R. R. north of Curry to and including Fairbanks	Nome
Rice:												
Brown—Unpolished	1#-bulk [1]	$0.14	$0.14	$0.14	$0.14	$0.14	$0.15	$0.15	$0.16	$0.16	$0.17	$0.16
Blue Rose—Fancy	1#-bulk	.13	.13	.13	.13	.13	.14	.14	.15	.15	.16	.15
Patna long head and Happy Home long grain	1#-bulk	.15	.15	.15	.15	.15	.16	.16	.17	.17	.18	.17
Calady—Extra fancy	1#-bulk	.13	.13	.13	.13	.13	.14	.14	.14	.14	.15	.15
California Pearl—Fancy	1#-bulk	.12	.12	.12	.13	.13	.13	.14	.14	.14	.15	.14
Broken	1#-bulk	.11	.11	.11	.11	.11	.12	.12	.12	.13	.13	.13
Rosenburg Co.—Lot 820	1#-bulk	.11	.11	.12	.12	.12	.12	.13	.13	.13	.14	.13
Looking glass:												
Brown	1#-cello	.16	.16	.16	.16	.17	.18	.18	.19	.20	.22	.19
Brown	2#-cello	.31	.31	.31	.31	.32	.34	.34	.37	.38	.42	.37
Cal. pearl	1#-cello	.14	.14	.14	.14	.14	.15	.15	.17	.17	.19	.16
Cal. pearl	2#-cello	.26	.26	.26	.27	.27	.29	.29	.32	.33	.36	.31
Cal. pearl	3#-cello	.37	.38	.38	.39	.39	.41	.41	.45	.46	.51	.45
M. J. B.—Long grain	2#-ctn	.33	.33	.33	.33	.33	.35	.35	.38	.38	.42	.38
Reliance:												
Brown	1#-cello	.16	.16	.16	.16	.16	.17	17	.19	.19	.21	.19
Brown	2#-cello	.30	.30	.31	.31	.31	.33	.33	.36	.37	.40	.36
Blue rose	2#-cello	.30	.30	.30	.30	.30	.32	.32	.34	.35	.39	.35
S & W:												
Brown	1#-ctn	.19	.19	.19	.19	.19	.20	.20	.22	.22	.24	.22
Brown	2#-ctn	.36	.36	.36	.37	.37	.39	.39	.41	.42	.46	.42
Southern long grain	1#-ctn	.21	.21	.21	.21	.21	.22	.22	.23	.24	.25	.23
Southern long grain	2#-ctn	.40	.40	.40	.40	.40	.42	.42	.45	.46	.49	.44
Southern long grain	4#-ctn	.79	.79	.80	.80	.80	.83	.84	.90	.92	.98	.88
Barley:												
Pearl Barley	1#-bulk [1]	.11	.11	.11	.11	.11	.12	.12	.13	.13	.14	.13
Alber's—Pearl	1#-cello	.16	.16	.16	.16	.16	.17	.17	.19	.19	.21	.19
Amocat—Pearl	1#-ctn	.14	.14	.14	.14	.14	.15	.15	.16	.17	.18	.16
Looking Glass:												
Pearl	1#-cello	.13	.13	.13	.13	.13	.14	.14	.16	.16	.18	.16
Pearl	2#-cello	.24	.24	.24	.24	.25	.27	.27	.30	.31	.35	.29
Quaker—Scotch	1#-pkg	.17	.17	.17	.17	.17	.18	.18	.20	.20	.22	.20
Reliance—Pearl	1#-cello	.12	.12	.12	.12	.12	.13	.13	.14	.15	.16	.14
Washburn—Pearl	1#-cello	.14	.14	.14	.14	.15	.16	.16	.17	.18	.20	.17
Dried Peas:												
Yellow, whole	1#-bulk	.12	.12	.12	.12	.12	.13	.13	.14	.14	.15	.13
Yellow, split	1#-bulk	.13	.13	.13	.13	.13	.14	.14	.15	.15	.16	.15
Green, whole	1#-bulk	.13	.13	.13	.13	.13	.14	.14	.15	.15	.16	.15
Green, split	1#-bulk	.14	.14	.14	.14	.14	.15	.15	.16	.16	.17	.16
Amocat—Yellow, split	1#-cello	.14	.14	.15	.15	.15	.16	.16	.17	.17	.19	.17
Looking glass:												
Yellow, whole	1#-cello	.15	.15	.15	.15	.15	.16	.16	.18	.18	.20	.18
Yellow, whole	2#-cello	.28	.28	.29	.29	.29	.31	.31	.34	.35	.39	.34
Yellow, split	1#-cello	.15	.15	.15	.15	.15	.16	.16	.18	.18	.20	.18
Yellow, split	2#-cello	.29	.29	.29	.29	.29	.31	.31	.35	.36	.39	.34
Green, whole	1#-cello	.14	.14	.15	.15	.15	.16	.16	.17	.18	.20	.17
Green, whole	2#-cello	.27	.27	.28	.28	.28	.30	.30	.33	.34	.38	.33
Green, split	1#-cello	.16	.16	.16	.16	.16	.17	.17	.19	.19	.21	.18
Green, split	2#-cello	.30	.30	.30	.30	.30	.33	.33	.36	.37	.40	.35
Reliance:												
Yellow, whole	1#-cello	.14	.14	.14	.14	.14	.15	.15	.16	.17	.18	.16
Yellow, whole	2#-cello	.26	.26	.26	.27	.27	.29	.29	.31	.32	.35	.31
Yellow, split	1#-cello	.15	.15	.15	.15	.15	.16	.16	.17	.18	.20	.17
Yellow, split	2#-cello	.28	.28	.29	.29	.29	.31	.31	.33	.34	.37	.33
Green, whole	1#-cello	.15	.15	.15	.15	.15	.16	.16	.17	.18	.20	.17
Green, whole	2#-cello	.29	.29	.29	.30	.30	.31	.32	.33	.35	.38	.33
Green, split	1#-cello	.16	.16	.16	.16	.16	.17	.17	.18	.19	.20	.18
Green, split	2#-cello	.30	.31	.31	.31	.31	.33	.33	.35	.36	.40	.35
Trind (Trinidad):												
Yellow, split	2#-cello	.33	.34	.34	.34	.34	.36	.36	.39	.39	.43	.39
Green, split	1#-cello	.18	.18	.18	.18	.18	.19	.19	.20	.21	.23	.20
Green, split	2#-cello	.35	.35	.35	.35	.35	.37	.38	.40	.41	.44	.40
Washburn:												
Yellow, whole	1#-cello	.15	.15	.15	.15	.15	.16	.16	.18	.18	.20	.18
Yellow, split	1#-cello	.16	.16	.17	.17	.17	.18	.18	.20	.20	.22	.18
Green, whole	1#-cello	.16	.16	.16	.16	.16	.17	.17	.19	.19	.21	.19
Green, split	1#-cello	.18	.18	.18	.18	.18	.19	.19	.21	.21	.23	.21
Dried beans:												
Soya	1#-bulk [1]	.12	.12	.12	.12	.12	.13	.13	.14	.14	.15	.14
Small white	1#-bulk	.12	.12	.12	.12	.12	.13	.13	.14	.14	.15	.14
Red Mexican	1#-bulk	.12	.12	.12	.12	.12	.13	.13	.14	.14	.15	.14
Pink	1#-bulk	.12	.12	.12	.12	.12	.13	.13	.14	.14	.15	.14
Idaho red	1#-bulk	.12	.12	.12	.12	.12	.13	.13	.14	.14	.15	.14
Idaho Great Northern, large-white.	1#-bulk	.12	.12	.12	.12	.12	.13	.13	.14	.14	.15	.14
Bayo	1#-bulk	.12	.12	.12	.12	.12	.13	.13	.14	.14	.15	.14
Blackeye	1#-bulk	.12	.12	.12	.12	.12	.13	.13	.14	.14	.15	.14
Pinto	1#-bulk	.12	.12	.12	.12	.12	.13	.13	.14	.14	.15	.11
Cranberry	1#-bulk	.13	.13	.13	.13	.13	.14	.14	.15	.15	.16	.15
Red kidney	1#-bulk	.13	.13	.13	.13	.13	.14	.14	.15	.15	.16	.15
Baby Limas	1#-bulk	.14	.14	.14	.14	.14	.15	.15	.15	.16	.16	.16
Large Limas	1#-bulk	.16	.16	.16	.16	.16	.17	.17	.18	.18	.19	.18
Looking glass:												
Small white	1#-cello	.13	.13	.14	.14	.14	.15	.15	.16	.17	.19	.16
Small white	2#-cello	.25	.26	.26	.26	.26	.28	.28	.32	.32	.36	.31
Small white	3#-cello	.36	.37	.37	.37	.37	.40	.40	.44	.45	.50	.44
Red	1#-cello	.13	.13	.14	.14	.14	.15	.15	.16	.17	.19	.16
Red	2#-cello	.25	.26	.26	.26	.26	.28	.28	.32	.32	.36	.31
Red	3#-cello	.36	.37	.37	.37	.37	.40	.40	.44	.45	.50	.44
Gr. Northern	1#-cello	.14	.14	.14	.14	.14	.15	.15	.17	.17	.19	.16
Gr. Northern	2#-cello	.26	.26	.26	.26	.27	.29	.29	.32	.33	.37	.31
Large limas	1#-cello	.17	.17	.18	.18	.18	.19	.19	.20	.21	.22	.20
Large limas	2#-cello	.33	.33	.33	.34	.34	.36	.36	.39	.40	.43	.39
Large limas	3#-cello	.47	.47	.48	.48	.48	.51	.52	.56	.57	.62	.50
Baby limas	1#-cello	.15	.15	.15	.16	.16	.17	.17	.18	.19	.21	.18
Baby limas	2#-cello	.29	.29	.30	.30	.30	.32	.32	.35	.36	.40	.35

[1] One cent per package may be added to the bulk price if the retailer packages and sells the item in a cellophane bag.

(u) *Table XXI: Maximum retail prices for rice, barley, dried peas and dried beans*—Continued.

Item	Unit	Ketchikan	Wrangell-Petersburg	Juneau-Douglas	Skagway-Haines	Sitka	Cordova-Valdez-Seward	Kodiak	Anchorage	Palmer and points on Alaska R. R. north of Anchorage and south of Curry	Curry and points on Alaska R. R. north of Curry to and including Fairbanks	Nome
Dried beans—Continued.												
Reliance:												
Soy	1#-cello	$0.14	$0.14	$0.14	$0.14	$0.14	$0.15	$0.15	$0.17	$0.17	$0.18	$0.17
Soy	2#-cello	.27	.27	.27	.27	.27	.29	.29	.32	.33	.35	.32
Small white	1#-cello	.14	.14	.14	.14	.14	.15	.15	.16	.17	.18	.17
Small white	2#-cello	.26	.26	.27	.27	.27	.29	.29	.31	.32	.35	.32
Small white	3#-cello	.38	.38	.38	.39	.39	.42	.42	.45	.46	.51	.45
Idaho red	1#-cello	.14	.14	.14	.14	.14	.15	.15	.16	.17	.18	.17
Idaho red	2#-cello	.26	.27	.27	.27	.27	.29	.29	.31	.32	.35	.32
Gr. Northern large white	1#-cello	.14	.14	.14	.14	.14	.15	.15	.16	.17	.18	.17
Gr. Northern large white	2#-cello	.26	.26	.27	.27	.27	.29	.29	.31	.32	.35	.32
Gr. Northern large white	3#-cello	.38	.38	.38	.39	.39	.42	.42	.45	.46	.51	.45
Baby limas	1#-cello	.16	.16	.16	.16	.16	.17	.17	.19	.19	.21	.19
Baby limas	2#-cello	.31	.31	.31	.31	.31	.33	.33	.35	.37	.40	.35
Blue seaside, large limas	1#-cello	.18	.18	.18	.18	.18	.19	.19	.20	.21	.23	.20
Blue seaside, large limas	2#-cello	.34	.34	.34	.35	.35	.39	.39	.39	.40	.43	.39
Triad (Trinidad):												
Small white	1#-cello	.16	.16	.16	.17	.17	.17	.18	.19	.19	.21	.19
Small white	2#-cello	.31	.31	.31	.32	.32	.33	.35	.37	.37	.41	.37
Red Mexican	1#-cello	.17	.17	.17	.17	.17	.18	.18	.19	.20	.22	.19
Red Mexican	2#-cello	.32	.32	.33	.33	.33	.35	.35	.37	.38	.42	.37
Pink	1#-cello	.16	.17	.17	.17	.17	.18	.18	.19	.20	.22	.19
Pink	2#-cello	.32	.32	.33	.33	.33	.34	.35	.37	.38	.42	.37
Cal. reds	2#-cello	.32	.32	.32	.33	.33	.34	.35	.37	.37	.43	.37
Gr. Northern	1#-cello	.17	.17	.17	.17	.17	.18	.18	.19	.20	.22	.19
Gr. Northern	2#-cello	.32	.32	.33	.33	.33	.35	.35	.37	.38	.42	.37
Bayo	1#-cello	.17	.17	.17	.17	.17	.18	.18	.19	.20	.22	.19
Blackeye	1#-cello	.17	.17	.17	.17	.17	.18	.18	.19	.20	.22	.19
Blackeye	2#-cello	.32	.32	.33	.33	.33	.35	.35	.37	.38	.42	.37
Pinto	1#-cello	.16	.17	.17	.17	.17	.18	.18	.19	.20	.21	.19
Pinto	2#-cello	.31	.32	.33	.33	.33	.35	.35	.37	.39	.42	.37
Cranberry	2#-cello	.34	.34	.34	.35	.35	.39	.37	.39	.40	.43	.39
Red kidney	2#-cello	.34	.34	.34	.34	.34	.39	.39	.39	.40	.43	.39
Baby limas	1#-cello	.18	.18	.18	.18	.18	.20	.20	.21	.22	.23	.21
Baby limas	2#-cello	.35	.35	.35	.36	.36	.37	.37	.40	.41	.44	.40
Large limas	1#-cello	.20	.20	.20	.21	.21	.22	.22	.23	.24	.25	.23
Large limas	2#-cello	.40	.40	.40	.40	.40	.43	.43	.45	.46	.43	.45
Large limas	3#-cello	.60	.60	.60	.60	.60	.65	.65	.67	.69	.72	.67
Washburn:												
Pink	1#-cello	.17	.17	.17	.17	.17	.18	.18	.19	.20	.22	.20
Idaho red	1#-pkg	.17	.17	.17	.17	.17	.18	.18	.20	.20	.22	.20
Great Northern	1#-pkg	.17	.17	.17	.17	.17	.18	.18	.20	.20	.22	.20
Blackeye	1#-pkg	.17	.17	.17	.17	.17	.18	.18	.20	.20	.22	.20
Pinto	1#-pkg	.17	.17	.17	.17	.17	.18	.18	.20	.20	.22	.20
Red kidney	1#-cello	.18	.18	.18	.18	.18	.19	.19	.21	.21	.23	.21
Baby limas	1#-pkg	.18	.18	.19	.19	.19	.20	.20	.21	.22	.24	.21
Large limas	1#-pkg	.21	.21	.21	.21	.21	.22	.22	.23	.24	.25	.24
California pea	1#-pkg	.17	.17	.17	.17	.17	.18	.18	.19	.20	.22	.20

This amendment shall become effective February 25, 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 21st day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2515; Filed, February 21, 1944; 11:40 a. m.]

PART 1444—ICE BOXES

[MPR 399,[1] Amdt. 12]

NEW ICE BOXES

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. 399 is amended in the following respects:

1. Section 14, Table A, "Retail ceiling prices in each State for sales of ice boxes by ice companies and retail establishments controlled by ice companies," is amended by adding ceiling prices for five new model ice boxes as set forth below:

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

[1] 8 F.R. 7448, 9062, 11386, 11813, 13982, 14150, 14818, 15524, 15526, 15717, 15742.

TABLE A—RETAIL CEILING PRICES IN EACH STATE FOR SALES OF ICE BOXES BY ICE COMPANIES AND RETAIL ESTABLISHMENTS CONTROLLED BY ICE COMPANIES

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Alabama	Arizona	Arkansas	California	Colorado	Connecticut	Delaware	District of Columbia	Florida	Georgia	Idaho	Illinois	Indiana	Iowa	Kansas	Kentucky	Louisiana
Brunswick Refrigerator Co.		309	50#	$34.50	$34.50	$35.50	$34.50	$35.50	$35.00	$34.50	$34.50	$34.50	$34.50	$34.50	$35.50	$34.50	$34.50	$34.50	$34.50	$34.50	$34.75
Dratch's Victory refrigerator box.		444	50#	33.75	33.75	34.75	33.75	34.75	34.25	33.75	33.75	33.75	33.75	33.75	34.75	33.75	33.75	33.75	34.00	33.75	34.00
Home Building Corp.	Home comfort.	44	75#	58.25	59.00	59.75	58.50	59.75	59.00	59.25	59.25	59.00	59.75	59.25	59.75	58.25	58.25	58.25	58.25	58.50	59.00
King Refrigerator Co.	King	C-75 chest	50#	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25
Progress Refrigerator Co.	Progress	450	50#	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Maine	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri	Montana	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York	North Carolina	North Dakota
Brunswick Refrigerator Co.		309	50#	$34.50	$34.50	$34.50	$34.50	$34.50	$34.50	$34.50	$34.50	$35.50	$34.50	$35.50	$34.50	$34.50	$35.50	$34.50	$34.50	$34.75
Dratch's Victory Refrigerator Box.		444	50#	33.75	33.75	33.75	33.75	33.75	33.75	33.75	33.75	34.75	34.00	34.75	33.75	33.75	34.75	33.75	33.75	34.00
Home Building Corp.	Home Comfort.	44	75#	58.25	59.50	59.00	59.25	58.50	58.50	59.00	58.25	59.75	58.25	59.75	59.25	59.25	59.75	59.00	59.25	59.00
King Refrigerator Company.	King	C-75 chest	50#	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25
Progress Refrigerator Co.	Progress	450	50#	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Ohio	Oklahoma	Oregon	Pennsylvania	Rhode Island	South Carolina	South Dakota	Tennessee	Texas	Utah	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming
Brunswick Refrigerator Co.		309	50#	$34.50	$34.50	$34.75	$35.50	$34.50	$34.50	$34.50	$34.75	$34.50	$35.00	$35.50	$34.50	$34.50	$35.50	$34.50	$34.50	$35.00
Dratch's Victory Refrigerator Box.		444	50#	33.75	33.75	34.00	34.75	33.75	33.75	33.75	34.00	33.75	34.25	34.75	33.75	33.75	34.75	33.75	33.75	34.25
Home Building Corp.	Home Comfort.	44	75#	58.25	58.50	58.25	59.75	59.00	59.25	59.50	58.75	58.50	58.75	59.50	59.25	59.00	59.75	58.75	58.25	59.00
King Refrigerator Company.	King	C-75 chest	50#	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25	19.25
Progress Refrigerator Co.	Progress	450	50#	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00	26.00

2. Section 16, Table C, "Ceiling prices in each State for all other sales of ice boxes at retail" is amended by adding ceiling prices for five new model ice boxes as set forth below:

TABLE C—CEILING PRICES IN EACH STATE FOR ALL OTHER SALES OF ICE BOXES AT RETAIL

[No amount may be added to these ceiling prices for delivery to the buyer]

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Alabama	Arizona	Arkansas	California	Colorado	Connecticut	Delaware	District of Columbia	Florida	Georgia	Idaho	Illinois	Indiana	Iowa	Kansas	Kentucky	Louisiana
Brunswick Refrigerator Co.		309	50#	$38.95	$40.00	$41.25	$40.25	$41.25	$41.00	$39.25	$39.50	$39.50	$40.00	$40.00	$41.25	$40.00	$39.75	$40.00	$40.50	$39.75	$40.50
Dratch's Victory Refrigerator Box.		444	50#	38.25	39.25	40.75	39.75	40.75	40.25	38.75	38.75	38.75	39.50	39.25	40.75	39.25	39.25	39.50	39.75	39.25	39.75
Home Building Corp.	Home comfort.	44	75#	69.50	71.50	72.50	71.25	72.50	71.50	72.00	71.75	71.75	72.25	71.75	72.25	70.25	71.00	70.25	70.50	71.00	71.75
King Refrigerator Company.	King	C-75 chest	50#	21.75	22.25	22.75	22.25	22.75	22.50	22.00	22.00	22.00	22.25	22.25	22.75	22.25	22.00	22.25	22.50	22.25	22.50
Progress Refrigerator Co.	Progress	450	50#	29.25	29.75	30.50	29.75	30.50	30.25	29.75	29.75	29.75	30.00	29.75	30.50	29.50	29.50	29.75	30.00	29.50	30.00

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Maine	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri	Montana	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York	North Carolina	North Dakota
Brunswick Refrigerator Co.		309	50#	$38.95	$39.75	$39.50	$39.50	$39.75	$40.25	$40.25	$40.00	$41.25	$40.50	$41.25	$39.50	$39.25	$41.25	$39.50	$39.75	$40.75
Dratch's Victory Refrigerator box.		444	50#	38.25	39.00	38.75	38.75	39.00	39.50	39.50	39.50	40.75	39.75	40.75	38.75	38.50	40.50	38.75	39.00	40.00
Home Building Corp.	Home Comfort.	44	75#	69.50	72.25	71.75	72.00	71.00	71.00	71.50	70.25	72.50	70.75	72.50	72.00	71.75	72.50	71.50	72.00	71.75
King Refrigerator Company.	King	C-75 chest	50#	21.75	22.00	22.00	22.00	22.00	22.25	22.25	22.25	22.75	22.25	22.75	22.00	22.00	22.75	22.00	22.00	22.50
Progress Refrigerator Co.	Progress	450	50#	29.25	30.00	29.75	29.75	29.75	29.75	29.75	29.75	30.50	30.00	30.50	29.75	29.75	30.50	29.75	29.75	30.25

TABLE C—CEILING PRICES IN EACH STATE FOR ALL OTHER SALES OF ICE BOXES AT RETAIL—Continued

Manufacturer	Brand	Model	Rated ice capacity	Retail base price	Ohio	Oklahoma	Oregon	Pennsylvania	Rhode Island	South Carolina	South Dakota	Tennessee	Texas	Utah	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming
Brunswick Refrigerator Co.		300	50#	$38.25	$39.75	$40.50	$41.25	$39.50	$39.50	$39.75	$40.50	$40.00	$40.75	$41.25	$39.50	$39.50	$41.25	$39.50	$40.00	$41.00
Dratch's Victory Refrigerator Box.		444	50#	33.25	39.00	39.75	40.50	38.75	38.75	39.25	40.00	39.25	40.00	40.50	38.75	38.75	40.50	39.00	39.25	40.25
Home Building Corp.	Home Comfort.	44	75#	69.50	71.25	71.00	72.00	71.50	72.00	72.00	71.25	71.25	71.50	72.25	72.00	71.75	72.50	71.50	70.50	71.75
King Refrigerator Company.	King	C-75 chest	50#	21.75	22.00	22.50	22.75	22.00	22.00	22.00	22.50	22.25	22.50	22.75	22.00	22.00	22.75	22.00	22.25	22.50
Progress Refrigerator Co.	Progress	450	50#	29.25	29.50	30.00	30.50	29.75	29.75	29.75	30.00	29.50	30.00	30.50	29.75	29.75	30.50	29.75	29.75	30.25

This amendment shall become effective on the 26th day of February 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 21st day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2517; Filed, February 21, 1944; 11:42 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

MISCELLANEOUS AMENDMENTS TO CHAPTER

PART 2—ADJUDICATION: VETERANS' CLAIMS

Filing of Claims and Supporting Evidence

§ 2.1026 *Application for benefits.* (a) A properly completed and executed Form 526, 526a or 526b, upon receipt by the Veterans' Administration, constitutes an application for benefits indicated below and will be adjudicated under the applicable laws:

Form 526: Veteran's application for Pension or Compensation for Disability Resulting from Service in the Active Military or Naval Forces of the United States.

Form 526a: Application for Compensation or Pension under Section 31, Public No. 141, 73d Congress, section 12, Public No. 866, 76th Congress, and section 2, paragraph 4, Public No. 16, 78th Congress.

Form 526b: Veteran's Application for Pension for Disability not the Result of Service in the Active Military or Naval Service of the United States.

(b) Applications for compensation, pension, or burial allowance shall be sworn to before a court of record, or some officer thereof having custody of its seal, or before some officer who has authority to administer oaths for general purposes, or employees of the Veterans' Administration to whom authority to administer oaths has been properly delegated, or, if the person is in the active service at the time of making application, before an officer duly authorized by the Army, Navy, Marine Corps, or Coast Guard to administer oaths for the purposes of military or naval administration. In connection with the execution of applications in foreign countries, see § 2.1032. (February 21, 1944) (54 Stat. 1197, 57 Stat. 44, 554–560; 38 U.S.C. 501a)

§ 2.1027 *Informal claims.* Any communication from or action by a claimant or his duly authorized representative, which clearly indicates an intent to apply for benefits under Publics No. 2, No. 141, No. 484, 73d Congress, as amended, or Public No. 186, 76th Congress, as amended by sections 7 and 8, Public No. 866, 76th Congress, may be considered an informal claim for compensation or pension, or an informal claim under section 31, Public No. 141, 73d Congress, as amended by section 12, Public No. 866, 76th Congress. When an informal claim is received and a formal application is forwarded for execution by the claimant, such application shall be considered as evidence necessary to complete the initial application, and unless a formal application is received within one year from the date it was transmitted for execution by the claimant, no award shall be made by virtue of such informal claim. If received within one year in such instances, it will be considered filed as of the date of receipt of the informal claim by the Veterans' Administration. However, a communication received from a service organization, pension attorney, or pension agent may not be accepted as an informal claim, if a power of attorney was not executed at the time the communication was written. In cases not covered by this rule, where the probability of an informal claim appears to be indicated, but the facts are too obscure or complicated for determination, the file will be referred to the director of the service concerned for decision upon the facts in the particular case. When benefits are being resumed under § 3.1299, and an informal claim has been filed for a disability incurred or aggravated in the second period of service, the requirements of the second and third sentences of this paragraph are not for application. (February 21, 1944) (54 Stat. 1196, 1197, 57 Stat. 554–560; 38 U.S.C. 501a, 703b)

Determinations as to Basic Entitlement

§ 2.1066 *"Line of duty" under §§ 35.011 and 35.012.* (a) Sections 35.011 and 35.012 require that a disabling condition for which pension or compensation is claimed, shall have been incurred in line of duty, except in cases where a right to pension or compensation is preserved by § 35.04. The records of service departments will be accepted in determining line of duty status of diseases and injuries, unless considerations set forth in § 35.10 (h) may warrant a different finding. Any evidence which is properly admissible or acceptable according to the practice of the Veterans' Administration, and which is of a nature competent to demonstrate that the incurrence of disability was or was not in line of duty, according to conditions specified in § 35.10 (h) may be used as a basis for adjudications, despite any official military or naval record with respect to manner of incurrence. These determinations will be made by the officials of the Veterans' Administration charged with the responsibility of deciding claims for monetary or other benefits in the administration of laws in which line of duty is a factor. Such determinations will be final, subject to appeal procedure, except when the determination of the service department with respect to line of duty in the case of a living or deceased veteran is not concurred in by those having the foregoing responsibility and the file shows that the service department's determination was approved personally by the Secretary of the Navy, Secretary of War, or by the Secretary of the Treasury. Generally, for purposes of naval administration the only cases involving line of duty of personnel of the Navy or Marine Corps that are required to be referred to the Secretary of the Navy for his personal determination are those pertaining to the retirement of officers of the Navy and Marine Corps and the reserve components of these services; there is no procedure in the War Department by which line of duty determinations are normally brought to the personal attention of the Secretary of War, but in the exceptional case calling for his personal action, the record will reveal it. Such excepted cases, in which the line of duty determination has in fact been personally approved by any one of the Department Secretaries named as unmistakably shown by the context of the record, will be forwarded to the director of the service concerned together with a full statement of the reasons why the line of duty decision as made by the Department Secretary should not be accepted. If the decision of the Department Secretary is concurred in by the director of the service concerned the case will be returned to the agency of original jurisdiction for adjudication accordingly. But if such determination is not concurred in, the case will be forwarded to the assistant administrator. If the assistant administrator concurs in the Department's de-

termination the file will be returned to the office having jurisdiction for adjudication accordingly. But if he does not concur the case will be referred to the Administrator for his determination. Whenever a decision is rendered by the board of veterans appeals in which that board does not concur in the decision as to line of duty approved personally by the Secretary of War, Navy or Treasury, such decision will be referred to the Administrator for his determination. For the purpose of ascertaining line of duty status for periods of time prior to June 16, 1938, continuous periods of leave will be considered as one extended leave in determining whether a leave of absence is of such duration as to interfere materially with the routine performance of duty. The provisions of § 35.10 (h) will be observed carefully in effecting all adjudication where a question of incurrence of disease or injury in line of duty is pertinent: *Provided,* That on or after June 16, 1938, the date of approval of Public No. 648, 75th Congress, the fact that the injury was suffered or the disease was contracted while the person on whose account benefits are claimed was on authorized leave (irrespective of the duration of such leave) will not of itself bar a finding that the disability or death resulting therefrom was incurred in line of duty. If the injury was suffered or the disease was contracted while the person who served was away from camp or his post of duty, the burden is upon the claimant to establish line of duty. If, however, the injury was suffered or the disease was contracted while the person who served was at camp or his post of duty, even though in a leave status, the burden is upon the Government to show that the disability or death resulting therefrom was not in line of duty.

(b) Whenever the veterans claims service, the dependents claim service, or the insurance service has made a determination of the question of line of duty status for the purpose of compensation, pension or insurance, under the provisions of § 2.1066 and § 4.2046, such determination shall be binding upon any of these services for any of the purposes mentioned, unless it be clearly and unmistakably in error. This determination shall not be subject to question by reason of a difference of opinion, except as to whether such determination is clearly and unmistakably erroneous, in which case such question shall be referred to the Administrator for his determination. (February 21, 1944) (48 Stat. 8, 9, 57 Stat. 554–560; 38 U.S.C. 701, 707)

PART 3—ADJUDICATION: DISALLOWANCE AND AWARDS

§ 3.1299 *Action where veteran returns to active duty status.* Compensation or pension may not be paid concurrently with the receipt of active service pay, and where any person in receipt of compensation or pension returns to active duty status with any of the armed forces of the United States, or active service in the United States Coast Guard, benefits will be suspended effective the day preceding reentrance. Payments may be resumed the day following release from active duty, provided the person is otherwise entitled. If a disability is incurred or aggravated in the second period of service, the benefits payable on account thereof cannot be paid unless a claim therefor is filed. (See § 2.1027.) The period of active service must be verified by Form 3101 series. (February 21, 1944) (48 Stat. 9, 57 Stat. 554–560; 38 U.S.C. 707)

FRANK T. HINES,
Administrator.

[F. R. Doc. 44-2413; Filed, February 19, 1944; 11:22 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular No. 1568]

PART 192—OIL AND GAS LEASES

EXTENSION OF FIVE-YEAR LEASES

§ 192.14e *Extension of five-year leases.* Pursuant to the Act of December 22, 1943 (57 Stat. 608), the term of any five-year lease expiring prior to December 31, 1944, maintained in accordance with the applicable statutory requirements and regulations and for which no preference right to a new lease is granted by the act of July 29, 1942 (56 Stat. 726), is extended to December 31, 1944.

Inasmuch as the statute requires that rentals must be paid annually in advance, no lease will be considered as extended under the provisions of the act until rentals are paid to and including December 31, 1944. Compliance must be made with all other statutory requirements and regulations.

(Sec. 32, 41 Stat. 450, 30 U.S.C. 181; 57 Stat. 608)

FRED W. JOHNSON,
Commisioner.

Approved: February 8, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-2469; Filed, February 21, 1944; 9:49 a. m.]

TITLE 45—PUBLIC WELFARE

Chapter V—The President's War Relief Control Board

PART 501—SOLICITATION AND COLLECTION OF FUNDS AND CONTRIBUTIONS FOR WAR RELIEF AND WELFARE

REGISTRATION RESTRICTIONS

Pursuant to the provisions of Executive Order No. 9205 of July 25, 1942, § 501.7 (b) (7 F.R. 5946) of Title 45 of the Code of Federal Regulations relating to the solicitation and collection of funds and contributions for war relief and welfare is hereby superseded by the following § 501.7 (b).

§ 501.7 *Registration restrictions.*
* * *

(b) Any registration may be recoked if the registrant under the name used in its application for registration engages in activities other than those authorized in the notice of acceptance of registration. The Board will revoke the registration of any registrant combining political action or propaganda with its authorized activities, and will decline any application for registration when the applicant combines or intends to combine political action or propaganda with relief appeals.

Approved: February 17, 1944.

CHARLES P. TAFT,
Acting Chairman.

[F. R. Doc. 44-2470; Filed, February 21, 1944; 9:48 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

PART 205—REPORTS

QUARTERLY REPORTS OF CLASS I MOTOR CARRIERS OF PROPERTY

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 30th day of December, A. D. 1943.

The matter of statistical reports of Class I motor carriers of property being under consideration:

It is ordered, That the order of April 2, 1943, (§ 205.12 of Title 49, Code of Federal Regulations) be and it hereby is vacated and set aside, effective January 1, 1944, and the following order shall become effective in lieu thereof:

§ 205.12 *Quarterly report of property revenues, expenses and statistics.* Each Class I common and contract motor carrier of property subject to the provisions of section 220 of the Interstate Commerce Act, shall file, under oath, quarterly reports commencing with the period January 1, 1944, to March 31, 1944, (both dates inclusive) in accordance with the Quarterly Report of Revenues, Expenses and Statistics for Class I Motor Carriers of Property form which is hereby approved and made a part of this order.[1] Quarterly reports shall be filed, in duplicate, in the office of the Bureau of Motor Carriers of the Interstate Commerce Commission within thirty days after the close of the period to which they relate. (Sec. 220, 49 Stat. 563, sec. 24, 54 Stat. 926; 49 U.S.C. 320)

NOTE: The reporting requirement of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-2475; Filed, February 21, 1944; 11:09 a.m.]

[1] Filed as part of the original document.

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

LESTER E. OLSON

PROCEEDINGS FOR REVOCATION OF LICENSE

Order revoking licenses, directing surrender of licenses and requiring records to be furnished.

To: Lester E. Olson, 216 Sixth Street, Wallace, Idaho.

Based upon the records in this matter, I make the following findings of fact:

1. On January 13, 1944, a specification of charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863), as amended, and the regulations pursuant thereto of which you were accused, was mailed to you giving you notice to mail an answer within 15 days from January 13, 1944, answering the charges against you and requesting an oral hearing if you wished.

2. More than 25 days have elapsed since January 13, 1944. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from Wallace Idaho, does not exceed 7 days. The only communication received from you was your answer dated January 29, 1944. That answer neither denied the charges against you nor requested an oral hearing.

3. The charges against you are true.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations pursuant thereto, I hereby order:

1. That all licenses issued to you under the Federal Explosives Act be and they are hereby revoked at the expiration of three weeks from the date of this order;

2. That within three weeks from the date of this order you shall use, or sell or otherwise dispose of, to properly licensed persons, or destroy, all explosives and ingredients of explosives owned or possessed by you or consigned to you or which are in your custody;

3. That, after having used, or having sold or otherwise disposed of, or having destroyed all of the explosives and ingredients of explosives as required by paragraph 2 of this order, you shall, within three weeks from the date of this order, deliver or mail to L. H. McGuire, Engineer in Charge, United States Bureau of Mines, 233 Federal Office Building, Seattle 4, Washington, a sworn statement of your uses of, transactions in, and destructions of explosives and ingredients of explosives, beginning with the date of this order and ending with the final use, or with the final sale or other disposition, or with the final destruction of the explosives and ingredients as required above. The statement shall set forth the amount of each kind of explosives and ingredients of explosives which you had on hand at each location at the opening of business on the date of this order, the amount of each kind acquired by you that day and each day thereafter, the dates on which acquired, the names and addresses of the persons from whom acquired, the amount of each kind used by you, the dates on which used, the places where used, the amount of each kind sold or otherwise disposed of by you, the dates on which sold or otherwise disposed of, the names and addresses and the numbers and dates of Federal explosives licenses of the persons to whom sold or otherwise disposed of, the amount of each kind destroyed by you, the dates on which destroyed and the places where destroyed.

4. That within three weeks from the date of this order you shall surrender all licenses issued to you under the Federal Explosives Act, and all copies thereof, by mailing or delivering them to L. H. McGuire, 233 Federal Office Building, Seattle 4, Washington.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act punishable by a fine of not more than $5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 14th day of February 1944.

R. R. SAYERS,
Director.

[F. R. Doc. 44-2410; Filed, February 19, 1944; 9:54 a. m.]

Bureau of Reclamation.

[No. 24]

RIVERTON IRRIGATION PROJECT, WYO.

NOTICE OF ANNUAL WATER CHARGES[1]

FEBRUARY 9, 1944.

1. *Water rental.* Irrigation water, when available, will be furnished upon a rental basis under approved applications for temporary water service during the irrigation season of 1944 and thereafter until further notice to those lands in private ownership and to those public lands opened under the orders "opening public land to entry" dated March 3, 1926, November 9, 1926, March 23, 1931, May 2, 1932, January 31, 1933, and October 30, 1939, against which assessments for water rental were not levied by the Midvale Irrigation District in 1943.

2. *Charges and terms of payment.* The minimum water-rental charge for the irrigation season of 1944 and thereafter until further notice will be one dollar and forty cents ($1.40) per acre for each irrigable acre of land for which application has been or is hereafter made which will entitle the applicant to two and eight tenths (2.8) acre-feet of water, or so much thereof as may be necessary for beneficial use, for said season. Payment of the minimum charge shall be made for the entire irrigable area of each farm unit of public land entered under orders "opening public land to entry" dated March 3, 1926, November 9, 1926, March 23, 1931, May 2, 1932, January 31, 1933, and October 30, 1939, and for the entire irrigable area of each 40-acre subdivision of private land entitled to water for which application has been made or is hereafter made. Said minimum charge will be made against each acre of irrigable land whether or not water is used, shall be paid in advance on or before May 1, 1944, and no part of said charge will be refunded. Additional water, if available, will be furnished during said irrigation season at the rate of one dollar ($1.00) per acre-foot, payable on December 1, 1944. When water-rental application is submitted and approved after June 15, 1944, for public land entered under the reclamation law and after August 1, 1944, for land in private ownership, the minimum charge shall apply as a credit on the minimum charge for the following irrigation season. All water-rental charges under this notice should be paid to the Bureau of Reclamation, Riverton, Wyoming.

3. *Penalty for nonpayment.* If payment of the minimum charge be not made on or before May 1, 1944, and payment for additional water furnished be not made on or before December 1, 1944, as herein provided, there shall be added to the amount unpaid a penalty of one-half of one per centum thereof on the first day of the third calendar month thereafter, and there shall be added a like penalty of one-half of one per centum on the first day of each month thereafter so long as such default shall continue, and no water shall be delivered to the owner or entryman in subsequent years until all such charges and penalties have been paid in full.

(Departmental Order No. 1903 of November 17, 1943 (8 F.R. 15872), issued under the Act of December 19, 1941, 55 Stat. 842)

H. W. BASHORE,
Commissioner.

[F. R. Doc. 44-2472; Filed, February 21, 1944; 9:48 a. m.]

[No. 30]

BOISE IRRIGATION PROJECT, IDAHO, OREG.

PUBLIC NOTICE OF ANNUAL WATER CHARGES[1]

JANUARY 13, 1944.

1. *Annual water charges.* The annual operation and maintenance charges for the irrigation season of 1944, and thereafter until further notice, against all lands of the Arrowrock division, Boise irrigation project, Idaho-Oregon, within the Settlers Irrigation District, and other lands of the Arrowrock division not included in the Boise-Kuna, Wilder, Nampa and Meridian, New York and Big Bend irrigation districts shall be one dollar and thirty cents ($1.30) for the first three (3) acre-feet of water and thirty (30) cents for each additional acre-foot; but a minimum charge of one dollar and thirty cents ($1.30) will be made against each irrigable acre and must be paid as toll before any water is delivered. The minimum operation and maintenance charge will be due and payable to the Board of Control, Boise, Idaho, on April 1 preceding the irrigation season. Charges for additional water will be pay-

[1] Act of June 17, 1902, 32 Stat. 388, as amended and supplemented.

able to the Board of Control, upon demand.

(Departmental Order No. 1903 of November 17, 1943 (8 F.R. 15872), issued under the Act of December 19, 1941, 55 Stat. 842)

H. W. BASHORE,
Commissioner.

[F. R. Doc. 44-2471; Filed, February 21, 1944; 9:48 a. m.]

COLORADO-BIG THOMPSON PROJECT

REVOCATION OF FIRST FORM WITHDRAWAL

DECEMBER 31, 1943.

The SECRETARY OF THE INTERIOR.

SIR: By departmental order of November 27, 1943, certain described lands in the State of Colorado previously withdrawn for reclamation purposes as provided by section 3 of the act of June 17, 1902 (32 Stat. 388), in connection with the Colorado-Big Thompson project, were released from reclamation withdrawal.

The aforementioned departmental order contains a typographical error in that the NW¼SE¼ of Section 14, Township 1 North, Range 74 West, Sixth Principal Meridian, Colorado, has been described as the NE¼SE¼ of said Section 14.

It is therefore recommended that this departmental order be amended, effective as of November 27, 1943, to correctly show this tract as the NW¼SE¼ Section 14, Township 1 North, Range 74 West, Sixth Principal Meridian, Colorado.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: February 3, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 7, 1944.

[F. R. Doc. 44-2473; Filed, February 21, 1944; 9:48 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 1106]

WESTERN AIR LINES, INC.

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

In the matter of the application of Western Air Lines, Inc., for approval of the acquisition of control by Western Air Lines, Inc., of Inland Air Lines, Inc., and approval of the merger of Inland Air Lines, Inc., into Western Air Lines, Inc., or the purchase by Western Air Lines, Inc., of all the assets of Inland Air Lines, Inc.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 408 of said Act, in the above-entitled proceeding, that oral argument now assigned for February 22, 1944, is postponed to February 24, 1944, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C., before the Board.

Dated Washington, D. C., February 19, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-2520; Filed, February 21, 1944; 11:59 a.m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A-70]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN RICHMOND, CALIF., 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,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Richmond, California, 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. No officer, supervisor, or checker under this plan shall use coercive methods in effectuating compliance with the plan, and each such officer, supervisor or checker shall report to the Office of Defense Transportation all violations of orders issued by the Office of Defense Transportation applicable to taxicab operations and all failures to comply with the plan that may be observed by them. No operator participating in the plan shall be denied or refused further participation without the prior approval of the Office of Defense Transportation.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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, San Francisco, California, 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.

8. Communications concerning this order should refer to "Supplementary Order ODT 20A-70" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, San Francisco, California.

[1] Filed as part of the original document.

9. This order shall become effective February 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 21st day of February 1944.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

APPENDIX 1

Marshall White, Richmond, California.
L. L. Turney, Richmond, California.
William Lam, Richmond, California.
Howard E. Sullivan, Richmond, California.
John Queen, Richmond, California.
Robt. N. Golubin, Richmond, California.
Henry Gallo, Richmond, California.
Earl T. McCracken, Richmond, California.
Mr. and Mrs. F. F. Fauver, Richmond, California.
Harry J. Browne, Richmond, California.
Clarence Kaylor, Richmond, California.

[F. R. Doc. 44-2474; Filed, February 21, 1944; 10:29 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 6 Under MPR 112]

PENNSYLVANIA ANTHRACITE

DIRECTING ANTHRACITE PRODUCERS TO FILE REPORTS

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.195 (c) of Maximum Price Regulation No. 112, *It is ordered:*

(a) Each producer of Pennsylvania anthracite who, during the year 1943, produced 50,000 tons or more of anthracite must file within thirty days after the last day of each month a report as to profits and losses for each of the months of January and February, 1944 on OPA Form No. 653-1. In addition to the information required on OPA Form No. 653-1, each producer must show on an attached sheet the following information:

Production Costs

	Total
Labor (under wage agreement)	$------
a. Straight time wages earned	------
b. Overtime wages earned (at rate and one-half, or time and one-half)	------
c. Overtime earned (at double rate or double time for Sunday pay)	------
d. Retroactive wages charged to current operations (if any)	------

Payments for Back Wages

1. Total amount and date of retroactive wages paid	$------
a. November, 1943	------
b. December, 1943	------
c. January, 1944	------
d. February, 1944	------
2. Total amount and date of retroactive wages to be paid	$------
a. Expected date of payment (----)	------
b. Expected date of payment (----)	------
c. Expected date of payment (----)	------

(b) Each producer of Pennsylvania anthracite who, during the year 1943, produced 50,000 tons or more of anthracite must file quarterly reports on OPA Form No. 653-1. In addition to information required by OPA Form No. 653-1, each producer must show on an attached sheet for the first and second quarter of 1944, the information required in paragraph (a) above. The report for the first quarter of the year 1944 must be filed on or before April 25, 1944. Each subsequent quarterly report must be filed within twenty-five days after the last day of each quarter.

(c) Each producer of Pennsylvania anthracite who filed Forms 653-1 for the fourth quarter of 1943, must file before March 1, 1944, a statement showing the information outlined in paragraph (a) above for the fourth quarter of 1943, and the number of tons by sizes sold from November 24, 1943, to and including, December 31, 1943. If any of the items do not apply to the report for the last quarter of 1943, enter for this item "None".

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective February 18, 1944.

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

Issued this 18th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2463; Filed, February 18, 1944; 4:22 p. m.]

[MPR 225, Rev. Order 19]

COMMERCIAL OR JOB PRINTERS AND TRADE SUPPLY HOUSES IN NEW YORK, N. Y., OR MINNEAPOLIS, MINN.

ORDER GRANTING ADJUSTMENT

Revised Order No. 19 under Maximum Price Regulation 225. Printing and printed paper commodities.

Order No. 19 under Maximum Price Regulation 225 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith 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, and in accordance with § 1347.469 of Maximum Price Regulation 225, *It is hereby ordered:*

(a) Commercial or job printers and trade supply houses (identified further in paragraph (d) below) who do a printing business in New York, New York, or Minneapolis, Minnesota, may sell and deliver to any person and any person may buy or receive from them any printed paper commodity or service in connection therewith, the sale of which is subject to Maximum Price Regulation 225, at prices which shall not exceed the following:

(1) *Where maximum prices are governed by § 1347.452 of Maximum Price Regulation 225.* The price set forth in § 1347.452 with the addition of a sum equal to the increase in the cost of producing the commodity or rendering the service due to wage increases to seller's employees authorized by the National War Labor Board by an order issued subsequent to March 31, 1942.

(2) *Where maximum prices are governed by § 1347.453 of Maximum Price Regulation 225.* The price determined in accordance with § 1347.453, altered by a recomputation of production charges (§ 1347.453 (b)) to include the increase in the cost of producing the commodity or rendering the service due to wage increases to seller's employees authorized by the National War Labor Board by an order issued subsequent to March 31, 1942.

(b) Commercial or job printers who purchase services from trade supply houses may treat increased cost of such services, incurred by reason of this revised order, in the same manner as if the increased expenses had accrued to them by way of wage increases granted to their own employees: *Provided,* That such increases are of the type described in the applicable sections of this revised order.

(c) In the foregoing computations no additional allowance shall be made for that portion of any wage increase which is retroactive to a date prior to the sale of the commodity or service.

(d) Commercial or job printers for the purpose of this revised order mean persons engaged in commercial or job printing as that term is commonly understood in the trade and whose business consists chiefly in the production of specific printing jobs for individual customers, such jobs including but not limited to the printing to order of the following: Commercial forms; letterheads and envelopes; sales announcements, enclosures, circulars and other advertising matter; legal documents or forms for state and local governments. Trade supply houses for the purpose of this revised order means persons engaged in fur-

nishing a commercial or job printer with a service or product necessary to the completion of a finished printed product, such services and products being limited to trade composition (typesetting) establishments, trade bindery establishments, trade pressroom establishments, photo-engraving establishments and electrotyping and stereotyping establishments.

(e) Every seller increasing his maximum prices under the provisions of this revised order shall file with the Regional Office of the Office of Price Administration in the region in which he does business a report of the increased price. This report shall be filed on or before the date of sale. The seller may thereupon use the increased prices: *Provided, however,* That if the Office of Price Administration shall by letter mailed to him within 30 days from the filing of the report disapprove the computation of the increase, then the prices charged prior to the receipt of such disapproval shall be adjusted in accordance therewith. In the absence of such disapproval the increased prices shall be deemed to have been approved, subject, however, to non-retroactive written disapproval at any later time by the Office of Price Administration.

For prices established under § 1347.452 a statement of the computation of the increase shall be set forth in the report. For prices established under § 1347.453 Form 325:1 shall be used, setting forth the new rates for production charges on tables 3–9 inclusive and the computation used in their determination.

(f) All prayers of the petitions not granted herein are denied.

(g) This Revised Order No. 19 may be revoked or amended by the Price Administrator at any time. This Revised Order No. 19 shall become effective February 21, 1944.

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

Issued this 19th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–2425; Filed, February 19, 1944; 11:53 a. m.]

[MPR 225, Rev. Order 20]

COMMERCIAL OR JOB PRINTERS IN DENVER, COLO.

ORDER GRANTING ADJUSTMENT

Revised Order No. 20 under Maximum Price Regulation No. 225. Printing and printed-paper commodities.

Order No. 20 under Maximum Price Regulation No. 225 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, and in accordance with § 1347.469 of Maximum Price Regulation No. 225, *It is hereby ordered:*

(a) Commercial or job printers (identified further in paragraph (c) below) who do a printing business in Denver, Colorado, may sell and deliver to any person and any person may buy or receive from them any printed paper commodity or service in connection therewith, the sale of which is subject to Maximum Price Regulation No. 225, at prices which shall not exceed the following:

(1) *Where maximum prices are governed by § 1347.452 of Maximum Price Regulation No. 225.* The price set forth in § 1347.452 with the addition of a sum equal to the increase in the cost of producing the commodity or rendering the service due to wage increases to seller's employees authorized by the National War Labor Board by an order issued subsequent to March 31, 1942.

(2) *Where maximum prices are governed by § 1347.453 of Maximum Price Regulation No. 225.* The price determined in accordance with § 1347.453, altered by a recomputation of production charges (§ 1347.453 (b)) to include the increase in the cost of producing the commodity or rendering the service due to wage increases to seller's employees authorized by the National War Labor Board by an order issued subsequent to March 31, 1942.

(b) Commercial or job printers who purchase services from trade supply houses may treat increased cost of such services, incurred by reason of this revised order, in the same manner as if the increased expenses had accrued to them by way of wage increases granted to their own employees: *Provided,* That such increases are of the type described in the applicable sections of this revised order.

(c) In the foregoing computation no additional allowance shall be made for that portion of any wage increase which is retroactive to a date prior to the sale of the commodity or service.

(d) Commercial or job printers for the purpose of this revised order mean persons engaged in commercial or job printing as that term is commonly understood in the trade and whose business consists chiefly in the production of specific printing jobs for individual customers, such jobs including but not limited to the printing to order of the following: Commercial forms; letterheads and envelopes; sales announcements, enclosures, circulars and other advertising matter; legal documents or forms for state and local governments. Trade supply houses for the purpose of this revised order means persons engaged in furnishing a commercial or job printer with a service or product necessary to the completion of a finished printed product, such services and products being limited to trade composition (typesetting) establishments, trade bindery establishments, trade pressroom establishments, photo-engraving establishments and electrotyping and stereotyping establishments.

(e) Every seller increasing his maximum prices under the provisions of this revised order shall file with the Regional Office of the Office of Price Administration in the region in which he does business, a report of the increased price. This report shall be filed on or before the date of sale. The seller may thereupon use the increased prices: *Provided, however,* That if the Office of Price Administration shall by letter mailed to him within 30 days from the filing of the report disapprove the computation of the increase, then the prices charged prior to the receipt of such disapproval shall be adjusted in accordance therewith. In the absence of such disapproval the increased prices shall be deemed to have been approved, subject, however, to non-retroactive written disapproval at any later time by the Office of Price Administration.

For prices established under § 1347.452 a statement of the computation of the increase shall be set forth in the report. For prices established under § 1347.453 Form 325:1 shall be used, setting forth the new rates for production charges on tables 3–9 inclusive and the computation used in their determination.

(f) All prayers of the petitions not granted herein are denied.

(g) This Revised Order No. 20 may be revoked or amended by the Price Administrator at any time.

This Revised Order No. 20 shall become effective February 21, 1944.

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

Issued this 19th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–2426; Filed, February 19, 1944; 11:52 a. m.]

[MPR 225, Rev. Order 24]

COMMERCIAL OR JOB PRINTERS IN ALAMEDA COUNTY, CALIF.

ORDER GRANTING ADJUSTMENT

Revised Order No. 24 under Maximum Price Regulation 225. Printing and printed matter commodities.

Order No. 24 under Maximum Price Regulation 225 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith 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, and in accordance with § 1347.469 of Maximum Price Regulation 225, *It is hereby ordered:*

(a) Commercial or job printers (identified further in paragraph (c)) who do a printing business in Alameda County, California, may sell and deliver to any person and any person may buy or receive from them any printed paper commodity or service in connection therewith, the sale of which is subject to Maximum Price Regulation 225, at prices which shall not exceed the following:

(1) *Where maximum prices are governed by § 1347.452 of Maximum Price Regulation 225.* The price set forth in § 1347.452 with the addition of a sum equal to the increase in the cost of producing the commodity or rendering the service due to wage increases to seller's employees authorized by the National War Labor Board by an order issued subsequent to March 31, 1942.

(2) *Where maximum prices are governed by § 1347.453 of Maximum Price Regulation 225.* The price determined in accordance with § 1347.453, altered by a recomputation of production charges (§ 1347.453 (b)) to include the increase in the cost of producing the commodity or rendering the service due to wage increases to seller's employees authorized by the National War Labor Board by an order issued subsequent to March 31, 1942.

(b) Commercial or job printers who purchase services from trade supply houses may treat increased cost of such services, incurred by reason of this revised order, in the same manner as if the increased expenses had accrued to them by the way of wage increases granted to their own employees, provided that such increases are of the type described in the applicable sections of this revised order.

(c) In the foregoing computation no additional allowance shall be made for that portion of any wage increase which is retroactive to a date prior to the sale of the commodity or service.

(d) Commercial or job printers for the purpose of this revised order mean persons engaged in commercial or job printing as that term is commonly understood in the trade and whose business consists chiefly in the production of specific printing jobs for individual customers, such jobs including but not limited to the printing to order of the following: commercial forms; letterheads and envelopes; sales announcements, enclosures, circulars and other advertising matter; legal documents or forms for state and local governments. Trade supply houses for the purpose of this revised order means persons engaged in furnishing a commercial or job printer with a service or product necessary to the completion of a finished printed product, such services and products being limited to trade composition (typesetting) establishments, trade bindery establishments, trade pressroom establishments, photoengraving establishments and electrotyping and stereotyping establishments.

(e) Every seller increasing his maximum prices under the provisions of this revised order shall file with the Regional Office of the Office of Price Administration in the region in which he does business a report of the increased price. This report shall be filed on or before the date of sale. The seller may thereupon use the increased prices: *Provided, however,* That if the Office of Price Administration shall by letter mailed to him within 30 days from the filing of the report disapprove the computation of the increase, then the prices charged prior to the receipt of such disapproval shall be adjusted in accordance therewith. In the absence of such disapproval the increased prices shall be deemed to have been approved, subject however, to nonretroactive written disapproval at any later time by the Office of Price Administration.

For prices established under § 1347.452 a statement of computation of the increase shall be set forth in the report. For prices established under § 1347.453, Form 325:1 shall be used, setting forth the new rates for production charges on tables 3–9 inclusive and the computation used in their determination.

(f) All prayers of the petition not granted herein are denied.

(g) This Revised Order No. 24 may be revoked or amended by the Price Administrator at any time. This revised order shall become effective February 21, 1944.

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

Issued this 19th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2428; Filed, February 19, 1944; 11:53 a. m.]

[MPR 188, Amdt. 3 to Order 1052]

CERTAIN ARTICLES OF WOOD HOUSEHOLD FURNITURE

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 3 to Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, Order No. 1052 under Maximum Price Regulation No. 188 is amended in the following respects:

1. At the end of paragraph (b) the following sentence is added:

(b) *What this order covers.* * * *

This order also covers dining room, dinette, breakfast room, kitchen and bedroom chair frames and bedroom bench frames (but not frames for upholstered furniture).

2. Paragraph (c) (10) is amended to read as follows:

(c) *What this order does not cover.* * * *

(10) Frames for upholstered furniture.

3. Paragraph (e) (1) is amended to read as follows:

(e) *How this order effects wholesalers and other purchasers for resale to industrial users, commercial users and persons other than the ultimate consumer*—(1) *Amount of the adjustment.* Any wholesaler or other purchaser for resale (other than a retailer) may add to his existing maximum prices for sales to industrial users, commercial users and persons other than the ultimate consumer the adjustment charge determined below: *Provided,* That he fulfills the requirements of subparagraphs (2), (3), (4) and (5) below:

This amendment shall become effective February 21, 1944.

Issued this 19th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2427; Filed, February 19, 1944; 11:52 a. m.]

Regional and District Office Orders.

[Charleston Order G-1 Under MPR 429, Amdt. 1]

REBUILT HOUSEHOLD FURNITURE IN DESIGNATED AREAS IN WEST VIRGINIA

Amendment No. 1 to Order No. G-1 under Maximum Price Regulation No. 429. Fixing maximum prices of certain rebuilt household furniture.

For the reasons set forth in an opinion issued simultaneously herewith, Order No. G-1 under Maximum Price Regulation No. 429 issued by the Charleston, W. Va., District Office, Region III of the Office of Price Administration, is hereby amended by changing the reference "section 10" in the first paragraph so as to read "sections 9 and 10."

(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 and effective February 14, 1944.

S. GROVER SMITH,
District Director.

[F. R. Doc. 44-2384; Filed, February 18, 1944; 1:32 p. m.]

[Region I Order G-34 Under 18 (c)]

POTATO STORAGE IN MAINE

Order No. G-34 under section 18 (c) of the General Maximum Price Regulation. Potato storage, State of Maine.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment 33, *It is hereby ordered:*

(a) The maximum price for the storage of potatoes in warehouses located in the State of Maine for the 1943-44 storage season and for succeeding storage seasons shall be 20 cents per barrel of either 11 peck or 12 peck capacity.

(b) The maximum price for potato storage established by this order shall apply to all storage transactions of the 1943-44 storage season in which the potatoes are removed from storage after February 18, 1944, the effective date of this order.

(c) When used in this order, the term "storage of potatoes" includes the services customarily rendered by warehousemen in the State of Maine, among which are the following: unloading the potatoes from the trucks in which they are delivered to the warehouse; transferring the potatoes to the place of storage; protecting the potatoes during the storage period from frost damage to the extent required by applicable law and to the extent that was customary during March 1942, exclusive of protection against loss by fire; removal of the potatoes at the end of the storage period, and delivery to the owner at the warehouse. No grading service is included. The foregoing elements of service are descriptive and do not exclude such additional service as is required by applicable law and customary practice during March 1942.

(d) Warehousemen subject to this order shall post the maximum price established by the order in a conspicuous place in each warehouse where it will be plainly visible to customers. A copy of the order shall be preserved and made available for examination by any person during business hours.

(e) Lower prices than those established by this order may be charged.

(f) This order may be revoked, amended, or corrected at any time.

This order shall become effective February 18, 1944.

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

Issued this 14th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-2383; Filed, February 18, 1944; 1:32 p. m.]

[Region I Order G-9 Under RMPR 122, Amdt. 4]

SOLID FUELS IN METROPOLITAN BOSTON AREA

Amendment No. 4 to Order No. G-9 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Metropolitan Boston Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, paragraph (b) (i) (b) of Region I Order No. G-9 under Revised Maximum Price Regulation No. 122 is hereby amended to read as follows:

(b) *Terms of sale.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth above shall, except in the case of Pennsylvania Anthracite yard screenings, be reduced by 50¢ per ton, which reduction is a "cash discount". No further discount is required for cash on delivery, and no "cash discount" is required on sales of Pennsylvania Anthracite yard screenings or on any sales of less than a ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than ton lots) within 10 days thereafter, terms shall be net 30 days.

This Amendment No. 4 to Order No. G-9 shall become effective February 21, 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 17th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-2406; Filed, February 18, 1944; 4:26 p. m.]

[Region I Order G-41 Under RMPR 122]

SOLID FUELS IN ADAMS, MASS., AREA

Order No. G-41 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Adams, Massachusetts, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Adams, Massachusetts, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth. Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services. The geographical applicability of this order G-41 is explained in paragraph (h), and the terms used herein are defined in paragraph (i).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-41. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-41 provides uniform allowances, discounts, price differentials, service charges, and so forth.

Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the Commonwealth of Massachusetts, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "direct delivery" basis to con-

sumers at any point in the Adams, Massachusetts, Area.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.[1]
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$16.05	$8.05	$4.15	$0.95
Pea	14.75	7.40	3.80	.90
Buckwheat	12.10	6.05	3.15	.80
Rice	10.75	5.40	2.80	.70
Coke:				
Egg, stove and chestnut	14.75	7.40	3.85	.85

[1] The maximum prices per 100 pounds include carrying or wheeling to consumer's bin or storage space.

(2) *Discounts to certain classes of purchasers.* The foregoing per net ton prices shall be reduced by $1.00 per net ton on all sales to industrial and commercial consumers, and to educational institutions.

(3) *Terms of sale.* If payment is made by the buyer within ten days after receipt of the fuel, the maximum prices set forth above (including the reduced prices provided for by the preceding subparagraph) shall be reduced by $1.00 per ton, which reduction is a "cash discount." No further discount is required for cash on delivery, and no "cash discount" is required on sales of less than a ton. If payment is not required or made at the time of delivery or (except in the case of less than ton lots) within ten days thereafter, terms shall be net 30 days.

(4) *Maximum authorized service and deposit charges.* (a) If the buyer requests such service of him, the dealer may make the following charges for carry or wheel service to consumer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	*Cents* 50	*Cents* 25	*Cents* 15
For any carry up or down flights of stairs, per flight	50	25	15

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amounts which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Adams, Massachusetts, Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$15.05	$7.55	$3.90	$0.85
Pea	13.75	6.90	3.55	.80
Buckwheat	11.10	5.55	2.90	.70
Rice	9.75	4.90	2.55	.60
Coke:				
Egg, stove and chestnut	13.75	6.90	3.60	.75

(2) *Discounts and terms of sale.* The provisions of subparagraph (2) and (3) of paragraph (b) shall be applicable to the foregoing maximum prices for yard sales to consumers.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging tons, one-half tons and one-quarter tons:

	Cents
Per ton	.50
Per half ton	.25
Per quarter ton	.15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Price Schedule III: Yard sales to dealers.* (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Adams, Massachusetts, Area to dealers in fuels who resell them.

Kind and Size	Per net ton	½ ton	¼ ton	25 lb. bags
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$13.05	$6.55	$3.30	$0.22
Pea	11.75	5.90	2.95	.21
Buckwheat	9.60	4.80	2.40	.20
Rice	8.25	4.15	2.10	.19
Coke:				
Egg, stove and chestnut	11.75	5.90	3.00	.20

(2) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days, or net 10 days E. O. M.

(3) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags:

	Cents
Per ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return 100 pound burlap bags furnished by the seller shall be 25 cents per bag.

(e) *Named Pennsylvania anthracites.* The provisions of Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 shall be applicable to named Pennsylvania anthracite coals as defined therein.

(f) *Quality standards; Pennsylvania anthracite.* The specific maximum prices set forth in this order for broken, egg, stove, chestnut, pea, buckwheat and rice sizes of Pennsylvania anthracite may be charged only for Pennsylvania anthracite of those sizes the ash content of which does not exceed that specified in Regulation No. 9 of the Solid Fuels Administration for War for the particular size. No Pennsylvania anthracite of the said sizes which has an ash content in excess of the foregoing shall be sold or delivered in the area covered by this order until the Regional Administrator of Region I has established a specific maximum price therefor in line with the level of maximum price established by this order. Any dealer who wishes to sell or deliver any such coal shall apply to the Regional Administrator for the establishment of a price, setting forth in his application.

(i) The size of the coal and the ash content upon a dry basis, by weight;

(ii) The tonnage;

(iii) The name and address of the dealer's supplier;

(iv) The price paid, f. o. b. supplier's shipping point;

(v) The cost of transportation to the dealer's yard, dock or other terminal facility (net after compensatory adjustment if the dealer is eligible for such adjustment under Revised Compensatory Adjustment Regulation No. 1);

(vi) Any other pertinent information which the Regional Office may request.

(g) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And provided further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(h) *Geographical applicability.* The maximum prices established by this Order G-41 for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the Adams, Massachusetts, Area, regardless of the ultimate destination of the fuel. The maximum prices established by this Order G-41 for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the Adams, Massachusetts, Area, regardless of whether the dealer is located within said area.

(i) *Definitions.* When used in this Order G-41 the term:

(1) "Adams, Massachusetts, Area" shall include the following cities and towns in the Commonwealth of Massachusetts: Adams, Clarksburg, North Adams, and Williamstown.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite and coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Broken", "egg", "stove", "chestnut" and "pea" sizes of Pennsylvania anthracite refer to the legal standard sizes for anthracite offered for sale in the

Commonwealth of Massachusetts, effective December 1, 1941, as established by the Director of Standards of the Division of Standards of the Department of Labor and Industries of the Commonwealth of Massachusetts pursuant to General Laws (Ter. Ed.) Chapter 94, section 239A (Chapter 382, Acts of 1926). "Buckwheat" and "rice" sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications, adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(5) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(6) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(7) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(8) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(9) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(j) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this Order G-41 shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this Order G-41 available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All posting shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122. (2) Every dealer selling solid fuel for sales of which a maximum price is set by this Order G-41 shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and deposit charge made and the amount charged therefor. This paragraph (k) (2) shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(m) This order may be revoked, amended or corrected at any time.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. This Order No. G-41 shall become effective February 2, 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 27th day of January 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-2396; Filed, February 18, 1944; 4:28 p. m.]

[Region I Order G-41 Under RMPR 122, Amdt. 1]

SOLID FUELS IN ADAMS, MASS., AREA

Amendment No. 1 to Order No. G-41 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Adams, Massachusetts, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, paragraph (n) is added to Region I Order No. G-41 under Revised Maximum Price Regulation #122, to read as follows:

(n) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

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

This Amendment No. 1 to Order No. G-41 shall become effective as of February 2, 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 11th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-2400; Filed, February 18, 1944; 4:26 p. m.]

[Region I Order G-46 Under RMPR 122]

SOLID FUELS IN HARTFORD, CONN., AREA

Order No. G-46 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Hartford, Connecticut, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Hartford, Connecticut Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth. Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services. The geographical applicability of this Order G-46 is explained in paragraph (h), and the terms used herein are defined in paragraph (f).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-46. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-46 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the State of Connecticut, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule No. 1: Sales on a delivered basis.* (1) Price Schedule 1 sets forth base maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "direct delivery" basis to

consumers at any point in the Hartford, Connecticut, Area.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$16.50	$8.55	$4.60	$0.95
Pea	14.95	7.80	4.20	.85
Buckwheat	12.80	6.70	3.65	.80
Rice	11.45	6.05	3.35	.75
Yard screenings	4.00	-------	-------	-------
Koppers coke:				
Egg, stove and chestnut	15.00	7.75	4.25	.85
Ambricoal	14.00	7.30	3.95	.85
Cannel coal	20.00	10.30	5.45	1.10

(2) *Quantity and other special discounts.* (a) The foregoing per net ton prices shall be reduced by 50 cents per ton on sales to consumers whose annual purchases amount to 50 tons, or more. A consumer's annual purchases determine his classification whether or not he purchases all of his requirements from a single dealer.

(b) The foregoing per net ton prices shall be reduced by 50 cents per ton on sales to any person who distributes solid fuel without charge to needy and indigent persons: *Provided, however,* That such a person shall not be entitled to the 50 cent reduction provided for by the preceding subparagraph even if his annual purchases amount to 50 tons or more.

(3) *Terms of sale.* (a) Terms of sale may be net cash on all sales of Cannel coal and yard screenings of Pennsylvania anthracite, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days. E. O. M.

(b) On sales of other sizes of Pennsylvania anthracite, Koppers coke and Ambricoal, the maximum prices set forth above (including the per net ton maximum prices as reduced by any discounts required by subparagraph (2) of this paragraph (b)) shall be reduced by the following amounts if payment is made by the buyer within ten (10) days after receipt of the fuel:

	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania anthracite (except yard screenings) and Ambricoal	$1.00	$0.50	$0.25
Koppers coke	.50	.25	.10

which reductions are "cash discounts." No further discount is required for cash on delivery, and no "cash discount" is required on sales of less than a quarter ton. If payment is not required or made at the time of delivery or within ten days thereafter, terms shall be net thirty days.

(4) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carry or wheel service to consumer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point exclusive of charges for carries up or down flights of stairs	*Cents* 50	*Cents* 25	*Cents* 15
For any carry up or down flights of stairs, per flight	50	25	15

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes, and quantities of solid fuels delivered at the yard of any dealer in the Hartford, Connecticut, Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$15.50	$8.05	$4.35	$0.90
Pea	13.95	7.50	3.95	.80
Buckwheat	11.80	6.20	3.40	.75
Rice	10.45	5.65	3.10	.70
Yard screenings	3.00	-------	-------	-------
Koppers coke:				
Egg, stove and chestnut	14.00	7.25	4.00	.80
Ambricoal	13.00	6.80	3.70	.80
Cannel coal	19.00	9.80	5.20	1.05

(2) *Discounts and terms of sale.* The provisions of subparagrahs (2) and (3) of paragraph (b) of this order shall apply to the foregoing maximum prices for yard sales to consumers.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging tons, one-half tons, and one-quarter tons, exclusive of any charges for or deposit charges on bags furnished by the dealer:

	Cents
Per ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer will be 25 cents per bag.

(d) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold: *Provided,* That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed.

Kind and size	Per net ton	Amount of addition		Per 100 lbs.
		Per ½ ton	Per ¼ ton	
Jeddo Highland:				
Broken, egg, stove, chestnut, pea, and buckwheat	$0.25	$0.15	$0.05	None
Rice	.15	.10	None	None
Greenwood:				
Egg, stove, chestnut and pea	.25	.15	.05	None
Colonial:				
Broken, egg, stove, chestnut, pea, and buckwheat	.05	.35	.15	None
Rice	.05	.30	.15	None
Silver Brook:				
Broken, egg, stove, chestnut, pea, and buckwheat	.20	.15	.05	None
Rice	.25	.15	.05	None

(e) *Temporary price increase; Pennsylvania anthracite.* The provisions of Region I Supplementary Order No. 4 under Revised Maximum Price Regulation No. 122 shall apply to the prices for Pennsylvania anthracite (including named Pennsylvania anthracite) contained in this order, as long as said Supplementary Order No. 4 remains in effect.

(f) *Definitions.* When used in this Order G-46, the term:

(1) "Hartford, Connecticut, Area" shall include the following cities and towns in the State of Connecticut: Bloomfield, Bolton, East Hartford, Glastonbury, Hartford, Manchester, Rockyhill, South Windsor, Vernon, West Hartford, Wethersfield and Windsor.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite, Koppers coke, Ambricoal and Cannel coal.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Named Pennsylvania anthracite" includes Jeddo Highland, Greenwood, Colonial and Silver Brook.

(5) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal", or "Hazle Brook Coal".

(6) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite."

(7) "Colonial" means that Pennsylvania anthracite which is produced and prepared by Colonial Collieries Corporation, Philadelphia, Pennsylvania, and which meets the quality and preparation standards established by Order No. 4 under Maximum Price Regulation No. 112.

(8) "Silver Brook" means that Pennsylvania anthracite which is prepared by Haddock Mining Company, Wilkes-Barre, Pennsylvania, at its Beaver Meadow Breaker from coal produced at the Deringer Colliery and the Tomhicken

Colliery and marketed under the trade name "Silver Brook Coal", and which meets the quality and preparation standards established by Order No. 3 under Maximum Price Regulation No. 112.

(9) "Broken", "egg", "stove", "chestnut", etc. sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(10) "Koppers coke" means the by-product coke produced by the Koppers Coke Corporation at its plant in New Haven, Connecticut.

(11) "Ambricoal" means anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and marketed under that trade name.

(12) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(13) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(14) "Carry" and "Wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(15) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(16) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(g) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(h) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(i) *Quality standards; Pennsylvania anthracite.* The specific maximum prices set forth in this order for broken, egg, stove, chestnut, pea, buckwheat and rice sizes of Pennsylvania anthracite may be charged only for Pennsylvania anthracite of those sizes the ash content of which does not exceed that specified in Regulation No. 9 of the Solid Fuels Administration for War for the particular size. No Pennsylvania anthracite of the said sizes which has an ash content in excess of the foregoing shall be sold or delivered in the Area covered by this order until the Regional Administrator of Region I has established a specific maximum price therefor in line with the level of maximum prices established by this order. Any dealer who wishes to sell or deliver any such coal shall apply to the Regional Administrator for the establishment of a price, setting forth in his application:

(i) The size of the coal and the ash content upon a dry basis, by weight;

(ii) The tonnage;

(iii) The name and address of the dealer's supplier;

(iv) The price paid, f. o. b. supplier's shipping point;

(v) The cost of transportation to the dealer's yard, dock or other terminal facility (net after compensatory adjustment if the dealer is eligible for such adjustment under Revised Compensatory Adjustment Regulation No. 1);

(vi) Any other pertinent information which the Regional Office may request.

The price will be established either by an amendment of this order or by a letter to the applicant.

(j) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(l) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(n) This order may be revoked, amended or corrected at any time.

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

This Order No. G-46 shall become effective February 12, 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 5th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-2397; Filed, February 18, 1944; 4:28 p. m.]

[Region I Order G-48 Under RMPR 122]

SOLID FUELS IN BRATTLEBORO-KEENE, VT.-N. H., AREA

Order No. G-48 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels. Brattleboro-Keene Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the

Brattleboro-Keene Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth.

Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G-48 is explained in paragraph (i) and the terms used herein are defined in paragraph (g).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-48. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-48 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the States of Vermont and New Hampshire, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth base maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "direct delivery" basis to consumers at any point in the Brattleboro-Keene Area.

Kind and size	Per net ton	One-half ton	One-quarter ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$16.75	$8.90	$4.95	$1.00
Pea	14.70	7.85	4.45	.90
Buckwheat	13.55	7.30	4.15	.85
Rice	12.25	6.65	3.80	.80
Yard screenings	3.50	------	------	------
Jeddo Highland or Greenwood:				
Egg, stove and chestnut	17.25	9.15	5.05	1.05
Coke:				
Egg, stove and chestnut	16.50	8.75	4.90	1.00
Ambricoal	14.05	7.55	4.25	.85

(2) *Prices for specified localities.* (a) The foregoing base prices in Price Schedule I shall apply to deliveries to consumers whose bins or storage facilities are located in the following places:

Vermont: Brattleboro.

New Hampshire: Chesterfield, Gilsum, Keene, Marlboro, Roxbury, Surry, Swanzey, Westmoreland.

(b) The following amounts may be added to the base prices in Price Schedule I for deliveries to consumers whose bins or storage facilities are located in Brookline, Dummerston, Guilford, Marlboro, Newfane, Putney and Vernon, Vermont:

	Per net ton	Per one-half ton	Per one-quarter ton
Bin or storage facility located not more than 5 miles from dealer's yard	$0.50	$0.25	$0.15
Bin or storage facility located more than 5 miles from dealer's yard	1.00	.50	.25

(c) The following amounts may be added to the base prices in Price Schedule I for deliveries to consumers whose bins or storage facilities are located in the following places:

	Per net ton	Per ½ ton	Per ¼ ton
Nelson and Sullivan, N. H.	$0.50	$0.25	$0.15
Harrisville, N. H.	1.00	.50	.25

(3) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	$0.50	$0.25	$0.15
For any carry up or down flights of stairs:			
First flight up or down	1.00	.50	.25
Each additional flight	.50	.25	.15

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25¢ per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Brattleboro-Keene Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$15.75	$7.90	$3.95	$0.80
Pea	13.70	6.85	3.45	.70
Buckwheat	12.75	6.30	3.15	.65
Rice	11.25	5.65	2.85	.60
Yard screenings	3.00	------	------	------
Jeddo Highland or Greenwood:				
Egg, stove and chestnut	16.25	8.15	4.10	.85
Coke:				
Egg, stove and chestnut	15.50	7.75	3.90	.80
Ambricoal	13.65	6.85	3.50	.65

(2) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any charges for or deposit charges on bags by the dealer:

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Price Schedule III: Yard sales to dealers.* (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Brattleboro-Keene Area to dealers in fuels who resell them.

Kind and size	Per net ton	½ ton	¼ ton
Pennsylvania anthracite:			
Broken, egg, stove and chestnut	$15.25	$7.65	$3.85
Pea	13.20	6.60	3.30
Buckwheat	12.65	6.35	3.05
Rice	10.75	5.40	2.70
Yard screenings	3.00	------	------
Jeddo Highland or Greenwood:			
Egg, stove and chestnut	15.75	7.90	3.95
Coke:			
Egg, stove and chestnut	15.00	7.50	3.75
Ambricoal	12.65	6.30	3.15

(2) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags:

	Cents
Per ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(e) *Terms of sale.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth in paragraphs (b), (c) and (d) shall, except in the case of Pennsylvania anthracite yard screenings, be reduced by $1.00 per ton, or by 50 cents per half-ton, or by 25 cents per quarter-ton, which reductions are "cash discounts". No further discount is required for cash on delivery, and no "cash discount" is required on sales of any quantity of Pennsylvania anthracite yard screenings or on any sales of less than a quarter-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than quarter-ton lots) within 10 days thereafter, terms shall be net 30 days.

(f) *Temporary price increases; Pennsylvania anthracite.* The provision of

Region I Supplementary Order No. 4 under Revised Maximum Price Regulation No. 122 shall apply to the prices for Pennsylvania anthracite contained in this order, as long as said Supplementary Order No. 4 remains in effect.

(g) When used in this Order G-48, the term:

(1) "Brattleboro-Keene Area" shall include the following cities, towns and townships in the States of Vermont and New Hampshire:

In Vermont: Brattleboro, Brookline, Dummerston, Guilford, Marlboro, Newfane, Putney and Vernon.

In New Hampshire: Chesterfield, Harrisville, Gilsum, Keene, Marlboro, Nelson, Roxbury, Sullivan, Surry, Swanzey and Westmoreland.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite, ambricoal and coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Jeddo highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo coal", "Highland coal", or "Hazle Brook coal".

(5) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite".

(6) "Broken", "egg", "stove", "chestnut", etc. sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(7) "Ambricoal" means anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and marketed under that trade name.

(8) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(9) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(10) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(11) "Yard sales" shall mean deliveries made by the dealer in his customary manner at this yard.

(12) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier; *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton; *And provided further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof any state government or any political subdivision thereof.

(i) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(j) *Quality, standards; Pennsylvania anthracite.* The specific maximum prices set forth in this order for broken, egg, stove, chestnut, pea, buckwheat and rice sizes of Pennsylvania anthracite may be charged only for Pennsylvania anthracite of those sizes the ash content of which does not exceed that specified in Regulation No. 9 of the Solid Fuels Administration for War for the particular size. No Pennsylvania anthracite of the said sizes which has an ash content in excess of the foregoing shall be sold or delivered in the area covered by this order until the Regional Administrator of Region I has established a specific maximum price therefor in line with the level of maximum prices established by this order. Any dealer who wishes to sell or deliver any such coal shall apply to the Regional Administrator for the establishment of a price, setting forth in his application:

(i) The size of the coal and the ash content upon a dry basis, by weight;

(ii) The tonnage;

(iii) The name and address of the dealer's supplier;

(iv) The price paid, f. o. b. supplier's shipping point;

(v) The cost of transportation to the dealer's yard, dock or other terminal facility (net after compensatory adjustment if the dealer is eligible for such adjustment under Revised Compensatory Adjustment Regulation No. 1);

(vi) Any other pertinent information which the Regional Office may request.

The price will be established either by an amendment of this order or by a letter to the applicant.

(k) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(l) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(m) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(n) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(o) This order may be revoked, amended or corrected at any time.

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

This Order No. G-48 shall become effective February 15, 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 8th day of February 1944.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-2398; Filed, February 18, 1944; 4:28 a. m.]

[Region I Order G-49 Under RMPR 122]

SOLID FUELS IN MIDDLETOWN, CONN., AREA

Order No. G-49 under Revised Maximum Price Regulation No. 122. Solid fuel sold and delivered by dealers. Specified solid fuels. Middletown, Connecticut, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Middletown, Connecticut, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth.

Maximum prices are established for (1) sales of various quantities of specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G-49 is explained in paragraph (i) and the terms used herein are defined in paragraph (g).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-49. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-49 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the State of Connecticut, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth maximum prices for sale of specified kinds, sizes and quantities of solid fuels on a "Direct delivery" basis at any point in the Middletown, Connecticut, Area.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$10.20	$5.40	$4.35	$0.85
Pea	14.70	7.60	3.65	.85
Buckwheat	12.80	6.65	3.50	.80
Rice	11.70	6.10	3.20	.75
Yard screenings	3.60	------	------	------
Jeddo Highland:				
Egg, stove and chestnut	10.25	8.05	4.45	.05
Koppers coke:				
Egg stove and chestnut	15.25	7.60	4.10	.60

(2) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point, including all carries to cellar or basement and any carry up one flight of stairs	$0.75	$0.40	$0.20
Each additional flight up	.25	.15	.10

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Middletown, Connecticut, Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$13.20	$7.00	$4.10	$0.85
Pea	13.70	7.10	3.70	.75
Buckwheat	11.80	6.15	3.25	.70
Rice	10.70	5.60	2.95	.65
Yard screenings	2.60	------	------	------
Jeddo highland:				
Egg, stove and chestnut	15.25	8.05	4.20	.85
Koppers coke:				
Egg, stove and chestnut	14.25	7.40	3.85	.80

(2) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities, exclusive of any deposit charges on bags furnished by the dealer.

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Terms of sale; sales to consumers.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth in paragraph (b) and (c) shall, except in the case of Pennsylvania anthracite yard screenings, be reduced by $1.00 per ton or by 50 cents per half-ton, which reductions are "cash discounts." No further discount is required for cash on delivery, and no "cash discount" is required on sales of Pennsylvania anthracite yard screenings or on any sales of less than a half-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than half-ton lots) within 10 days thereafter, terms shall be net 30 days.

(e) *Price Schedule III: Yard sales to dealers.* (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Middletown, Connecticut, Area to dealers in fuels who resell them.

Kind and size	Per net ton	½ ton	¼ ton
Pennsylvania anthracite:			
Broken, egg, stove and chestnut	$12.80	$6.65	$3.45
Pea	12.20	6.10	3.05
Buckwheat	10.80	5.15	2.60
Rice	9.20	4.60	2.30
Yard screenings	2.60	------	------
Jeddo highland:			
Egg, stove and chestnut	14.05	7.05	3.55
Koppers coke:			
Egg, stove and chestnut	12.75	6.40	3.20

(2) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(3) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging, exclusive of any deposit charges on bags furnished by the seller:

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(f) *Temporary price increase; Pennsylvania anthracite.* The provisions of Region I Supplementary Order No. 4 under Revised Maximum Price Regulation No. 122 shall apply to the Prices for Pennsylvania Anthracite contained in this order, as long as said Supplementary Order No. 4 remains in effect.

(g) *Definitions.* When used in this Order G-49, the term:

(1) "Middletown, Connecticut, Area" shall include the following cities and towns in the State of Connecticut:

Cheshire, Chester, Clinton, Cromwell, Durham, East Haddam, East Hampton, Essex, Guilford, Haddam, Killingworth, Lyme, Madison, Meriden, Middlefield, Middletown, Old Lyme, Old Saybrook, Portland, Saybrook, Wallingford and Westbrook.

(2) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(3) "Specified solid fuels" shall include all Pennsylvania anthracite, and Koppers coke.

(4) "Jeddo highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo coal", "Highland coal", or "Hazle Brook coal".

(5) "Broken", "egg", "stove", "chestnut", etc. sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(6) "Koppers coke" means the by-product coke produced by the Koppers Coke Company at its plant in New Haven, Connecticut.

(7) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(8) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(9) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(10) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(11) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And provided further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(i) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(j) *Quality standards; Pennsylvania anthracite.* The specific maximum prices set forth in this order for broken, egg, stove, chestnut, pea, buckwheat and rice sizes of Pennsylvania anthracite may be charged only for Pennsylvania anthracite of those sizes the ash content of which does not exceed that specified in Regulation No. 9 of the Solid Fuels Administration for War for the particular size. No Pennsylvania anthracite of the said sizes which has an ash content in excess of the foregoing shall be sold or delivered in the area covered by this order until the Regional Administrator of Region I has established a specific maximum price therefor in line with the level of maximum prices established by this order. Any dealer who wishes to sell or deliver any such coal shall apply to the Regional Administrator for the establishment of a price, setting forth in his application:

(i) The size of the coal and the ash content upon a dry basis, by weight;

(ii) The tonnage;

(iii) The name and address of the dealer's supplier;

(iv) The price paid, f. o. b. supplier's shipping point;

(v) The cost of transportation to the dealer's yard, dock or other terminal facility (net after compensatory adjustment if the dealer is eligible for such adjustment under Revised Compensatory Adjustment Regulation No. 1);

(vi) Any other pertinent information which the Regional Office may request.

The price will be established either by an amendment of this order or by a letter to the applicant.

(k) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(l) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(m) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(n) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(o) This order may be revoked, amended or corrected at any time.

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

This Order No. G-49 shall become effective February 17, 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 10th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-2399; Filed, February 18, 1944; 4:28 p. m.]

[Region II Order G-31 Under RMPR 122]

BITUMINOUS COAL IN DESIGNATED AREAS OF NEW YORK CITY

Order No. G-31 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and de-

livered by dealers. Adjustment in maximum prices for bituminous coal and coke delivered by dealers in Manhattan, Bronx, Brooklyn and Queens, City of New York, State of 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 § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, and for the period commencing with the effective date of this order and expiring midnight March 31, 1944, *It is ordered:*

(a) Any dealer making sales of bituminous coal and coke, delivered in Manhattan, Bronx, Brooklyn and Queens in the City and State of New York, may, to the extent that he does not determine his maximum prices under the emergency pricing rules contained in Revised Order No. G-21, "Sales of Emergency Bituminous Coal," and Revised Order No. G-28, "Emergency Sales of Coke," or any subsequent revision thereof, and to the extent that he calculates his maximum prices under Revised Maximum Price Regulation No. 122, increase the maximum prices so calculated as follows:

1. For "direct-delivery" sales of bituminous coal or coke, dealers may add 30¢ per net ton.

2. For "yard sales" of bituminous coal or coke, dealers may add 10¢ per net ton.

(b) The increases authorized herein shall not apply to any sales of bituminous coal or coke for which maximum prices are determined under the emergency pricing rules contained in Revised Order No. G-21, "Sales of Emergency Bituminous Coal," or Revised Order No. G-28, "Emergency Sales of Coke," or any subsequent revisions thereof, provided that, if a maximum price is determined pursuant to a pricing rule embodied in § 1340.254 of Revised Maximum Price Regulation No. 122, specifically incorporated by reference in said Revised Order No. G-21 or Revised Order No. G-28, dealers may add the increases set forth in paragraph (a) hereof to such maximum prices.

(c) Dealers making sales subject to this order shall not change their customary allowances, discounts, or other price differentials unless such change results in prices lower than the prices permitted by this order (after applying the customary allowances, discounts, or other price differentials).

(d) *Reports:* Every dealer making sales subject to this order shall, within ten days after he determines or redetermines his maximum prices hereunder, report to the New York District Office of the Office of Price Administration the maximum prices so determined.

(e) *Definitions.* When used in this Order No. G-31 the term:

1. "Direct delivery" means the customary method of delivery whether to the buyer's bin or storage space, or to the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck.

2. "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

3. Unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to all other terms used herein.

(f) This order, which may be revoked, amended, or corrected at any time shall, unless earlier revoked or replaced, expire on midnight March 31, 1944.

NOTE: The record-keeping and reporting requirements of this Order No. G-31 have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-31 shall become effective February 10, 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 10th day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-2404; Filed, February 18, 1944; 4:25 p. m.]

[Region V Order G-1 Under RMPR 122, Amdt. 3]

SOLID FUELS IN ST. LOUIS, MO.

Amendment No. 3 to Order No. G-1 under Revised Maximum Price Regulation No. 122. Maximum prices for solid fuels sold in the City of St. Louis, Missouri, and parts of St. Louis County, Missouri.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, it is hereby ordered that section (c) Price Schedule, paragraph (IV) of Order No. G-1, issued under Revised Maximum Price Regulation No. 122, shall be amended as follows:

(a) The prices for the solid fuels listed in section (c) Price Schedule, paragraph (IV), Pennsylvania anthracite, sold and delivered to purchasers during the period from February 8, 1944, through February 29, 1944, are established to be as follows:

IV. Pennsylvania anthracite:	*Price*
1. Egg, stove, and nut	$15.95
2. Pea	14.40
3. Buckwheat	13.10

(b) Prices set forth in paragraph (a) above shall not be applicable to sales made during the period from February 8, 1944, through February 29, 1944, if delivery is not made to the purchaser, or if the coal is sold to the purchaser but stored by the dealer and is removed from storage by the purchaser or delivered to the purchaser on or after March 1, 1944. On such sales, prices set forth in paragraph (c) below shall be applicable.

(c) The prices for the solid fuels listed in section (c) Price Schedule, paragraph (IV), Pennsylvania anthracite, sold and/or delivered on or after March 1, 1944, are established to be as follows:

IV. Pennsylvania anthracite	*Price*
1. Egg, stove, and nut	$15.50
2. Pea	13.95
3. Buckwheat	12.65

(56 Stat. 23, 765, Pub. Law 151, 76th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 6 F.R. 4631)

Issued and effective at Dallas, Texas, this the 8th day of February 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-2491; Filed, February 18, 1944; 4:27 p. m.]

[Camden Order G-1 Under MPR 165, Amdt. 1]

LAUNDRY SERVICE IN CAMDEN, N. J., AREA

Amendment No. 1 to Order No. G-1 under § 1499.114 (d) of Maximum Price Regulation No. 165, as amended. Services. Adjustment of laundry service prices in Camden, New Jersey, area.

For the reason set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region II of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as amended—Services, and by the Emergency Price Control Act of 1942, as amended, *It is hereby ordered,* That paragraph (a) of Camden District Office Order No. G-1, under § 1499.114 (d) be amended to read as follows:

(a) That the application of the following named power laundry establishment be granted to the extent that it is permitted to increase by six percent (6%) its present legal maximum price for all its laundry, linen supply, dry cleaning and related services, including commercial services in a manner hereinafter provided:

Klean Way Laundry, Inc., Camden, New Jersey.

The applications of the following named power laundry establishments are granted to the extent that they are permitted to increase by seven percent (7%) their present legal maximum prices for all their laundry, linen supply, dry cleaning and related services, including commercial services in a manner hereinafter in paragraph (f) provided:

Foster's Laundry, Gloucester, New Jersey.
Morgan Bros., Inc., Westmont, New Jersey.
Crescent Laundry Company, Camden, New Jersey.
East End Laundry, Camden, New Jersey.

And be it further ordered that paragraph (b) of Camden District Order G-1, under said § 1499.114 (d) be amended to read as follows:

(b) The application of the following named power laundry establishments are granted to the extent that they are permitted to increase by eight per cent (8%) their present legal maximum prices for all their laundry, linen supply, dry cleaning and related services, including commercial services, in the manner hereinafter in paragraph (f) provided:

New Sanitary Laundry, Inc., West Collingswood, New Jersey.
De Luxe Laundry, Woodbury, New Jersey.

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

This amendment shall become effective February 14, 1944.

Issued this 12th day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-2405; Filed, February 18, 1944; 4:25 p. m.]

[Region I Order G-50 Under RMPR 122]

SOLID FUELS IN ST. ALBANS, VT., AREA

Order No. G-50 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, St. Albans, Vermont, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the St. Albans, Vermont Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth.

Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G-50 is explained in (i) and the terms used herein are defined in paragraph (g).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-50. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-50 provides uniform allowances, discounts, price differentials, services charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the State of Vermont, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Price Schedule I sets forth base maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "direct delivery" basis to consumers at any point in the St. Albans, Vermont, Area.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$16.75	$8.90	$4.70	$1.00
Pea	15.20	8.10	4.30	.95
Buckwheat	12.80	6.90	3.70	.80
Rice	11.70	6.35	3.45	.75
Yard screenings	5.00	------	------	------
Coke:				
Egg, stove, and chestnut	16.00	8.50	4.50	.95

(2) *Additions for specified deliveries.* For deliveries to consumers whose bins or storage facilities are located more than five (5) miles from the dealer's yard, the dealer may add fifty cents per ton to the foregoing prices.

(3) *Discounts to certain classes of purchasers.* The foregoing per net ton prices shall be reduced by fifty cents per ton on sales to religious and charitable organizations and institutions.

(4) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	Per 1/2 ton	Per 1/4 ton
For any carry or wheeling from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	$0.25	$0.15	$0.10
For any carry up or down flights of stairs, per flight	.25	.15	.10
For trimming in bin	Fifty cents ($0.50) per man-hour.		

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidating damages for failure to return, the bags shall be 25¢ per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the St. Albans, Vermont, Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$16.25	$8.65	$4.55	$0.95
Pea	14.70	7.85	4.15	.90
Buckwheat	12.30	6.65	3.60	.75
Rice	11.20	6.10	3.30	.70
Yard screenings	4.60	------	------	------
Coke:				
Egg, stove, and chestnut	15.50	8.25	4.40	.90

(2) The provisions of subparagraph (3) of paragraph (b) shall apply to yard sales, to religious and charitable organizations and institutions.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any charges for or deposit charges on bags furnished by the dealer:

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Price Schedule III: Yard sales to dealers.* (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the St. Albans, Vermont, Area to dealers in fuels who resell them.

Kind and size	Per net ton	½ ton	¼ ton
Pennsylvania anthracite:			
Broken, egg, stove and chestnut	$15.75	$7.90	$3.95
Pea	14.20	7.10	3.55
Buckwheat	11.80	5.90	2.95
Rice	10.70	5.35	2.70
Yard screenings	4.00	------	------
Coke: Egg, stove and chestnut	15.00	7.50	3.75

(2) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging quarter-ton and larger quantities in 100-pound bags:

	Cents
Per ton	50
Per half-ton	25
Per quarter-ton	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(e) *Terms of sale.* The following "cash discounts" for payment within the periods specified shall be granted from the maximum prices set forth in paragraphs (b), (c) and (d), including those maximum prices as reduced by any discounts required by subparagraph (3) of paragraph (b) and subparagraph (2) of paragraph (c):

	Per net ton	Per ½ ton	Per ¼ ton
Payment at time of delivery or within 15 days thereafter	$1.00	$0.50	$0.25
Payment more than 15 days but within 30 days after delivery	.50	.25	.10

Provided, however, That no cash discount is required on any sales of Pennsylvania Anthracite yard screenings or on any sales of less than a quarter-ton. If, in those cases where a cash discount

is required, payment is not made within 30 days after delivery, terms shall be net 60 days.

(f) *Temporary price increase; Pennsylvania anthracite.* The provisions of Region I Supplementary Order No. 4 under Revised Maximum Price Regulation No. 122 shall apply to the prices for Pennsylvania Anthracite contained in this order, as long as said Supplementary Order No. 4 remains in effect.

(g) When used in this Order G-50, the term:

(1) "St. Albans, Vermont, Area" shall include the following cities, towns and townships in the State of Vermont: St. Albans and Swanton.

(2) "Specified solid fuels" shall include all Pennsylvania Anthracite and Coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Broken", "egg", "stove", "chestnut", etc. sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(5) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(6) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(7) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(8) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(9) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(i) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(j) *Quality standards; Pennsylvania anthracite.* The specific maximum prices set forth in this order for broken, egg, stove, chestnut, pea, buckwheat and rice sizes of Pennsylvania Anthracite may be charged only for Pennsylvania Anthracite of those sizes the ash content of which does not exceed that specified in Regulation No. 9 of the Solid Fuels Administration for War for the particular size. No Pennsylvania anthracite of the said sizes which has an ash content in excess of the foregoing shall be sold or delivered in the area covered by this order until the Regional Administrator of Region I has established a specific maximum price therefor in line with the level of maximum prices established by this order. Any dealer who wishes to sell or deliver any such coal shall apply to the Regional Administrator for the establishment of a price, setting forth in his application:

(i) The size of the coal and the ash content upon a dry basis, by weight;

(ii) The tonnage;

(iii) The name and address of the dealer's supplier;

(iv) The price paid, f. o. b. supplier's shipping point;

(v) The cost of transportation to the dealer's yard, dock or other terminal facility (net after compensatory adjustment if the dealer is eligible for such adjustment under Revised Compensatory Adjustment Regulation No. 1);

(vi) Any other pertinent information which the Regional Office may request.

The price will be established either by an amendment of this order or by a letter to the applicant.

(k) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(l) *Posting of maximum prices: Sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All posting shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statment on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(m) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(n) *Petitions for amendment.* Any person seeking an amendment of any provision of this Order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(o) This order may be revoked, amended or corrected at any time.

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

This Order No. G-50 shall become effective February 19, 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 11th day of February 1944.

K. B. BACHMAN,
Regional Administrator.

[F. R. Doc. 44-2402; Filed February 18, 1944; 4:27 p. m.]

[Region I Order G-51 Under RMPR 122]

SOLID FUELS IN WATERBURY, CONN., AREA

Order No. G-51 Under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Waterbury, Connecticut, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Waterbury, Connecticut, Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefore shall be the prices hereinafter set forth. Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G-51 is explained in paragraph (h), and the terms used herein are defined in paragraph (f).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-51. Specifically, but without limiting the generality of the foregoing, the prohibtions contained in § 1340.252 apply except to the extent that this Order G-51 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the State of Connecticut or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule No. I: Sales on a delivered basis*—(1) Price Schedule I sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "direct delivery" basis to consumers at any point in the Waterbury, Connecticut, Area.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite				
Broken, egg, stove and chestnut	$16.00	$8.30	$4.50	$1.00
Pea	14.95	7.80	4.25	.95
Buckwheat	12.30	6.45	3.60	.80
Rice	11.20	5.90	3.30	.75
Yard screenings	5.00			
Jeddo Highland or Greenwood				
Egg, stove and chestnut	16.25	8.45	4.55	1.00
Pea	15.20	7.90	4.30	.95
Buckwheat	12.55	6.60	3.65	.80
Koppers Coke				
Egg, stove and chestnut	14.75	7.70	4.20	.90

(2) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carry or wheel service to consumer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs	*Cents* 50	*Cents* 25	*Cents* 15
For any carry up or down flights of stairs, per flight	25	15	10

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: Yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Waterbury, Connecticut, Area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 pounds
Pennsylvania anthracite				
Broken, egg, stove and chestnut	$15.00	$7.80	$4.25	$0.90
Pea	13.95	7.30	4.00	.85
Buckwheat	11.30	5.95	3.35	.70
Rice	10.20	5.40	3.05	.65
Yard screenings	4.00			
Jeddo Highland or Greenwood				
Egg, stove and chestnut	15.25	7.95	4.30	.90
Pea	14.20	7.40	4.05	.85
Buckwheat	11.55	6.10	3.40	.70
Koppers coke				
Egg, stove and chestnut	13.75	7.20	3.95	.80

(2) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging tons, one-half tons and one-quarter tons exclusive of any charges for or deposit charges on bags furnished by the dealer:

	Cents
Per net ton	50
Per half-ton	26
Per quarter-ton	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Terms of sale.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth in paragraphs (b) and (c) shall, except in the case of Pennsylvania anthracite yard screenings, be reduced by the following amounts:

	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania anthracite	$1.00	$0.50	$0.25
Koppers coke	.50	.25	.10

which reductions are "cash discounts". No further discount is required for cash on delivery, and no "cash discount" is required on sales of any quantity of Pennsylvania anthracite yard screenings or on any sales of less than a quarter-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than quarter-ton lots) within 10 days thereafter, terms shall be net 30 days.

(e) *Temporary price increase; Pennsylvania anthracite.* The provisions of Region I Supplementary Order No. 4 under Revised Maximum Price Regulation No. 122 shall apply to the prices for Pennsylvania anthracite contained in this order, as long as said Supplementary Order No. 4 remains in effect.

(f) *Definitions.* When used in this Order G-51, the term:

(1) "Waterbury, Connecticut, Area" shall include the following cities and towns in the State of Connecticut: Bethlehem, Middlebury, Prospect, Roxbury, Southbury, Thomaston, Waterbury, Watertown, and Woodbury.

(2) "Specified solid fuels" shall include all Pennsylvania anthracite, and Koppers coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal", or "Hazle Brook Coal".

(5) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite".

(6) "Broken", "egg", "stove", "chestnut," etc. sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(7) "Koppers coke" means the by-product coke produced by the Koppers Coke Company at its plant in New Haven, Connecticut.

(8) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(9) "Direct delivery" means dumping or chuting, the fuel from the seller's truck directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(10) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(11) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(12) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(g) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantites than one-quarter ton: *And provided further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(h) *Geographical applicability.* The maximum prices established by this order for "yard sales" shall apply to all such sales of the specified solid fuels at a yard located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(i) *Quality standards; Pennsylvania anthracite.* The specific maximum prices set forth in this order for broken, egg, stove, chestnut, pea, buckwheat and rice sizes of Pennsylvania anthracite may be charged only for Pennsylvania anthracite of those sizes the ash content of which does not exceed that specified in Regulation No. 9 of the Solid Fuels Administration for War for the particular size. No Pennsylvania anthracite of the said sizes which has an ash content in excess of the foregoing shall be sold or delivered in the area covered by this order until the Regional Administrator of Region I has established a specific maximum price therefor in line with the level of maximum prices established by this order. Any dealer who wishes to sell or deliver any such coal shall apply to the Regional Administrator for the establishment of a price, setting forth in his application:

(i) The size of the coal and the ash content upon a dry basis, by weight;

(ii) The tonnage;

(iii) The name and address of the dealer's supplier;

(iv) The price paid, f. o. b. supplier's shipping point;

(v) The cost of transportation to the dealer's yard, dock or other terminal facility (net after compensatory adjustment if the dealer is eligible for such adjustment under Revised Compensatory Adjustment Regulation No. 1);

(vi) Any other pertinent information which the Regional Office may request.

The price will be established either by an amendment of this Order or by a letter to the applicant.

(j) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(k) *Posting of maximum prices: Sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(l) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeals from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(n) This order may be revoked, amended or corrected at any time.

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

This Order No. G-51, shall become effective February 23, 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 14th day of February 1944.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 44-2435; Filed, February 19, 1944; 12:54 p. m.]

[Region II Order G-26 Under RMPR 122, Amdt. 2]

SOLID FUELS IN NEW YORK REGION

Amendment No. 2 to Order No. G-26 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for "Colonial", "Silver Brook", and "Salem Hill" anthracite sold subject to designated area dollars-and-cents orders.

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 §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-26 is amended in the following respect:

(1) Paragraph (c) is amended by adding the following order to the list of orders there enumerated:

Order No. G-27 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

This Amendment 2 to Order No. G-26 shall become effective February 16, 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 16th day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-2436; Filed, February 19, 1944; 12:54 p. m.]

[Region VI Order G-18 Under SR 15, MPR 280, and MPR 329, Amdt. 1]

FLUID MILK IN SPARTA, WIS.

Amendment 1 to Order No. G-18 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280—Maximum Prices for Specific Food Products, and under Maximum Price Regulation No. 329—Purchases of Milk From Producers for Resale as Fluid Milk. Fluid milk price for Sparta, Wisconsin.

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 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, *It is ordered:*

Section (c) of Order No. G-18 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280—Maximum Prices for Specific Food Products, and under Maximum Price Regulation No. 329—Purchases of Milk from Producers for Resale as Fluid Milk, is amended to read as follows:

(c) *Maximum distributor prices.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Sparta, Wisconsin, shall be the maximum price determined under the General Maximum Price Regulation or the following prices, whichever shall be higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallons in bulk	$0.37	
Gallons	.37	$0.45
Quarts	.09½	.11½
Pints	.05½	.06½
½ pints	.03	.05

Where the maximum price set forth is expressed in terms of ½¢ the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

This amendment shall become effective on the 26th day of January 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 26th day of January 1944.

ALEX ELSON,
Acting Regional Administrator.

[F. R. Doc. 44-2437; Filed, February 19, 1944; 12:54 p. m.]

[Region VI Order G-25 Under MPR 329]

MILK IN TOMAH, WIS.

Order No. G-25 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Producers' milk prices in Tomah, Wisconsin.

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, it is hereby ordered:

(a) *Maximum producer prices.* The maximum price which distributors in Tomah, Wisconsin, may pay to producers for milk sold for human consumption in fluid form shall be $3.15 per cwt. for milk having a butterfat content of 4%, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 4% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 4%.

(b) *Applicability of producer prices.* Section (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Tomah, Wisconsin, or who sell within that city 50% or more of the milk sold by them. Prices provided in Section (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased milk during the period from August 1943 to the date of this order; and such prices are not applicable to purchases from producers who did not during that period sell to any Tomah, Wisconsin distributor covered by this order.

(c) *Relation to Office of Price Administration Regulations.* Except as modified by this order, the provisions of Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery practices or other business or trade practices in effect in January 1943.

(d) *Definitions.* Unless the context otherwise requires, the definition set forth in Maximum Price Regulation No. 329 and the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective the 25th 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 this 25th day of January 1944.

ALEX ELSON,
Acting Regional Administrator.

[F. R. Doc. 44-2434; Filed, February 19, 1944; 12:54 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on February 17, 1944.

REGION II

Harrisburg Order No. P-1, filed 4:28 p. m.
Maryland Order No. P-1, Amendment 1, filed 4:20 p. m.

REGION III

Cleveland Order No. F-3, Amendment No. 10, filed 4:18 p. m.
Cleveland Order No. F-4, Amendment No. 9, filed 4:18 p. m.
Detroit Order No. 10, Amendment No. 1, filed 4:23 p. m.
Lexington Order No. 4-F, filed 4:28 p. m.
Indianapolis Order No. 10, Amendment No. 1, filed 4:23 p. m.
Indianapolis Order No. 11, Amendment No. 1, filed 4:22 p. m.
Indianapolis Order No. 12, Amendment No. 1, filed 4:21 p. m.
Indianapolis Order No. 13, Amendment No. 1, filed 4:22 p. m.
Indianapolis Order No. 14, Amendment No. 1, filed 4:21 p. m.
Indianapolis Order No. 15, Amendment No. 1, filed 4:21 p. m.

REGION IV

Jacksonville Order No. 2-F, Amendment No. 9, filed 4:18 p. m.
Memphis Order No. 4-F, Amendment No. 20, filed 4:15 p. m.
Montgomery Order No. 8-F, filed 4:14 p. m.

REGION V

New Orleans Order No. 2-F, Amendment No. 4, filed 4:14 p. m.

REGION VI

Des Moines Order No. 2-F, filed 4:16 p. m.
Green Bay Order No. 12, Amendment No. 1, filed 4:20 p. m.
Omaha Order No. 10, filed 4:27 p. m.
Milwaukee Order No. 5-F, filed 4:26 p. m.
Moline Order No. 3-F, filed 4:14 p. m.
Sioux Falls Order No. 1-F, Amendment No. 1, filed 4:21 p. m.
Sioux City Order No. 3-F, filed 4:16 p. m.
Sioux City Order No. 4-F, filed 4:16 p. m.
Twin Cities Order No. 2-F, Amendment No. 1, filed 4:29 p. m.

REGION VIII

Los Angeles Los Angeles-10, filed 4:25 p. m.
Los Angeles Los Angeles-11, filed 4:23 p. m.
Sacramento Order No. 13, Amendment No. 1, filed 4:20 p. m.
San Francisco Order No. 1-F, filed 4:26 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-2508; Filed, February 21, 1944; 11:40 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

NEW YORK STOCK EXCHANGE

DECLARATION OF EFFECTIVENESS OF AMENDED PLAN

Declaration of effectiveness of amended plan of the New York Stock Exchange pursuant to § 240.10b-2 (d). [Rule X-10B-2 (d)]

The Securities and Exchange Commission, having previously declared effective a plan for special offerings, and certain amendments thereto, filed pursuant to Rule X-10B-2 (d) by the New York Stock Exchange; and the New York Stock Exchange, on January 7, 1944, having filed further amendments to its plan for such special offerings;

The Securities and Exchange Commission having given due consideration to the special offering plan of the New York Stock Exchange as amended and having due regard for the public interest and for the protection of investors, pursuant to the Securities Exchange Act of 1934, particularly sections 10 (b) and 23 (a) thereof, and Rule X-10B-2 thereunder, hereby declares the amended special offering plan of the New York Stock Exchange as filed on January 7, 1944, to be effective on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plan by sending at least ten days' written notice to the Exchange.

Effective January 25, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-2387; Filed, February 18, 1944; 2:05 p. m.]

[File No. 54-90]

WEST TEXAS UTILITIES CO. AND PECOS VALLEY POWER & LIGHT CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of February, A. D. 1944.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission by West Texas Utilities Company (West Texas) and Pecos Valley Power & Light Company (Pecos Valley), indirect subsidiaries of The Middle West Corporation, a registered holding company, pursuant to sections 9 (a) (1), 10 and 11 (e) of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder.

All interested persons are referred to said declaration or application which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Pursuant to an Opinion and Order of this Commission issued on January 25, 1943 (Holding Company Act Release No. 4068), West Texas was permitted (as a step toward acquisition of property and assets of Pecos Valley) to offer to purchase all outstanding securities of Pecos Valley as follows:

1. First Mortgage Bonds held by the public in the principal amount of $963,000 at 76% thereof.
2. Income Debentures held by the public in the principal amount of $353,000 at 15% thereof.
3. Common stock held by the public in the amount of 3,582.66 shares at $1 per share.
4. First Mortgage Bonds in the principal amount of $313,000, Income Debentures in the principal amount of $369,500 and common stock in the amount of 3,892.34 shares, all held by The Middle West Corporation for the sum of $238,349.11 (equal to 76% of the principal amount of the bonds held plus $496.11 transfer tax applicable to the debentures and common stock being transferred).

Pursuant to such order, West Texas has acquired (as of January 31, 1944) all outstanding securities of Pecos Valley except the following securities held by the public:

$26,500 (2.08%) principal amount of First Mortgage Bonds.
$14,250 (1.96%) principal amount of Income Debentures.
286.511 shares (3.83%) of Common Stock.

West Texas now proposes to acquire at public or private sale all the assets and property of Pecos Valley at a price equal to

(a) The face amount of the net free assets of Pecos Valley and
(b) $937,860 for property which is subject to an existing mortgage (less depreciation on such property computed at the rate of 3% per annum from January 1, 1943, and less any moneys resulting from sales of property subject to such mortgage, deposited with The New York Trust Company, Trustee under said mortgage subsequent to January 1, 1943).

It is estimated that as a result of payment of said proposed price, the remaining public security holders of Pecos Valley will receive the following amounts (equal to amount permitted to be offered by said Order of January 25, 1943): bondholders 76% and debenture holders 15% of the principal amount of securities held, and stockholders $1 for each share held.

It appearing to this 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 application or declaration shall not be granted or permitted to become effective except pursuant to further order of this Commission, *It is ordered,* That a hearing on said matters under the applicable provisions of said act and the Rules of this Commission thereunder be held on March 6, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which said hearing will be held;

It is further ordered, That the Secretary of this Commission shall serve notice of said hearing by mailing a copy of this order to West Texas Utilities Company and Pecos Valley Power & Light Company and that said notice of said hearing be given to all persons by publication of a copy of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission on or before February 28, 1944, his request or application therefor as provided by Rule XVII of the Rules of Practice of this Commission;

It is further ordered, That Willis E. Monty 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 application or declaration, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed transactions are in the public interest or in the interest of investors and consumers and whether in all respects the proposed transactions comply with all the applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the Rules, Regulations and Orders promulgated thereunder;
2. Whether, and to what extent it is necessary or appropriate in the public interest to impose terms or conditions in regard to the accounts of West Texas Utilities Company, or otherwise in regard to the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-2385; Filed, February 18, 1944; 2:05 p. m.]

[File No. 70-845]

FLORIDA POWER CORP. AND GENERAL GAS & ELECTRIC CORP.

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of February 1944.

Florida Power Corporation, a subsidiary of General Gas & Electric Corporation, a registered holding company, having filed a declaration, pursuant to section 7 of the Public Utility Holding Company Act of 1935, regarding (1) the issuance and sale of $16,500,000 principal amount of First Mortgage Bonds, dated January 1, 1944, and maturing January 1, 1974, to be made pursuant to Rule U-50; and in connection therewith declarant requesting that the ten-day pe-

riod for invitation of bids as provided by paragraph (b) of said Rule be shortened to a period of not less than six days; and (2) the issuance and private sale to John Hancock Mutual Life Insurance Company of $4,000,000 principal amount of serial debentures, bearing interest at the rate of 3¼% per annum and maturing serially from August 1, 1944, to and including August 1, 1957; and

General Gas & Electric Corporation having filed a declaration pursuant to section 12 of the act and Rule U-45 with respect to the donation by General Gas & Electric Corporation of $65,000 principal amount of Florida Public Service 4% bonds, due 1955, previously assumed by Florida Power Corporation; and Florida Power Corporation having joined in this declaration;

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That said declarations, as amended, be, and hereby are, permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24, and subject to the requirements of Rule U-50, with respect to the issuance of $16,500,000 principal amount of First Mortgage Bonds;

It is further ordered; That the ten-day period for inviting bids as provided by Rule U-50 be shortened to a period of not less than six days;

It is further ordered, That jurisdiction be, and hereby is, reserved over the fees to be paid to Milbank, Tweed & Hope, independent counsel to the prospective purchasers of the First Mortgage Bonds.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-2386; Filed, February 18, 1944; 2:05 p. m.]

[File No. 70-812]

CONSOLIDATED ELECTRIC AND GAS CO. AND CENTRAL ILLINOIS ELECTRIC AND GAS CO.

SUPPLEMENTAL ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of February 1944.

Consolidated Electric and Gas Company, a registered holding company, and its subsidiary, Central Illinois Electric and Gas Co., having heretofore filed applications and declarations pursuant to the applicable sections of the Public Utility Holding Company Act of 1935, regarding the proposed reclassification of the common stock of said subsidiary company (all of which stock is owned by the parent company) and certain intercompany transactions incident to the consummation of such reclassification, which applications and declarations were, respectively, granted and permitted to become effective by order entered herein on February 4, 1944;

Consolidated Electric and Gas Company having also filed a plan pursuant to section 11 (e) of the act whereby it proposed to divest itself of all interest in Central Illinois Electric and Gas Co. by the sale through competitive bidding of all of the reclassified stock of said subsidiary company and to apply the proceeds of such sale, to the extent required for such purpose, in the retirement of certain bonds assumed by said holding company and known as Federated Utilities, Inc., First Lien Collateral Trust 5½% Bonds, due March 1, 1957, by payment of the principal amount of such bonds plus accrued interest to a fixed date after appropriate public notice of the impending retirement of such bonds but without payment of the premium payable upon voluntary redemption of such bonds under the applicable indenture;

The Commission having heretofore made further findings herein and entered a further order finding that portion of said plan relating to the sale by Consolidated Electric and Gas Company of the reclassified common stock of Central Illinois Electric and Gas Co. and the deposit of the proceeds of such sale with the trustee under the indenture securing the above-identified assumed bonds to be necessary to effectuate the provisions of section 11 (b) of the act and fair and equitable to all persons affected thereby, except in respect of certain fees proposed to be paid to Central Republic Company concerning which fees jurisdiction was reserved, and approving said portion of said plan, subject to said reservation of jurisdiction, but further reserving jurisdiction in respect of the definitive application of the proceeds of such sale after the deposit thereof with said trustee;

The Commission having now made and filed further supplementary findings in respect of the application of the proceeds of said sale as proposed, and finding the application of that portion of the proceeds of said sale required for such purpose to the retirement of all the outstanding bonds originally issued by Federated Utilities, Inc., and assumed by Consolidated Electric and Gas Company, in the manner proposed in the plan, as amended, and without the payment of any redemption premium, is necessary to effectuate the provisions of section 11 (b) of the act and fair and equitable to all persons affected thereby;

Consolidated Electric and Gas Company also proposing that any portion of the proceeds of the sale of said reclassified common stock of Central Illinois Electric and Gas Co. remaining after retirement of the assumed bonds above mentioned shall be utilized in the retirement of the bonds of Consolidated Electric and Gas Company known as its Collateral Trust Bonds, due August 1, 1957, and August 1, 1962, such retirement to be effected by purchases of such bonds in the open market, and the Commission having made no adverse findings in regard to the proposal last described but having found that certain terms and conditions should be imposed in connection therewith;

It is hereby ordered, That said plan so submitted by Consolidated Electric and Gas Company pursuant to section 11 (e) of the act be, and the same is hereby in all respects approved, except in respect of the reasonableness of the fees proposed to be paid to Central Republic Company concerning which the reservation of jurisdiction heretofore made is continued in effect pending the further order, or orders, of the Commission;

It is further ordered, That the proposal of Consolidated Electric and Gas Company that any proceeds of the sale of the common stock of Central Illinois Electric and Gas Co. which are not expended in the retirement of the assumed bonds above mentioned shall be applied to the acquisition and retirement of the bonds of Consolidated Electric and Gas Company known as Consolidated Electric and Gas Company Collateral Trust Bonds, due August 1, 1957, and August 1, 1962, to be effected through purchases of such bonds in the open market, be, and the same is hereby permitted to become effective as a declaration by Consolidated Electric and Gas Company pursuant to section 12 (c) of the act;

Provided, however, And the authorization hereby given in respect to the acquisition and retirement of the Collateral Trust Bonds last mentioned be, and the same is hereby, subject to the following terms and conditions:

(1) That at least seven days before purchases are commenced, Consolidated shall advise by letter each known holder of the Consolidated bonds fully with respect to its intention to make such purchases and the method to be employed, the form of such letter to be submitted to the Commission at least three days prior to release;

(2) That Consolidated shall not solicit or cause to be solicited from individual bondholders the sale of any bonds to the company;

(3) That no purchases shall be made directly or indirectly from persons or corporations in any way associated or affiliated with Consolidated; and

(4) That Consolidated shall furnish to the Commission, promptly after the last day of each month, a schedule showing for each day covered by such report the number of bonds purchased, the prices at which purchased, and the name of the broker through whom purchased.

Consolidated having requested that the order of this Commission concerning the application of the proceeds of the above described sale conform to the formal requirements of sections 373 (a), 371 (b), 371 (f), and 1808 (f) of the Internal Revenue Code, as amended;

It is further ordered, That Consolidated apply the proceeds from the sale of the common stock described above in the retirement of the Federated Utilities, Inc., First Lien Collateral Trust 5½% Bonds, due March 1, 1957 (assumed by Consolidated) and the Collateral Trust Bonds issued by Consolidated (in the manner hereinabove set forth), which application of such proceeds is hereby found to be necessary or appropriate to the integration or simplification of the Consolidated holding company system.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-2468; Filed, February 21, 1944; 9:49 a. m.]

[File No. 811-270]

CREDIT AND INVESTMENT CORP.

NOTICE OF 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 19th day of February, A. D. 1944.

In the matter of Credit & Investment Corporation, formerly known as German Credit & Investment Corporation.

An application having been filed by Credit & Investment Corporation, formerly known as German Credit & Investment Corporation, pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said act;

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on February 28, 1944, at 10:00 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 such hearing. 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 applicant 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. 44-2467; Filed, February 21, 1944; 9:49 a. m.]

WAR FOOD ADMINISTRATION.

[P. & S. Docket No. 383]

MARKET AGENCIES AT ST. LOUIS NATIONAL STOCK YARDS

NOTICE OF PETITION FOR MODIFICATION

In re market agencies at St. Louis National Stock Yards (formerly styled as Alexander Conover & Company et al.), respondents.

By orders dated February 28, 1933, November 5, 1936, and December 6, 1937, made pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 1940 ed. 181 et seq.), maximum rates and charges for selling and buying livestock on commission by market agencies operating at the St. Louis National Stock Yards, National Stock Yards, Illinois, were prescribed. By an order dated December 26, 1942, pursuant to a petition filed by the respondent market agencies, the Assistant to the Secretary of Agriculture, with the consent of the respondents, temporarily suspended the provisions of the orders of February 28, 1933, November 5, 1936, and December 6, 1937, for a trial period. By a supplemental order dated December 27, 1943, the provisions of the orders of February 28, 1933, November 5, 1936, and December 6, 1937, were again suspended for a further period to and including December 31, 1944, unless such order is modified by further order prior to the expiration of such period. Under the terms of the orders of December 26, 1942, and December 27, 1943, the respondents have been permitted to file, assess, and collect higher rates than the maximum prescribed in the prior orders.

On or about February 4, 1944, the respondent market agencies filed a petition seeking a modification of the order of December 27, 1943, so as to permit the respondents to modify the rate structure of their tariff, in order to denominate cattle and calves as separate species for rate purposes. The effect of such proposed modification would result in some additional revenue to the respondents because its effect would be to place consignments of livestock containing cattle and calves into rate brackets calling for the assessment of higher rates.

It appears that public notice should be given to all interested persons of the request of the respondents and to afford all interested persons, including patrons of the respondents, an opportunity to manifest their desire to be heard on the matter.

Therefore, notice is hereby given to the public and to all interested persons of the request of the respondents for a modification of the order of December 27, 1943, and for the purpose of affording said respondents and all other interested persons, including patrons of the respondents, an opportunity to be heard upon the matters covered in the petition.

All interested persons who desire to be heard shall notify the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of the publication of this order.

Copies hereof shall be served on the respondents by registered mail or in person.

Done at Washington, D. C., this 19th day of February 1944.

C. W. KITCHEN, *Acting Director of Food Distribution.*

[F. R. Doc. 44-2501; Filed, February 21, 1944; 11:29 a. m.]

FRESH FRUITS AND VEGETABLES

DELEGATION OF AUTHORITY

Pursuant to the authority vested in me as War Food Administrator, there is hereby delegated to the Director of Food Distribution, War Food Administration, authority to consider and approve (a) the maximum prices for fresh fruits and vegetables as established or adjusted, from time to time, by any regional office of the Office of Price Administration in accordance with Maximum Price Regulation No. 426 and (b) such changes in the definition of the term "purveyor" contained in said Maximum Price Regulation No. 426 as any regional office of the Office of Price Administration may, from time to time, make in accordance with said Maximum Price Regulation No. 426.

The authority delegated herein may be redelegated by the Director of Food Distribution to any employee of the United States Department of Agriculture.

When used herein, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

The term "Maximum Price Regulation No. 426" means Maximum Price Regulation No. 426 (8 F.R. 9546), issued by the Price Administrator, Office of Price Administration, on July 10, 1943, as amended at the time the authority delegated herein is exercised.

The term "fresh fruits and vegetables" shall have the same meaning as that which it has when used in said Maximum Price Regulation No. 426.

The term "regional office of the Office of Price Administration" includes each field office of the Office of Price Administration to which authority to act has been delegated, in accordance with Maximum Price Regulation No. 426, by the appropriate regional office of the Office of Price Administration.

(56 Stat. 23, 50 U.S.C., 1940 ed., Sup. II, 901 et seq.; 56 Stat. 765, 50 U.S.C., 1940 ed., Sup. II, 961 et seq.; E.O. 9250, 7 F.R. 7871; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9332, 8 F.R. 14783; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of February 1944.

MARVIN JONES, *War Food Administrator.*

[F. R. Doc. 44-2502; Filed, February 21, 1944; 11:29 a. m.]

FRESH FRUITS AND VEGETABLES

DELEGATION OF AUTHORITY

Pursuant to the authority vested in me by the War Food Administrator, there is hereby delegated to each Regional Director of Food Distribution, War Food Administration, serving the area (8 F.R. 15764) in which (a) and (b) of this paragraph are to be applicable, authority to consider and approve (a) the maximum prices for fresh fruits and vegetables as established or adjusted, from time to time, by any regional office of the Office of Price Administration in accordance with Maximum Price Regulation No. 426 and (b) such changes in the definition of the term "purveyor" contained in said Maximum Price Regulation No. 426 as any regional office of the Office of Price Administration may, from time to time, make in accordance with said Maximum Price Regulation No. 426.

When used herein, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

The term "Maximum Price Regulation No. 426" means Maximum Price Regulation No. 426 (8 F.R. 9546), issued by the Price Administrator, Office of Price Administration, on July 10, 1943, as amended at the time the authority delegated herein is exercised.

The term "fresh fruits and vegetables" shall have the same meaning as that

which it has when used in said Maximum Price Regulation No. 426.

The term "regional office of the Office of Price Administration" includes each field office of the Office of Price Administration to which authority to act has been delegated, in accordance with Maximum Price Regulation No. 426, by the appropriate regional office of the Office of Price Administration.

(56 Stat. 23, 50 U.S.C., 1940 ed., Sup. II, 901 et seq.; 56 Stat. 765, 50 U.S.C., 1940 ed., Sup. II, 961 et seq.; E.O. 9250, 7 F.R. 7871; 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; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of February 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-2503; Filed, February 21, 1944; 11:30 a. m.]

WAR MANPOWER COMMISSION.

Regional Office Orders.

UTICA-ROME, N. Y., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Utica-Rome, New York, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. II by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Utica-Rome, New York, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Utica-Rome, New York, Area shall include:

Oneida, Madison and Herkimer Counties.

II. The effective date of this designation is November 15, 1943.

III. Not later than the effective date, each employer in the Utica-Rome, New York, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: October 15, 1943.

ANNA M. ROSENBERG,
Regional Director, Region II.

[F. R. Doc. 44-2438; Filed, February 19, 1944; 3:12 p. m.]

TRENTON, N J., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Trenton, New Jersey, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region III by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Trenton, New Jersey, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Trenton, New Jersey, Area shall include:

Burlington County: Bordentown, Burlington, Chesterfield, Delanco, Delran, Easthampton, Edgewater Park, Evesham, Florence, Hainesport, Lumberton, Mansfield, Medford, Mt. Holly, Mt. Laurel, New Hanover, North Hanover, Pemberton, Riverside, Southampton, Springfield, Tabernacle, Westhampton, Willingboro and Woodland Townships; Beverly, Bordentown and Burlington Cities; Fieldsboro, Medford Lakes, Pemberton and Wrightstown Boroughs.

Hunterdon County: West Amwell Township and Lambertville City.

Mercer County: all.

Monmouth County: Millstone and Upper Freehold Townships; Allentown and Jersey Homesteads Boroughs.

Ocean County: Plumstead Township in part (New Egypt and vicinity).

II. The effective date of this designation is July 1, 1943.

III. Not later than the effective date, each employer in the Trenton, New Jersey, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission:

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: June 15, 1943.

FRANK L. MCNAMEE,
Regional Director, Region III.

[F. R. Doc. 44-2440; Filed, February 19, 1944; 3:12 p. m.]

WILMINGTON, DEL., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Wilmington, Delaware Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. III by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Wilmington, Delaware Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Wilmington, Delaware Area shall include:

New Castle County, Delaware

II. The effective date of this designation is July 15, 1943.

III. Not later than the effective date, each employer in the Wilmington, Delaware Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: July 1, 1943.

FRANK L. MCNAMEE,
Regional Director, Region III.

[F. R. Doc. 44-2441; Filed, February 19, 1944; 3:12 p. m.]

ELKHART AND KOSCIUSKO COUNTIES, IND.

MINIMUM WARTIME WORKWEEK

Designation of Elkhart and Kosciusko counties in the state of Indiana as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region VI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate Elkhart and Kosciusko counties in the state of Indiana as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Area shall include:

Elkhart and Kosciusko counties in State of Indiana.

II. The effective date of this designation is February 15, 1944.

III. Not later than the effective date, each employer in Elkhart and Kosciusko counties shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: January 10, 1944.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-2442; Filed, February 19, 1944; 3:12 p. m.]

FREEPORT, TRI-CITIES AND WAUKEGAN LABOR MARKET AREAS, ILL.

MINIMUM WARTIME WORKWEEK

Designation of the Freeport, Tri-Cities and Waukegan Labor Market Areas in the state of Illinois as subject to the Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region VI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Freeport, Tri-Cities and Waukegan Labor Market Areas in the state of Illinois as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Freeport, Tri-Cities and Waukegan Labor Market Areas in the state of Illinois shall include:

Freeport, Illinois Labor Market Area: The county of Stephenson.

Tri-Cities, Illinois Labor Market Area: The counties of Mercer and Rock Island.

Waukegan, Illinois Labor Market Area: The county of Lake, except that part of the village of Barrington that lies in Lake County.

II. The effective date of this designationo is March 1, 1944.

III. Not later than March 1, 1944, each employer in the Freeport, Tri-Cities and Waukegan Labor Market Areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: January 24, 1944.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-2443; Filed, February 19, 1944; 3:13 p. m.]

DE KALB COUNTY, ILL., AREA

MINIMUM WARTIME WORKWEEK

Designation of the De Kalb County, Illinois, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. VI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the De Kalb County, Illinois, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the De Kalb County, Illinois, Area shall include:

De Kalb County, Illinois

II. The effective date of this designation is December 1, 1943.

III. Not later than the effective date, each employer in the De Kalb County, Illinois, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: November 6, 1943.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-2444; Filed, February 19, 1944; 3:13 p. m.]

UNION AND WAYNE COUNTIES, IND., AREAS

MINIMUM WARTIME WORKWEEK

Designation of the Union County and Wayne County, Indiana, Areas as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. VI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Union County and Wayne County, Indiana, Areas as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Union County and Wayne County, Indiana, Areas shall include:

Union and Wayne Counties in the state of Indiana.

II. The effective date of this designation is January 1, 1944.

III. Not later than the effective date, each employer in the Union County and Wayne County, Indiana, Areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, to-

gether with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: December 1, 1943.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-2445; Filed, February 19, 1944; 3:13 p. m.]

DESIGNATED AREAS IN INDIANA AND ILLINOIS

MINIMUM WARTIME WORKWEEK

Designation of certain areas as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. VI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the following areas as subject to the provisions of Executive Order No. 9301:

In the State of Indiana: The counties of Rush, Fayette, Franklin, Howard, Grant, Blackford, Jay, Delaware, Randolph, Henry, LaPorte, Pulaski, Starke, Benton, Carroll, Clinton, Montgomery, Tippecanoe, White, Cass, Fulton, Miami; and the townships of Kane, Davis, Jackson, Logan, Mill Creek, Richland, Shawnee and Van Buren in Fountain County; and the townships of Adams, Liberty, Medina, Pine, Warren and Washington in Warren County.

In the State of Illinois: The counties of Kane, Kendall and Du Page, and all of Cook County excluding that portion in the Chicago Heights-Harvey and Calumet Labor market areas, for which a minimum wartime workweek has heretofore been ordered.

I. The effective date of this designation is January 16, 1944.

II. Not later than the effective date, each employer in the designated areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: Dec. 1, 1943.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-2447; Filed, February 19, 1944; 3:13 p. m.]

DESIGNATED COUNTIES IN ILLINOIS AND WISCONSIN

MINIMUM WARTIME WORKWEEK

Designation of certain areas as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. VI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the following areas as subject to the provisions of Executive Order No. 9301:

Christian, Sangamon, Menard, Logan, DeWitt, Macon, Piatt and Moultrie Counties in the State of Illinois.

Washington, Ozaukee, Waukesha, Kenosha and Milwaukee Counties in the State of Wisconsin.

I. The effective date of this designation is January 16, 1944.

II. Not later than the effective date, each employer in the designated areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: December 1, 1943.

W. H. SPENCER,
Regional Director, Region VI.

[F. R. Doc. 44-2448; Filed, February 19, 1944; 3:13 p. m.]

TAMPA, FLA., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Tampa, Florida, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. VII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Tampa, Florida, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Tampa, Florida, Area shall include:

Hillsborough County.

II. The effective date of this designation is June 1, 1943.

III. Not later than the effective date, each employer in the Tampa, Florida, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: May 6, 1943.

DILLARD B. LASSETER,
Regional Director, Region VII.

[F. R. Doc. 44-2449; Filed, February 19, 1944; 3:15 p. m.]

SPARTANBURG, S. C., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Spartanburg, South Carolina, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. VII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Spartanburg, South Carolina, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Spartanburg, South Carolina, Area shall include:

Spartanburg County, South Carolina.

II. The effective date of this designation is November 15, 1943.

III. Not later than the effective date, each employer in the Spartanburg, South Carolina, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: October 23, 1943.

DILLARD B. LASSETER,
Regional Director, Region VII.

[F. R. Doc. 44-2450; Filed, February 19, 1944; 3:15 p. m.]

ATLANTA, GA., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Atlanta, Georgia, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. VII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Atlanta, Georgia, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Atlanta, Georgia, Area shall include:

Fulton, De Kalb and Cobb Counties, Georgia.

II. The effective date of this designation is February 1, 1944.

III. Not later than the effective date, each employer in the Atlanta, Georgia, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: January 13, 1944.

FRANK A. CONSTANGY,
Acting Regional Director, Region VII.

[F. R. Doc. 44-2451; Filed, February 19, 1944; 3:15 p. m.]

KNOXVILLE, TENN., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Knoxville, Tennessee, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. VII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Knoxville, Tennessee, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Knoxville, Tennessee, Area shall include:

Knox and Jefferson Counties, Alcoa and Maryville in Blount County, that portion of Roane and Anderson Counties in which the project of Clinton Engineer Works is located, and Clinton in Anderson County.

II. The effective date of this designation is February 1, 1944.

III. Not later than the effective date, each employer in the Knoxville, Tennessee, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: January 13, 1944.

DILLARD B. LASSETER,
Regional Director, Region VII.

[F. R. Doc. 44-2452; Filed, February 19, 1944; 3:15 p.m.]

COLUMBUS, GA., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Columbus, Georgia, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. VII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Columbus, Georgia, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Columbus, Georgia, Area shall include:

Muscogee County, Georgia

II. The effective date of this designation is November 15, 1943.

III. Not later than the effective date, each employer in the Columbus, Georgia, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or

local law or regulation limiting hours of work.

Date of issuance: October 23, 1943.

DILLARD B. LASSETER,
Regional Director, Region VII.

[F. R. Doc. 44-2453; Filed, February 19, 1944; 3:15 p. m.]

HARVEY, BUTLER AND COWLEY COUNTIES, KANS.

MINIMUM WARTIME WORKWEEK

Designation of Harvey, Butler and Cowley Counties in Kansas as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. IX by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate Harvey, Butler and Cowley Counties in Kansas as subject to the provisions of Executive Order No. 9301.

I. The effective date of this designation is January 1, 1944.

II. Not later than the effective date, each employer in Harvey, Butler and Cowley Counties in Kansas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: December 8, 1943.

ED MCDONALD,
Regional Director, Region IX.

[F. R. Doc. 44-2454; Filed, February 19, 1944; 3:15 p. m.]

OKLAHOMA CITY, OKLA.

MINIMUM WARTIME WORKWEEK

Designation of the Oklahoma City, Oklahoma, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. IX by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Oklahoma City, Oklahoma, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Oklahoma City, Oklahoma, Area shall include:

County of Oklahoma

II. The effective date of this designation is November 15, 1943.

III. Not later than the effective date, each employer in the Oklahoma City, Oklahoma, Area shall, in accordance with War Manpower Commission Reglation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: November 9, 1943.

ED MCDONALD,
Regional Director, Region IX.

[F. R. Doc. 44-2455; Filed, February 19, 1944; 3:15 p. m.]

PINE BLUFF, ARK., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Pine Bluff, Arkansas, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. IX by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Pine Bluff, Arkansas, Area as subject to the provisions of Executive Order No. 9301.

I. For the purpose of this designation, the Pine Bluff, Arkansas, Area shall include:

Townships in Jefferson County: Barraque, Bolivar, Dudley Lake, Plum Bayou, Pastoria, Jefferson, Washington, Vaugine, Victoria, Niven, Spring, Melton, Whiteville, Talladega.

II. The effective date of this designation is November 15, 1943.

III. Not later than the effective date, each employer in the Pine Bluff, Arkansas, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any workers;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: November 9, 1943.

ED MCDONALD,
Regional Director, Region IX.

[F. R. Doc. 44-2456; Filed, February 19, 1944; 3:16 p. m.]

MASSENA AREA

MINIMUM WARTIME WORKWEEK

Designation of the Massena Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. II by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Massena Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Massena Area shall include:

Townships of Bangor, Bombay, Brandon, Constable, Dickinson, Fort Covington, Malone, Moria, Waverly, Westville, and the St. Regis Indian Reservation in Franklin County, and the city of Ogdensburg.

Townships of Brasher, Canton, Hopkinton, Lawrence, Lisbon, Louisville, Madrid, Massena, Norfolk, Parishville, Pierrepont, Potsdam, Stockholm, and Waddington in St. Lawrence County.

II. The effective date of this designation is November 15, 1943.

III. Not later than the effective date, each employer in the Massena Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: November 15, 1943.

ANNA M. ROSENBERG,
Regional Director, Region II.

[F. R. Doc. 44-2439; Filed, February 19, 1944; 3:12 p. m.]

SALT LAKE CITY, UTAH

MINIMUM WARTIME WORKWEEK

Designation of the Salt Lake City, Utah, and Provo, Utah, Area, as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. XI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Salt Lake City, Utah and Provo, Utah, Areas as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the above areas shall include:

Salt Lake City, Utah, Area: Salt Lake County, Davis County from Farmington, south, and Tooele County from Grantsville, east.

Provo, Utah, Area: Utah County.

II. The effective date of this designation is August 10, 1943.

III. Each employer in the designated areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend, not later than the effective date, to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit, on or before September 10, 1943, to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File, not later than the effective date an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: July 29, 1943.

JOHN R. MCCUSKER,
Regional Director, Region XI.

[F. R. Doc. 44-2458; Filed, February 19, 1944; 3:16 p. m.]

WASHOE COUNTY, NEVADA, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Washoe County, Nevada, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. XII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Washoe County, Nevada, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Washoe County, Nevada, Area shall include:

Washoe County in the State of Nevada.

II. The effective date of this designation is January 5, 1944.

III. Having found that workers released as a result of the extension of the workweek to the Minimum Wartime Workweek in any establishment or place of employment in the Washoe County, Nevada, Area, can immediately be placed in suitable employment with other employers, I hereby direct each employer in the Washoe County, Nevada, Area in accordance with War Manpower Commission Regulation No. 3:

(a) To extend promptly after the effective date, to a minimum wartime workweek of 48 hours, the workweek of all of his workers; or

(b) To file, on or before February 5, 1944, an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: January 3, 1944.

WILLIAM K. HOPKINS,
Regional Director, Region XII.

[F. R. Doc. 44-2459; Filed, February 19, 1944; 3:16 p. m.]

TERRITORY OF HAWAII

MINIMUM WARTIME WORKWEEK

Designation of the Territory of Hawaii as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Territorial Manpower Director by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Territory of Hawaii as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Territory of Hawaii shall include all of the Counties of Hawaii, Honolulu, Kauai, and Maui.

II. The effective date of this designation is December 15, 1943.

III. Not later than the effective date, each employer in the Territory of Hawaii shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek fo 48 hours would involve the release of any workers, submit to the Territorial Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: November 15, 1943.

NEWTON R. HOLCOMB,
Territorial Director,
Territory of Hawaii.

[F. R. Doc. 44-2460; Filed, February 19, 1944; 3:17 p. m.]

WAR PRODUCTION BOARD.

THE SHIELDS-COMMONWEALTH COMPANY, INC.

CONSENT ORDER

The Shields-Commonwealth Company, Inc., Baltimore, Maryland, is a corporation engaged in the sale and installation of plumbing and heating equipment, as defined in Limitation Order L-79.

The company is charged by the War Production Board with violating Limitation Order L-79 in that during the period from July 12, 1943 to August 15, 1943, they made twelve sales of new metal

heating equipment of items costing in excess of $5.00 each, to ultimate consumers, on orders which did not bear a preference rating.

The company admits having committed the aforesaid violations, but denies that they were done wilfully, and has consented to the issuance of this Order.

Wherefore, upon the agreement and consent of The Shields-Commonwealth Company, Inc., the Regional Compliance Chief and the Regional Attorney, and upon the approval of a Compliance Commissioner, *it is hereby ordered,* That:

(a) Deliveries of material to The Shields-Commonwealth Company, Inc., its successors and 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 The Shields-Commonwealth Company, Inc., its successors and assigns, of any material or product the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized, in writing, by the War Production Board, nor shall The Shields-Commonwealth Company, Inc., its successors and assigns, accept delivery of any such material, unless hereafter specifically authorized, in writing, by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve the Shields-Commonwealth Company, Inc., 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 upon issuance, and shall expire on April 18, 1944.

Issued this 18th day of February 1944.

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

[F. R. Doc. 44-2414; Filed, February 18, 1944; 5:15 p. m.]