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shall be paid at the same piece rate as other laborers.

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

Done at Washington, D. C., this 19th day of April 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-5548; Filed, April 19, 1944; 11:25 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 36—CLAIMS AGAINST THE UNITED STATES

MUSTERING-OUT PAYMENTS

Section 36.75 is added as follows:

§ 36.75 *Claims of surviving spouse, child or children, or parents for mustering-out payment*—(a) *General*. (1) The Mustering-Out Payment Act of 1944, Public Law 225—78th Congress, provides for payment of a mustering-out payment to each member of the armed forces who shall have been engaged in active serv-

ice in the present war, and who is discharged or relieved from active service under honorable conditions on or after 7 December 1941, with certain exceptions stated in the Act.

(2) If any member of the armed forces, after his discharge or relief from active service, dies before receiving any portion or the full amount of his mustering-out payment, the balance of the amount due him will be payable, on appropriate application therefor, to the surviving spouse, if any; and if there is no surviving spouse, then in equal shares to his child or children, if any; and if there is no surviving spouse, child or children, then in equal shares to the surviving parents, if any. Mustering-out payment will not be made to any person other than the surviving spouse, child or children, or parents in the order stated. The term "spouse" means a lawful wife or husband. The term "child" includes a legitimate child; a child legally adopted; and a stepchild, if, at the time of death of the member of the armed forces, such stepchild was a member of the deceased's household. The term "parent" includes father and mother, stepfather and stepmother, and father and mother through adoption.

(b) *Payments to survivors*—(1) *General*—(i) *By whom made*. All mustering-out payments to survivors will be made by the Finance Officer, U. S. Army, Washington 25, D. C.

(ii) *Necessity for application*. No mustering-out payment shall be made to any survivor without an appropriate written application therefor.

(iii) *Definition of "balance of amount due"*. The words, "balance of amount due," contained in section 4 of the above-mentioned act shall be construed to mean the full sum remaining unpaid to the veteran at the time of his death, and such sum shall be payable to a qualified survivor in a lump sum and not on an installment basis. For example, if a veteran entitled to a mustering-out payment of \$300 shall die after receipt of the initial installment of \$100, the sum of \$200 shall be payable immediately to the qualified survivor.

(iv) *Payments to personal representatives not authorized*. No mustering-out payment shall be made to the executor, administrator, or other person representing the veteran or any survivor, except as provided in subdivision (v) of this subparagraph.

(v) *Payments to guardians and committees of survivors*. Where a survivor otherwise entitled to mustering-out payment is prevented from applying for and/or receiving such payment because of minority or mental incompetency, an application may be received from and payment made to the guardian or committee of such survivor. In such case, the check covering the payment will name the payee thereof as follows: "Richard Roe, Guardian for John Doe," or "Richard Roe, Committee for John Doe," as appropriate. All mustering-out payments to the guardians and committees of survivors will be made by the

Finance Officer, U. S. Army, Washington 25, D. C.

(2) *Payments to a spouse*. Mustering-out payment shall be made to the spouse of a deceased veteran who is otherwise entitled thereto only if such spouse shall have survived the veteran, and have submitted an appropriate application therefor.

(3) *Payments to a child or children*. Mustering-out payment shall be made to the child (or children) of a deceased veteran who is otherwise entitled thereto, only if such child (or children) shall have survived the veteran, have submitted an appropriate application therefor, and the veteran shall not have been survived by a spouse.

(4) *Payment to a parent or parents*. (i) The word "parents" as used in section 4 of the act shall be construed to mean either the sole surviving parent or the surviving parents of the deceased veteran. Mustering-out payment shall be made to the parent (or parents) of a deceased veteran who is otherwise entitled thereto, only if such parent (or parents) shall have survived the veteran, have submitted an appropriate application therefor, the veteran shall not have been survived by a spouse, and the veteran shall not have been survived by a child (or children).

(ii) Natural parents of the veteran are not entitled to mustering-out payments where the veteran had been legally adopted to his death. Payments may be made by the designated disbursing officer to natural parents, step-parents where natural parents are deceased, and to adoptive parents even though natural parents may be living, if otherwise entitled thereto. Where payments to two parents are to be made, separate checks will be drawn in favor of each parent, or the guardian or committee of such parent, if appropriate.

(iii) Persons who stood in loco parentis to the deceased veteran are not entitled to mustering-out payment. (Act of 3 February 1944, Public Law 225—78th Congress) [Pars. 1 and 6, W. D. Cir. 50, 4 February 1944, and Par. 4, W.D. Cir. 133, 11 April 1944]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-5519; Filed, April 18, 1944; 4:54 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Amdt. 60-5]

PART 60—AIR TRAFFIC RULES

RANGE APPROACH CHANNEL

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 17th day of April 1944.

Effective April 17, 1944, § 60.115 of the Civil Air Regulations is amended to read as follows:

§ 60.115 *Range approach channel.* A standard range approach channel as designated by the Administrator is the air space above the ground or water below 17,000 feet above sea level located within 2 miles of the center line of the on-course signal of any leg of a radio range station and extending along such leg between points 2 and 15 miles from the radio range station, exclusive of control zones: *Provided*, That such range approach channels may be modified or extended by the Administrator when he deems it necessary in the interest of safety.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-5524; Filed, April 19, 1944;
11:03 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

PRESERVATION OF RECORDS, BOOKS AND OTHER DOCUMENTS BY REGISTERED INVESTMENT COMPANIES, ETC.

Adoption of rules relating to period or periods for which records, books, and other documents shall be preserved by registered investment companies and others.

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Investment Company Act of 1940, particularly sections 31 (a) and 38 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and the purposes fairly intended by the policy and provisions of the act, hereby adopts § 270.31 a-1 [Rule N-31A-1] and § 270.31a-2 [Rule N-31A-2] to read as follows:

§ 270.31a-1 *Records to be preserved by registered investment companies and certain majority-owned subsidiaries thereof.* (a) Every registered investment company, and every underwriter, broker, dealer or investment adviser which is a majority-owned subsidiary of such a company, shall maintain and preserve, for the period hereinafter specified, such records, books, and other documents as constitute the record forming the basis for financial statements required to be filed pursuant to section 30 of the Investment Company Act of 1940 (54 Stat. 836; U.S.C. 80a-30), and of the auditor's certificate relating thereto.

(b) Every such company or majority-owned subsidiary enumerated in paragraph (a) shall:

(1) Preserve permanently (i) all general and auxiliary ledgers (or other records reflecting asset, liability, reserve, capital, income and expense accounts); (ii) all general and special journals (or other records forming the basis for entries in such ledgers); and (iii) all minute books; and

(2) Preserve for a period of not less than six years all vouchers, memoranda, correspondence, and other documents required by paragraph (a) to be maintained and not enumerated in paragraph (b) (1).

(c) Notwithstanding the provisions of paragraph (b):

(1) After a record, book or other document has been preserved for three years, a photograph or film thereof may be substituted therefor for the balance of the required time; and

(2) Any record, book or other document may be destroyed in accordance with a plan previously submitted to and approved by the Commission. A plan shall be deemed to have been approved by the Commission if notice to the contrary has not been received within 90 days after submission of the plan to the Commission.

§ 270.31a-2 *Records to be preserved by other persons having transactions with registered investment companies.* (a) Every investment adviser not a majority-owned subsidiary of, and every depositor of, any registered investment company, and every principal underwriter for any registered investment company other than a closed-end company, shall maintain and preserve for a period of not less than six years such records, books, and other documents as are necessary or appropriate to record such person's transactions with such registered company.

(b) Notwithstanding the provisions of paragraph (a):

(1) After a record, book or other document has been preserved for three years, a photograph or film thereof may be substituted therefor for the balance of the required time; and

(2) Any record, book or other document may be destroyed in accordance with a plan previously submitted to and approved by the Commission. A plan shall be deemed to have been approved by the Commission if notice to the contrary has not been received within 90 days after submission of the plan to the Commission.

(Sec. 31, 54 Stat. 838; 15 U.S.C. 80a-31; Sec. 38, 54 Stat. 841; 15 U.S.C. 80a-38) [General Rules and Regulations, Rules N-31A-1 and N-31A-2 effective April 17, 1944]

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-5531; Filed, April 19, 1944;
11:27 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 3]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS IN POTATOES IN SAN JOAQUIN AND CUYAMA VALLEYS, CALIF.

§ 1102.3 *Wages of workers engaged in the picking up of early potatoes in the*

San Joaquin and Cuyama Valleys, State of California. Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139, 16702) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in the picking up of early potatoes in those portions of the counties of Kern, Kings, Tulare, Fresno, Madera and Merced, State of California, which lie within the San Joaquin Valley proper and in those portions of the counties of Santa Barbara, San Luis Obispo, Ventura and Kern counties, State of California, which lie within the Cuyama Valley proper, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139) as amended on December 9, 1943 (8 F.R. 16702).

(b) *Wage rates; maximum wage rates for harvesting early potatoes.* (1) Wage rates for picking up of early potatoes:

(i) Picking up early potatoes:

(a) Piece-work rate—12¢ per hundred pounds net weight of potatoes

(b) Hourly rate—70¢ per hour

(c) *Definitions.* (1) When used in this specific wage ceiling the term "early potatoes" means potatoes normally harvested during the months of April, May, June and July in the area described in paragraph (a) hereof.

(2) The term "net weight" means the weight of the potatoes after deducting the weight of the sack or other container, and other extraneous matter.

(d) *Administration.* The California WFA Wage Board located at 2288 Fulton Street, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the Specific Wage Ceiling Regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(e) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 3 shall be deemed to be a part of the Specific Wage Ceiling Regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and any violation of this specific wage ceiling regulation No. 3 shall constitute a violation of such Specific Wage Ceiling Regulations.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702; regulations of the War Food Administrator, 9 F.R. 655, 9 F.R. 831)

Issued this 18th day of April 1944.

WILSON R. BUIE,
Acting Director, Office of Labor,
War Food Administration.

[F. R. Doc. 44-5551; Filed, April 19, 1944;
11:25 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 161]

PART 811—BLANKET LICENSE "BLT"

Subchapter B—Export Control is hereby amended by adding thereto Part 811 as follows:

§ 811.1 *Definitions.* When used in this part:

(a) "Blanket license" shall mean a document issued by the Requirements and Supply Branch authorizing the exportation by the licensee of the commodities described in such document to two or more consignees or purchasers in a single country.

§ 811.2 *General provisions.* (a) Applications for blanket licenses shall be made on the form or forms and in the manner prescribed by the Requirements and Supply Branch. Each application for such a license shall bear the following legend:

Application is hereby made to permit the applicant named above to export from the United States to the purchasers and consignees designated on the attached list the articles and materials described, in the quantity given: *Provided* That the aggregate quantity of all such exports to the purchasers and consignees named therein does not exceed the total quantity for which the license is granted. This will certify that we have firm orders on hand from the purchasers listed at least equal to the quantity applied for on this license.

(b) When an application for blanket license is submitted, permission to export to one or more of the consignees and purchasers named may be refused by blocking out the name of the consignee and purchaser with respect to whom the application has been denied. In such case the license shall be valid only for shipments to the remaining approved consignees and purchasers.

(c) When duly validated or approved by the Requirements and Supply Branch, a blanket license authorizes the exportation to any of the consignees and purchasers named therein, or in a list attached and made a part thereof, the commodity or commodities therein described, provided that the aggregate quantity of all exports under such license to the consignees and purchasers named therein, or in a list made a part thereof, does not exceed the total quantity for which the license has been granted. Such exportation shall be permitted notwithstanding any conflicting provisions in the terms, conditions or provisions of the form on which the application for a blanket license has been made.

(d) Insofar as consistent with the provisions of this part, all of the provisions of Part 804—Individual Licenses, shall apply equally to applications filed for blanket licenses and blanket licenses issued under the provisions of this Part.

(e) A person exporting any commodity pursuant to any blanket license shall

enter the symbol "BLT" and the number of the license on each Shipper's Export Declaration filed with the United States Collector of Customs at the port of exit or with the United States Postmaster at the place of mailing at the time of each exportation under such license.

(f) The blanket license procedure shall apply only to the following commodities for export to destinations in general license country group V, as set forth in § 802.3 (a) of this subchapter.

Commodity	Schedule B No.
Abrasives:	
Steel wool.....	5413.00
Brass and bronze:	
Blow torches.....	6479.93
Bolts, machine screws, nuts, washers (except railroad).....	6479.93
Pipe fittings.....	6454.30
Wood screws (whether or not plated).....	6459.00
Electrical machinery and apparatus:	
Airport beacons and searchlights (exclude anti-aircraft searchlights).....	7066.00
Batteries, dry, multiple cells, except flashlight batteries (include earphone batteries).....	7017.00
Batteries, flashlight batteries.....	7016.00
Batteries, No. 6 dry-cell batteries.....	7015.00
Batteries, other dry-cell primary batteries (exclude wet cell batteries).....	7018.00
Capacitors.....	7079.01, 7079.93, 7031.93, 7076.93
Electric soldering irons.....	7074.90
Flashlight cases.....	7069.00
Floodlights.....	7067.00
Fuse plugs under 2300 volts, containing mica.....	7034.05
Fuse plugs under 2300 volts, other.....	7034.93
Radio receiving tubes.....	7078.05 7078.93 7079.93 7076.93
Resistors.....	
Iron and steel manufactures—cutlery:	
Pruning, grass, hedge and sheep shears, machetes and cane knives.....	6119.00
Razors, safety.....	6112.00
Razor blades, safety.....	6113.00
Scissors, shears & snips (report tinners snips in 6170.00).....	6114.00
Table cutlery, including forks (report table cutlery made of or plated with precious metals in 6955.00-6959.00).....	6115.00
Iron and steel manufactures—nails and bolts:	
Bolts, machine screws, nuts, rivets and washers (except railroad).....	6039.00
Iron and steel manufactures—stoves:	
Coal and wood cooking and room-heating stoves.....	6139.00
Gas stoves, ranges, and room and water heaters.....	6143.00
Gasoline stoves and room and water heaters.....	6146.00
Kerosene cooking stoves.....	6144.00
Kerosene room and water heaters.....	6145.00
Parts of gas, kerosene, and gasoline stoves and heaters (include cabinets, ovens, mounted wicks, etc.).....	6147.93
Iron and steel manufactures—Tools:	
Augers, bits, gimlets, gimlet bits, and countersinks, woodworking.....	6157.10
Axes (Broad and hand).....	6153.00
Band, pit, drag and mill saws (woodworking).....	6155.20
Circular saws, except diamond (not metalworking).....	6155.18

Commodity	Schedule B No.
Iron and steel manufactures—Tools—Continued.	
Crosscut, hand, hack and other saws and parts (include saw teeth, hack saw frames and coping saw blades).....	6159.93
Files and rasps.....	6153.10, 6153.50
Hand hoes, rakes and forks.....	6161.00
Hand operated bit braces and parts woodworking.....	6157.10
Hand tools and parts n. e. s. (include heavy forged tools, non-electric soldering irons, metal measuring tapes and rules, trowels and other tools n. e. s.).....	6178.93
Hammers: carpenters, caulking, claw, blacksmiths, stonecutting (exclude mechanics hand service hammers).....	6160.00
Hatchets.....	6160.00
Hay and manure forks.....	6159.00
Planes, chisels, gauges, and other hand operated cutting tools and parts (report metal-cutting tools in 6170.00).....	6178.10
Shovels, spades, scoops and drainage tools.....	6162.00
Vices, household and woodworkers.....	6163.00
Iron and steel manufactures—Tubular products:	
Pipe fittings—steel.....	6077.93
Iron and steel manufactures—Miscellaneous:	
Blow torches.....	6259.93
Wood screws.....	6200.00
Machinery—Industrial:	
Fluid milk shipping containers, commercial.....	7593.00
Machinery—Printing and bookbinding:	
Repair parts for bookbinding machinery.....	7793.00
Repair parts for printing and typesetting machinery.....	7795.00
Miscellaneous:	
Beverage crowns, metal.....	9360.00
Office supplies, miscellaneous:	
Fountain and stylographic pens of plastic materials (cellulose acetate, nitro-cellulose and synthetic resins).....	9369.00
Fountain and stylographic pens, other, n. e. s.....	9310.00
Pen points, metallic (report gold in 6337.00).....	9315.00
Pencils, mechanical, of plastic materials (cellulose acetate, nitro-cellulose and synthetic resins).....	9301.00
Pencils, mechanical, of other materials, n. e. s.....	9302.00
Pencils, not mechanical, of black lead.....	9304.10
Pencils, not mechanical, other n. e. s.....	9304.20
Precious metals:	
Silver plated knives, forks, and steak sets.....	6958.00
Silver plated ware, others, including tableware, ornamental silverware and manufactures, n. e. s.....	6959.00
Sterling and other solid silverware knives, forks and steak sets.....	6955.00
Sterling and other solid silverware; others, including tableware, ornamental silverware, silver solder and manufactures, n. e. s.....	6955.00
Valves:	
Aluminum valves 4" or larger, piping system.....	6309.07
Brass or bronze valves 4" or larger, piping system.....	6454.57
Brass or bronze valves under 4", piping system.....	6454.53
Copper valves 4" or larger, piping system.....	6439.07

Commodity

Valves—Continued.	<i>Schedule B No.</i>
Iron or steel body valves for steam, water, oil and gas.....	7745.98
Steel valves, piping system.....	7745.05
Vehicles, miscellaneous:	
Wheelbarrows	7991.00

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9361; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: April 19, 1944.

S. H. LEBENSBURGER,
Director,

Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-5520; Filed, April 19, 1944;
9:47 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

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

PART 1010—SUSPENSION ORDERS

[Suspension Order S-487, Amdt. 1]

SUGARMAN-MOORE CO., INC.

Sugarman-Moore Company, Inc. has appealed from the suspension order upon the grounds of hardship. The Chief Compliance Commissioner has reviewed the case, and has concluded that undue hardship will result unless the suspension order is modified. He therefore, on April 11, 1944, directed that the suspension order be amended to expire on April 17, 1944, instead of May 17, 1944.

In view of the foregoing, it is hereby ordered, that § 1010.487 *Suspension Order S-487*, issued February 10, 1944, be, and hereby is, amended by the substitution of the following paragraph (d) for the present paragraph (d):

(d) This order shall take effect on February 17, 1944, and shall expire on April 17, 1944.

Issued this 17th day of April 1944.

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

[F. R. Doc. 44-5458; Filed, April 17, 1944;
4:25 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41 as Amended
Apr. 19, 1944]

§ 1075.1 *Conservation Order L-41—(a)*
What this order does. This order limits construction. It is necessary in order to conserve materials, construction equipment, labor and transportation. In most cases, except where the construction is of a special kind, you must get permission from the War Production Board for construction. This permission (sometimes

called "authorization to begin construction") must not be confused with preference ratings or priorities. If a construction job is allowed, either because it is not of the kind restricted by this order or because permission has been obtained, it may still be necessary to get preference ratings for the materials and fixtures which are needed. On the other hand, if you have ratings for materials, or materials on hand, you may still have to get permission to use them for a particular construction job.

(b) *What is meant by construction.* Construction covered by this order includes putting up or altering any sort of a structure, including a building, road, bridge, dam, sewer, and similar jobs; also the installing of equipment or fixtures. Certain special kinds of construction are excepted, as explained in paragraphs (c) and (d) below.

(c) *How much construction is allowed without getting permission.* You need not get permission under this order for construction which does not total more than the limits shown in the following list for all jobs begun in the same year. For an explanation of how to figure "cost," see paragraph (i). If a utility connection will be required (electricity, gas, water, steam or telephone), it may be necessary to get War Production Board approval for the connection. If so, approval for the connection must be obtained *before* beginning construction, even if the cost of construction comes within the limits. The limits for all jobs begun in the same year are as follows:

(1) \$200 for a house, including the entire residential property.

(2) \$1,000 for a farm including the farm houses. However not more than \$200 of this sum may be spent on any farm house on the farm. A "farm" means a place used primarily for raising crops, livestock, dairy products, poultry, etc., for the market.

(3) \$1,000 for a hotel, apartment building or other residence for six or more families. Any residence for five or less families is considered a house under (1) above.

(4) \$200 for an office, bank, store, laundry, garage, restaurant, or other retail service establishment, except that the limit is \$1,000 for a unit containing more than five establishments of this kind.

(5) \$1,000 for a church, hospital, school, college, public playground for children, or for a publicly owned building or group of buildings used for public purposes.

(6) \$1,000 for a bridge, overpass, underpass, tunnel, dock, pier, airport, bus terminal or for a railroad or street railway building or group of buildings.

(7) \$1,000 for an irrigation or drainage system serving more than one farm.

(8) \$1,000 for a building or group of buildings which will be used for warehouse or for off-farm storage purposes.

(9) \$1,000 for all monuments and structures on the same cemetery lot or for all cemetery buildings or structures in the same cemetery.

(10) \$1,000 for a military exchange situated on a reservation of the Army or Navy.

(11) \$1,000 for a building or group of buildings which will be used directly in furnishing any of the electric, gas, water or heating utility services listed in paragraph (a) (1) of Order U-1, and which will be owned by a utility producer as defined in that paragraph, or which will be used directly in furnishing communication services and which will be owned by an operator

as defined in paragraph (a) (1) of Order U-2, or in paragraph (a) (1) of Order U-6, or which will be used directly for a sewage system and owned by a sewage system operator as defined in Order P-141.

(12) \$5,000 for a factory, plant or other industrial unit which is used for the manufacture, processing or assembling of any goods, except that the limit is \$200 if the goods are listed on Schedule A at the end of this order or if the productive floor area of the unit upon completion of construction is less than 10,000 square feet.

(13) \$200 for any other kind of construction.

(d) *Special kinds of construction which do not require permission.* It is not necessary to get War Production Board permission under this order for the following kinds of construction, and the cost of such construction need not be charged against the cost limits stated in paragraph (c).

(1) Maintenance and repair; that is, work necessary to keep a building or structure in sound working condition or fix it when it has become unsafe or unfit for service because of wear and tear; also the minimum work necessary to prevent more damage to a building or structure (or its contents) which has been damaged by fire, flood, tornado, earthquake, acts of war, or the like. Changes in material are permitted in doing maintenance and repair work. Additions, structural alterations, or the completion of unfinished parts of buildings are not considered maintenance and repair. Rebuilding or restoring after damage caused by fire, flood, tornado, earthquake, acts of war, or the like, is not permitted as maintenance and repair, but is permitted in some cases as explained below.

(2) The rebuilding or restoring of a house (including a farm house) or other residential building damaged or destroyed after July 1, 1943, by fire, flood, tornado, earthquake, acts of war, or the like, if the cost of rebuilding or restoring is less than \$5,000.

(3) The rebuilding or restoring of farm buildings damaged or destroyed by fire, flood, tornado, earthquake, acts of war, or the like, if the cost of rebuilding or restoring is less than \$5,000, where the immediate reconstruction is determined by the United States Department of Agriculture to be essential to the agricultural program.

(4) The rebuilding or restoring of a building or structure damaged or destroyed by disaster, where the Red Cross has been given priority assistance to restore the disaster area, and where the rebuilding or restoring has been determined by the Red Cross to be essential.

(5) Construction necessary to prevent threatened loss of farm products, where immediate construction is determined by the United States Department of Agriculture to be essential to the agricultural program.

(6) Construction owned by the United States Army, Navy, Maritime Commission, War Shipping Administration, Coast Guard, Marine Corps, Civil Aeronautics Authority, Coast and Geodetic Survey, or Panama Canal.

(7) Insulating buildings with materials such as storm windows and doors,

pipe covering, loose fill, blanket or bat insulation, plain or granule surfaced rigid insulation, and weather stripping.

(8) [Deleted Mar. 7, 1944]

(9) Grading, ditch-digging or similar earth-moving operations, if no cement, lumber or other building materials are used, except clay tile and non-reinforced concrete pipe.

(10) Various kinds of construction connected with farms, public roads, railroad tracks, utilities, mines, smelters, wells, the petroleum industry, the lumber industry, the chemical industry, steel mills, broadcasting facilities and laboratories, as described in Schedule B.

(11) A construction job which began before this order originally became effective (April 9, 1942), or at a time when the job was not limited by this order, and has gone on without interruption.

(12) Construction jobs which are classed as minor capital additions under CMP Regulation No. 5 or under CMP Regulation No. 5A. This exception applies only to:

(i) Additions to factories, plants and other industrial units which will have a productive floor area of 10,000 square feet or more, and which are for the manufacturing, processing or assembling of goods which are not listed in Schedule A.

(ii) Hospitals.

(e) *All other construction forbidden without WPB permission.* No person shall do any construction which has not been permitted by the War Production Board, unless it is of a kind described in paragraph (c) or (d) above. This prohibition applies to a person who does his own construction work, to one who gets a contractor to do it for him, and to any contractor or subcontractor who works on the job or gets others to work on it. It also applies to any supplier who furnishes material for the job if he knows or has reason to know that the construction has not been permitted.

(f) *How to apply for permission.* (1) Schedule C at the end of this order shows the various types of application forms, and where they should be filed.

(2) In case of emergency, application may be made by wire or in person instead of on a printed form. It must be made to the office in which a written application for the same construction should be filed. The following information must be given:

(i) Cause of the emergency (fire, flood, etc.).

(ii) What the building or structure is used for.

(iii) Type of construction.

(iv) Why immediate construction is necessary.

(v) Estimated cost of construction.

(g) *Preference rating includes permission in some cases only.* There are some forms of preference rating orders and certificates which are issued or have been issued for special kinds of construction and which include permission for construction although they do not say so. These are listed in Schedule D at the end of this order. In all other cases, a preference rating is not enough, unless the instrument which assigns the

rating also states that construction is permitted under this order.

(h) *Other restrictions on use of some items.* Permission for construction or the exception of any construction from this order does not relieve any one from complying with the various WPB orders or directives which restrict the use of copper and other scarce materials or fixtures. If you do not know about these restrictions, consult the nearest War Production Board District Office.

(i) *How to figure cost.* (1) For the purpose of determining whether a construction job may be started without getting permission from the War Production Board, "cost" means the cost of the whole construction job as estimated at the time of beginning construction, except that the cost of used material or used fixtures may be disregarded.

(2) If any materials or fixtures which have not been used are obtained without buying them, their value must be included as part of the cost.

(3) The cost of processing machinery or equipment need not be included but the cost of installing it and the cost of plumbing, heating, and air conditioning equipment and of all other equipment not used directly in the processing of materials must be included.

(4) The cost of labor must be included, but if labor is unpaid its value need not be included. Contractors' fees also must be included but architects' and engineers' fees need not be.

(5) All construction on the same unit must be included. The word "unit" means any group of buildings or structures (including roadways, pipelines, etc.) which are situated near to each other, and which serve the same general purpose, or closely related purposes. For example, each of the following is a unit: a house, together with a detached garage, tennis court, swimming pool, etc.; a farm, including the farm house, barn, hen house, dairy, etc.; a manufacturing plant with a number of buildings used for the same or different processes, together with administration buildings, cafeterias, etc. In no case may a single building or structure be treated as more than one unit.

(6) The cost per year must be determined on a calendar year basis, beginning with January 1, 1943, except that a company which regularly keeps its books on a fiscal year basis may use the fiscal year.

(j) *Penalties for 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 any further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 19th day of April 1944.

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

SCHEDULE A

This schedule is referred to in paragraphs (c) (12) and (d) (12). In the case of a unit principally designed for the manufacture, processing or assembling of any of the following articles, the cost limit is \$200 in any one year without getting permission:

(i) Athletic supplies, sporting goods, or toys or games.

(ii) Beverages, except milk.

(iii) Books, magazines, newspapers, greeting cards, or other printed or engraved matter.

(iv) Candy or chewing gum.

(v) Cigars, cigarettes, smoking or chewing tobacco or snuff.

(vi) Jewelry, watches, luggage, brushes, razors, pipes, and like articles for personal use or adornment.

(vii) Furniture, store fixtures, bathroom fixtures, bowling alleys and the like.

(viii) Silverware, woodenware, household electrical appliances, draperies, rugs, and all other household appliances and equipment, but not including china and glassware.

(ix) Musical instruments.

(x) Stationery or office supplies.

(xi) Toiletries or cosmetic products.

(xii) Wearing apparel of every sort, except for the Army or Navy and their auxiliaries, and except safety equipment or safety clothing as defined in Order I-114.

SCHEDULE B

Permission under this order is not necessary for the following kinds of construction which are referred to generally in paragraph (d) (10).

1. Construction on structures which are to be used directly in the discovery, development or depletion of mineral deposits; also maintenance work, repairs and minor capital additions given priorities assistance under order P-56 (relating to mines and smelters).

2. Construction which is regulated by any petroleum administrative order issued by the Petroleum Administrator for War. (Construction of this kind is permitted only to the extent authorized by the applicable petroleum administrative order.)

3. Construction of telephone and telegraph facilities or equipment, other than buildings, if authorized or permitted under the terms of Order U-2 (§ 4501.1) or Order U-6 (§ 4501.21).

4. Laying of railroad tracks, together with the construction of necessary railroad operating facilities; also the construction of tunnels, overpasses, underpasses or bridges where the cost of material to be incorporated (excluding labor costs) is \$2,500 or less. The above types of construction are controlled by Order P-142. The construction of tunnels, overpasses, underpasses, or bridges where the material cost is more than \$2,500 and the construction of railroad stations, warehouses, loading platforms and other similar structures are not excepted by this paragraph.

5. Construction of facilities (other than buildings) which will be used directly in furnishing any of the electric, gas, water or heating utility services listed in paragraph (a) (1) of Order U-1 and which will be owned by a utility "producer" as defined in that paragraph.

6. Construction of facilities (other than buildings) which will be used directly for a sewerage system and will be owned by a sewerage system "operator" as defined in Order P-141.

7. Installation or erection of rationed farm machinery, or mechanical equipment, which has been obtained on a purchase certificate issued by a County Farm Rationing Committee under Food Production Order 14 of the War Food Administration, or of wire fencing which has been obtained on P.R. 19 certifi-

cation, also the erection of farm silos which have been manufactured by a producer as defined in Order L-257.

8. Drilling and casing of water wells, but excluding any use of pipe to conduct water on the surface.

9. Use by any logger or lumber manufacturer of lumber, nails, gravel, or clay products in construction needed to change the site of logging or lumbering operations.

10. Construction which is given priorities assistance under Order P-89 (relating to facilities for the manufacture of chemicals).

11. Construction which is given priorities

assistance under Order P-68 (relating to facilities for the manufacture of steel).

12. Rearrangement or expansion of facilities and equipment, other than buildings, by an international point-to-point radio communication carrier to the extent that priorities assistance is granted under P-133 for such work.

13. Construction which is given priorities assistance under Order P-43 (relating to laboratories).

14. Construction of public highways and public streets owned by a Government Agency (construction of this kind is controlled by Order L-41-e).

SCHEDULE O

NOTE: Schedule C amended in its entirety Apr. 19, 1944. Application forms to be used in obtaining permission to begin construction under L-41 and where to file them, unless otherwise instructed. These forms are to be used whether or not priorities assistance or controlled material allotments are required.

Types of construction	Application form	Where filed
Farm construction, including farm dwellings.....	WPB-617 (formerly PD-200).	County Agricultural Conservation Committee having jurisdiction over the site.
Housing, except farm housing and hotels.....	WPB-2866 (formerly PD-105).	FHA Field Office having jurisdiction over the site.
Public roads.....	PR 1 PA.....	State Highway Department having jurisdiction over the site.
Water, gas, steam, electricity, telegraph or telephone facilities for use by public.	WPB-2774.....	WPB, Washington, D. C..
All other construction restricted under L-41.....	WPB-617 (formerly PD-200).	Consult instruction form WPB-617.

In cases where Tax Amortization privileges or Defense Plant Corporation financing are requested the application to begin construction, together with the application for Certificate of Necessity, should be filed with the War Production Board, Washington, D. C., rather than as designated above. "Total cost" as used in Schedule C includes the cost or value of used materials and fixtures, processing machinery and equipment and architects' and engineers' fees, although these are not included in "cost" for the purpose of determining how much construction may be done under paragraphs (c) and (d) of L-41 without getting permission under that order.

NOTE: The application forms specified in Schedule C have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SCHEDULE D

NOTE: Schedule D amended Apr. 19, 1944.

The following preference rating orders or certificates are referred to in paragraph (g). If you have received or are entitled to use one of these orders or certificates for your construction, the construction is permitted by the WPB:

- P-19-h..... Relating to projects important to the war effort or essential civilian needs.
- CMPL-224.....
- GA-1456.....
- P-55-c..... Housing.
- WPB-2774..... Relating to utility facilities.
- WPB-542..... Relating to command construction and certain other construction carried on under the supervision of the Armed Services.
- PD-3A.....
- P-14-a.....
- P-14-b.....
- P-19.....
- P-19-a.....
- P-19-d.....
- P-19-e.....
- P-19-g.....
- P-19-l.....
- P-41.....
- P-55-b.....
- P-55-amended..
- P-110.....
- PD-3.....
- CMPL-127.....

INTERPRETATION 1

[Superseded by L-41, as amended November 1, 1943, which incorporates the substance of the interpretation.]

INTERPRETATION 2

Conservation Order L-41 (§ 1075.1) does not apply to the construction or erection of temporary motion picture sets of a kind which

may be stored between the taking of pictures, nor to the incorporation of such temporary sets into permanent sets for the taking of a single motion picture. However it does apply to the construction of permanent outdoor motion picture sets and foundations for sets of a kind which are designed for use in more than a single picture at one location. (Issued Nov. 13, 1943)

INTERPRETATION 3

EARTH-MOVING OPERATIONS

Under the provisions of paragraph (d) § 1075.1 Conservation Order L-41 it is not necessary to get War Production Board permission for construction of a kind consisting of "grading, ditch-digging or similar earth-moving operations if no cement, lumber or other building materials are used except clay tile and non-reinforced concrete pipe." This applies only to projects which can be completed without the use of any other materials. It does not apply to earth-moving operations which are part of a construction job in which other materials will be incorporated before completion. (Issued Nov. 23, 1943)

INTERPRETATION 4

PORTABLE STRUCTURES ON SKIDS

The erection of a portable or pre-fabricated building is construction and, consequently, is limited by Order L-41 whenever the building is either placed on a foundation constructed on the site or is placed on skids in a spot where it is intended to remain for an undetermined time. The only case in which the erection of a portable or pre-fabricated building is not "construction", is when it is placed on what is intended to be a temporary site with the purpose of moving it from time to time and without affixing it to the land by plumbing, public utilities connection, or in any other way. For example, the erection of a portable structure for use as a garage on a house lot is generally construction, but the erection of a shelter to be moved around for use on different parts of a farm from time to time is not construction. (Issued Mar. 24, 1944.)

INTERPRETATION 6

MAINTENANCE AND REPAIR OF SIDINGS

Paragraph (d) (1) of L-41 excepts maintenance and repair work necessary to keep a building or structure in sound working condition. If an existing siding or roof needs repair, the minimum amount of repair work may be done to put the siding or roof in suitable condition. Thus if a siding can be put in proper condition by putting on paint it should be done in this way. If, on the other hand, the siding has so deteriorated that a paint job will not provide adequate protection a new siding may be put on the building. The new siding need not be of the same material as the old siding. This interpretation is not applicable where asbestos materials are used for re-siding or re-roofing as the use of these materials is governed by Order L-41-d. (Issued Apr. 4, 1944.)

DIRECTION 1

[Superseded by Schedule C, as amended, which gives instructions for filing applications]

[F. R. Doc. 44-5534; Filed, April 19, 1944; 11:38 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Direction 2, as Amended Apr. 19, 1944]

INSTALLATION OR RELOCATION OF MACHINERY AND EQUIPMENT

The following direction is issued pursuant to Conservation Order L-41:

(a) *Installing processing machinery or equipment.* It is not necessary to get War Production Board permission under Order L-41 to install any piece of processing machinery or equipment, if the materials needed to install it cost less than \$500 and it is to be installed in a factory, plant or other industrial unit having a productive floor area of 10,000 square feet or more and the processing machinery or equipment is to be used for manufacturing, processing, or assembling goods which are not listed in Schedule A of the order. It does not make any difference how much the processing machinery or equipment costs. The term "processing machinery or equipment" as used in this paragraph means machinery or equipment which is directly used in the manufacture, processing or assembling of a product. It does not include such equipment as plumbing, heating or air conditioning equipment, which is not used directly in the manufacture, processing or assembling of the product.

(b) *Relocating machinery or equipment.* It is not necessary to get War Production Board permission under Order L-41 to relocate any piece of machinery or equipment (whether used for processing or not) in a factory, plant or other industrial unit which does not manufacture, process or assemble goods listed in Schedule A of the order and which has a productive floor area of 10,000 square feet or more, if the machinery or equipment has previously been used in the same plant, and the materials needed to relocate it cost less than \$500. It does not make any difference what the value of the machinery or equipment is. This paragraph does not give a person the right to install a piece of machinery or equipment (whether new or second-hand) which he is installing in his plant for the first time as distinct from relocating machinery or equipment previously used in the same plant.

(c) *Applications.* Where permission to install or relocate machinery is required by Order L-41, application for such permission should be made on the appropriate form indicated on Schedule C of Order L-41. Also, such form should be used in applying for pri-

orities assistance to buy installation materials where they cannot be bought under this direction, even if permission to install or relocate is not required by Order L-41.

(d) This direction does not apply to the installation or relocation of machinery or equipment:

(1) For use in the future manufacture of items which at the time of installation is prohibited by an outstanding order of the War Production Board.

(2) In connection with construction of a kind which is limited by Order L-41. If permission under Order L-41 is required for the job the materials to install any equipment to be installed as part of the job must be obtained under the project authorization and not under this direction.

Issued this 19th day of April 1944.

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

[F. R. Doc. 44-5537; Filed, April 19, 1944;
11:33 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Direction 3, as Amended Apr. 19, 1944]

BLANKET PERMISSION FOR MISCELLANEOUS CONSTRUCTION

The following direction is issued pursuant to Conservation Order L-41:

(a) The War Production Board has been issuing blanket authorizations to applicants permitting them to carry on miscellaneous construction over a fixed period. Instructions as to how to apply for blanket authorizations have been described in WPBI-43 (formerly PDL-362). The need for blanket authorizations has been largely eliminated by the recent transfer of processing of small construction applications to the Field offices, by the simplification of War Production Board procedures under Direction 1 to CMP 6, and by the exception of certain types of minor capital additions under paragraph (d) (12) of L-41. For this reason blanket authorizations will no longer be issued generally but only in cases where it appears that the filing of individual project applications will interfere with the war effort or cause extreme hardship.

(b) In these circumstances applications for blanket authorization may be made on form WPE-617. Separate applications must be made for each "unit" as defined in paragraph (1) (5) of L-41. The applicant will prepare his application in the same way he would prepare an application to do a single job and in accordance with the instructions to form WPE-617. The need for a blanket authorization must be firmly established.

(c) Blanket authorizations will permit the builder to do miscellaneous routine construction but no materials may be acquired or used contrary to the Limitations which will be made a part of the authorization. In the case of equipment items which must be listed on the application, the builder may use only those which are specifically approved. The use of such items or deviations from the Construction Limitations will be approved only in exceptional cases. The applicant will be permitted to use the allotment symbol F-6 and the rating assigned for the procurement of material. While the blanket authorization will cover a number of jobs, no one job costing more than \$10,000 will be authorized, and in certain cases a lower cost limit per job may

be fixed. No reports of materials used will be required. No job for which tax amortization privileges will be requested may be included in a blanket application. A separate application should be filed for each such job at the time the request for tax amortization is made.

(d) This direction supercedes WPBI-43 (formerly PDL-362).

Issued this 19th day of April 1944.

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

[F. R. Doc. 44-5536; Filed, April 19, 1944;
11:33 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Interpretation 5, as Amended Apr. 19, 1944]

DISTINCTION BETWEEN RESIDENTIAL AND FARM CONSTRUCTION

The following interpretation is issued with respect to Conservation Order L-41:

Under the terms of paragraph (c) (1) of L-41 not more than \$200 may be spent on a house, including the entire residential property, over a year's period. Under paragraph (c) (2) of that order not more than \$1,000 may be spent on a farm, "including the farm houses," and no more than \$200 on any farm house on the farm. A property is not necessarily a "farm" because farm products are produced on it but only if it is used primarily for the raising of crops, livestock, dairy products, poultry, etc., for the market.

Issued this 19th day of April 1944.

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

[F. R. Doc. 44-5536; Filed, April 19, 1944;
11:33 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41-e]

PUBLIC HIGHWAYS AND STREET CONSTRUCTION

§ 1075.16 Conservation Order L-41-e²

(a) *What this order does.* The basic order, Conservation Order L-41, limits all types of construction work. This order, L-41-e, is a special adaptation written to apply specifically to public highway and street construction in attaining the objective of the basic order L-41; namely, the conservation of materials, construction equipment, labor and transportation. The governmental agency responsible for the proposed construction must get permission from the War Production Board to begin the work, unless it is of a kind which does not require permission, as described below in paragraphs (c) and (d). This permission, generally known as an "authorization to begin construction", should not be confused with preference ratings or priorities. If a road project is allowed, either because it is not of the kind restricted by this order or because permission has been obtained, it may still be necessary to get preference ratings and allotments for certain materials which will be required. On the other hand, if preference ratings have been obtained or if materials are on hand, it may still be necessary to get permission to begin construction of the project.

(b) *What is meant by the construction of a public highway or street.* A public highway or street is one which is open to the public and which is constructed and maintained by any Federal, State, territorial, county, city, district or other governmental agency. Construction of a highway or street includes the grading, draining and surfacing of the highway or street; erecting of bridges, grade separation structures, culverts, storm drains and similar structures; installing safety and control devices; and constructing curbs, gutters, sidewalks and other appurtenances.

(c) *Maintenance or repair of highways or streets does not require authorization.* It is not necessary to get permission from the War Production Board to perform maintenance and repair work on highways and streets. The kind of work which may be classed as maintenance and repair is as follows:

(1) Maintenance includes only the usual operations necessary from time to time to keep surfaces, shoulders, embankments, slopes, structures, rights-of-way and all appurtenances of a public highway or street in a safe and serviceable condition, such as blading and shaping surfaces and shoulders, cleaning ditches and waterways, patching, and the like.

(2) Repair consists of work necessary to make serviceable a damaged or deteriorated portion of a highway or structure or to restore it to its original condition or the equivalent. It does not mean reconstruction or even replacement. Repair does not include work which represents an improvement or departure from original types of construction. Examples of work which may be classed as repair include the replacement of damaged members or parts of highway bridges or grade separation structures; rehabilitation of deteriorated surfaces on graveled or earth roads, on existing line and grade, by the application of dust palliatives and bituminous preservative treatments; the rehabilitation of deteriorated surfaces on bituminous-surfaced roads, on existing line and grade, to restore such surfaces to their original condition or equivalent, including resurfacing not over 1½ inches in thickness; the rehabilitation of deteriorated surfaces on concrete or brick roads, on existing line and grade, by the application of wearing courses not to exceed 4" in nominal thickness for non-rigid types, or 5" in nominal thickness for rigid types; widening of surfaces where necessary to reduce serious traffic hazard or excessive shoulder maintenance when such widening does not provide additional traffic lanes, or require increase in the width of roadbed. Examples of work which may not be classed as repair include changes in line or grade; reconstruction of foundation, base and surface, except as may be incidental to patching preliminary to resurfacing; widening for the purpose of providing additional traffic lanes, reconstruction or replacement of bridges destroyed by fire or flood or other cause. Maintenance and repair are to be considered in terms of the kind of work to be done and not in terms of the method

of doing it or of financing it. For example, the repair of a bridge floor is a repair operation even though it is done by a contractor and financed from the construction budget. On the other hand, the replacement of an old bridge with a new one is construction, not repair, even though the work is done with repair maintenance forces and is financed with maintenance funds.

(d) *Size and kind of highway and street construction which does not require authorization.* Highway and street construction may be started without specific War Production Board project authorization if the work consists of one or more of the following classes:

(1) A project costing \$5,000 per mile or less providing the aggregate cost of the project does not exceed \$25,000.

(2) A project costing \$10,000 or less.

(3) A project providing access to sources of raw materials as provided for in section 6 of the Defense Highway Act of 1941 (55 Stat. 765, as amended) when such project is certified as essential to the war effort by the War Production Board.

(4) Highway construction owned by the United States Army, Navy, Maritime Commission, War Shipping Administration, Coast Guard, Marine Corps, Civilian Aeronautics Authority, Coast and Geodetic Survey, or Panama Canal.

(e) *All other public highway and street construction forbidden without War Production Board permission.* No person shall do any construction on a public highway or street which has not been permitted by the War Production Board, unless it is of a kind described in paragraphs (c) or (d) above. This prohibition applies to a Governmental Agency which does its own construction work, to one who gets others to do the work for it, and to any contractor or subcontractor who works on the job or gets others to work on it. It also applies to any supplier who furnishes material for the job if he knows or has reason to know that the construction has not been permitted.

(f) *How to apply for authorization.* The governmental agency responsible for the construction should file an application through the State Highway Department. This application also covers the matter of preference ratings and controlled materials allotments if these are required for the construction. The form is called "Application for Authority to Construct Public Highway or Street, Form PR.1-PA", and copies are obtainable from the State Highway Department or the U. S. Public Roads Administration. Authorizations for road construction will be made on Form GA-1456.

(g) *How to figure cost.* (1) For the purpose of determining whether construction may be started on a highway or street without permission of the War Production Board, cost means the cost of the whole job as estimated at the time of beginning construction, except that the cost of used materials or used fixtures may be disregarded.

(2) If any materials or fixtures which have not been used are obtained without buying them their value must be included as part of the cost.

(3) The cost of labor must be included, but if labor is unpaid its value need not be included. Contractors' fees also must be included, but architects' and engineers' fees need not be, nor need the cost of administration.

(4) The cost of the right-of-way, that is, the amount paid for the land, whether by purchase or condemnation, need not be included.

(5) All construction on the same project must be included. The word "project" includes all contiguous construction. It also includes all jobs on a street or highway between principal intersecting highways or streets. No project may be split into a number of projects to avoid the provisions of this order.

Issued this 19th day of April 1944.

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

[F. R. Doc. 44-5538; Filed, April 19, 1944;
11:33 a. m.]

PART 1079—HEMP SEED

[General Preference Order M-82, Revocation]

Section 1079.1 *General Preference Order M-82* is hereby revoked. This revocation does not affect any liabilities incurred under the order. Delivery, acceptance of delivery and the use of hemp seed shall remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 19th day of April 1944.

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

[F. R. Doc. 44-5539; Filed, April 19, 1944;
11:33 a. m.]

PART 1242—TANTALUM

[General Preference Order M-156, as Amended Apr. 19, 1944]

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

§ 1242.1 *General Preference Order M-156—(a) Definition.* For the purpose of this order:

(1) "Tantalum" means and includes: (i) Ores and concentrates containing tantalum (commercially recognized), and tantalum compounds for further purification or refining; (ii) The element tantalum in pure form, ferro-tantalum, potassium tantalum fluoride, tantalum oxide, and tantalum carbide; (iii) All scrap or secondary material containing commercially recoverable tantalum as defined in (i) and (ii) above, excluding tantalum—and columbium-bearing iron and steel scrap.

(b) *Restrictions on deliveries.* No person, other than Metals Reserve Company or any other corporation organized under section 5 (d) of the Reconstruction Fi-

nance Corporation Act, as amended, or any duly authorized agent of such corporation, shall deliver or accept delivery of tantalum unless specifically authorized by the War Production Board.

(c) *Exceptions.* Any person may, without authorization from the War Production Board:

(1) Deliver tantalum to the Metals Reserve Company or to any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended, or to any duly authorized agent of such corporation.

(2) Deliver during any calendar month not more than 3 kilograms of contained tantalum per person, and any person may accept delivery of such amount. However, the aggregate quantity which any person may deliver in any calendar month without War Production Board authorization shall not exceed 125 kilograms. No person may accept delivery during any calendar month of more than 3 kilograms of contained tantalum from all sources without authorization from the War Production Board.

(d) *Special directives.* The War Production Board may, notwithstanding the other provisions of this order, issue special directives from time to time, as to the quantities of tantalum which may be delivered and the manner in which such deliveries may be made or accepted, as well as special directives as to the quantities of tantalum which may be processed for particular purposes or end uses and the manner in which such processing may be done. The War Production Board may also issue special directives requiring any person seeking to place a purchase order for tantalum to place that order with one or more particular suppliers.

(e) *Applications for authorization for delivery of tantalum.* On or before April 20, 1944, each person desiring to accept delivery of tantalum during May, 1944, shall file application for authorization to do so with the War Production Board on Forms WPB-1097 and 1102 (formerly PD-487 and 486 respectively). Applications for delivery during the months of June and July, 1944, shall be filed on the same forms (WPB-1097 and 1102) on or before May 7, 1944. Applications for delivery during any month after July, 1944, shall be made on or before the 7th day of the second month before the month in which delivery is requested. The War Production Board will return one copy of Form WPB-1097 to the applicant and forward another to the applicant's supplier, on which will be indicated the quantity of tantalum authorized for delivery.

(f) *Reports for processors.* Each person who processes tantalum ores or concentrates shall, on or before the 15th day of May, 1944, and thereafter on the 15th day of each succeeding month, file with the War Production Board, Washington, D. C., a report on Form WPB-1098 (formerly PD-489) stating separately:

(1) His past production, receipts, consumption and shipments of materials and ores or concentrates during the previous calendar month, and

(2) His expected production, receipts, consumption and shipments of materials

and ores or concentrates during the second month following the month in which the report is filed.

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

(i) *General Imports Order M-63 unaffected.* The provisions of General Imports Order M-63 applicable to tantalum are in no way affected by this Order M-156.

(j) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. 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) *Communications.* All communications concerning this order shall be addressed to the Mica-Graphite Division, War Production Board, Washington 25, D. C., Reference M-156.

Issued this 19th day of April 1944.

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

[F. R. Doc. 44-5543; Filed, April 19, 1944;
11:34 a. m.]

PART 3208—SCHEDULED PRODUCTS

[Table 11 to General Scheduling Order M-293, Direction 1]

RESCHEDULING OF ORDERS FOR VALVES AND PIPE FITTINGS FOR DESTROYER ESCORT PROGRAM

The following direction is issued pursuant to table 11 to General Scheduling Order M-293:

Shipments of valves and pipe fittings in advance of the required delivery dates have resulted in delays in filling orders for other equally urgent or more urgent programs. In order to effect a more balanced distribution of valves and pipe fittings to the various war programs, this direction is issued.

(1) Manufacturers of valves and pipe fittings are directed to reschedule shipments under all purchase orders for valves and pipe fittings which are identifiable as intended for use in destroyer escort vessels in accordance with the "Schedules of Required Shipping Dates for Ship Piping Systems" issued by the Bureau of Ships, Navy Department, through the Office of the Inspector of Naval Material, now in effect or as they may be revised. These schedules will be made available by the cognizant resident Inspector of Naval Material.

(2) The directions for scheduling given under paragraph (1) above are subject to the following conditions:

(a) This direction does not apply to manufacturers whose schedules are now frozen

under General Scheduling Order M-293. Regional scheduling officers who are administering the frozen schedules will be instructed to issue official schedule changes following the terms of this direction so as to change officially the frozen schedules to correspond to the "Schedules of Required Shipping Dates for Ship Piping Systems", in effect from time to time.

(b) In rearranging his schedules according to the "Schedules of Required Shipping Dates for Ship Piping Systems" a manufacturer whose schedules have not been frozen under M-293 shall be governed by the provisions of Priorities Regulation No. 1. Nothing shall be done which will interfere with the schedule of shipments on other purchase orders not identified with the Destroyer Escort Program which bear equal or higher preference ratings.

Issued this 19th day of April 1944.

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

[F. R. Doc. 44-5541; Filed, April 19, 1944;
11:33 a. m.]

PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Preference Rating Order P-142, as Amended
Apr. 19, 1944]

§ 3216.1 *Preference rating order P-142.* This order explains how "operators" of transportation systems, as defined below, get materials to carry on their operations, and it must be used by them in place of CMP Regulation 5. With a few exceptions, this order gives preference ratings for up to 110% per quarter of each item or group of items specifically authorized for the operator for the first quarter of 1944. Controlled materials (except aluminum and rail and track accessories) are allotted on the same basis. This means that, in most cases, quarterly applications on Form WPB-2585 are no longer necessary, but material may be scheduled for delivery on the new basis only three quarters in advance. Use of the ratings and allotments is explained in the order.

Definitions

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

(1) "Transportation system" means a steam railroad, an electric railroad, a terminal railroad, a switching railroad, a private car line company, a rapid transit system, an electric street railway system, a trolley coach system, or a common carrier passenger motor bus system.

(2) "Operator" means any person to the extent that he is engaged in the business of transporting passengers or property over a transportation system. The term does not include any person who can obtain all of his controlled material requirements at retail, or from warehouses or distributors under the provisions of CMP Regulation 4, and who has not elected to operate under this Order P-142 pursuant to paragraph (k) (1); such person must continue to operate under the provisions of CMP Regulation 5 and all other applicable regulations.

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

(4) "Controlled material" means steel, copper and aluminum in the forms and shapes indicated in Schedule I of CMP Regulation 1.

(5) "Maintenance and repair" means the upkeep or restoration of any unit of the operator's property or equipment by using the minimum amount of material necessary (i) to keep the unit usable for the purpose intended in its existing design, (ii) to restore parts of the unit to their original usefulness, or (iii) to renew parts to restore the unit to its usefulness for the purpose intended in its existing design. The term also includes "heavy repair of locomotives" and "heavy repair of railroad cars," as those terms are defined in paragraphs (a) (3) and (a) (9) below.

(6) "Operating supplies" means those materials and supplies which are essential to the operations of the operator's transportation system, the rendering of services, and the collection of revenues in connection therewith.

(7) "Construction" means the use of material to provide additional facilities or to rehabilitate existing facilities for a purpose not intended in the existing design.

(8) "Heavy repair of locomotives" includes only:

(i) Such repair to boiler, machinery and tender as is necessary to put the unit in thorough order and in condition to run out a new term of assigned mileage (sometimes known as class 1, 2 and 3 repair), and also such intermediate repair thereto as is necessary to enable the unit to run out its full mileage assignment (sometimes known as class 4 and 5 repair); or

(ii) Conversion, which means any change in the general machinery or wheel arrangement of the locomotive; or

(iii) Modernization, which means the addition of accessories and/or specialties to the locomotive.

(9) "Heavy repair of railroad cars" includes only:

(i) Program repair for any group of cars, or, if the operator does not program such repairs, repair of any car requiring 50 or more man hours per car for freight cars, or 100 or more man hours per car for passenger cars; or

(ii) Conversion, which means the modification of the structure of an existing car to such an extent as to change the type of the car.

Ratings and Allotment Symbol

(b) *Preference ratings for materials other than controlled materials.* Subject to the provisions of this order, preference ratings are hereby assigned to deliveries of material to be made to an operator after March 31, 1944, as follows:

(1) *Quotas.* Each operator may use the rating assigned for the purchase of each item or group of items under sections D and E of his authorization on Form WPB-2585 (original and supplements) for the first calendar quarter of 1944, to order for delivery to him during any calendar quarter not more than his

quota for that item or group of items for uses permitted under paragraphs (f) and (g) of this order. This quota is in each case 110% of the amount authorized for him in column (k) of the above form, with the exception of the items listed in paragraph (b) (2) below, which are handled on a special basis. If this 110% quota is not enough in any quarter to provide for permitted uses under this order, application for additional amounts may be made as explained in paragraph (k) (2). Also, if an operator has received authorization on Form WPB-2585 for the second calendar quarter of 1944 or later quarters for any item or group of items in excess of the above 110% quota, he may use this authorization for the particular quarter instead of his quota unless otherwise directed by the War Production Board.

(2) *Special items and track material.* The ratings assigned above in paragraph (b) (1) may not be used to order the following items:

Steam injectors.
Mechanical lubricators.
Roller bearings (driving box, tender truck, and engine truck).
Stokers.
Superheaters and headers.
Air brakes—AB.
Hand brakes—power.
Brake beams.
Car bolster springs.
Couplers and coupler bodies.

Track material of the following kinds:

Frogs.
Crossings.
Switches.
Switch stands.
Rail anchors.
Rail braces.
Guard rails.
Guard rail clamps.
Gauge rods.
Clip bolts.
Rail clips.
Nut locks.

The amounts of these items which an operator can get for permitted uses and the proper ratings will be authorized from time to time on Form WPB-2585. Application for such authorization should be made by the operator as explained under paragraph (k) (3) of this order.

(3) *Emergency repairs.* The War Production Board may also assign in writing preference ratings to deliveries of specific materials essential for emergency repairs, application for which should be made as explained in paragraph (k) (2) of this order.

(4) Use of the ratings for advance quarters is subject to paragraph (e).

(c) *Assignment of allotment symbol for controlled materials.* Each operator may use the CMP allotment symbol T-7 to order controlled material for delivery to him after March 31, 1944, for a use authorized by paragraph (f) or (g) of this order, in amounts per quarter as follows:

(1) Aluminum to the extent required for maintenance, repair and operating supplies, excluding heavy repairs of locomotives and cars as defined in paragraphs (a) (8) and (a) (9). Any amounts of aluminum required for such heavy repairs or any other purpose may

be applied for as explained in paragraph (k) (4).

(2) Steel and copper (except rail and track accessories) up to 110% per quarter of the respective amounts authorized for the operator for each item or group of items under section C of Form WPB-2585 (original and supplements) for the first calendar quarter of 1944. If this 110% quota is not enough in any quarter to provide for permitted uses under this order, application for additional amounts may be made as explained in paragraph (k) (2). Also, if an operator has received authorization on Form WPB-2585 for the second calendar quarter of 1944 or later quarters for any such item or group of items in excess of the above 110% quota, he may use this authorization for the particular quarter instead of his quota unless otherwise directed by the War Production Board.

(3) Rail and track accessories (Code No. 2026) in amounts authorized for each quarter by the War Production Board upon Form WPB-2585. Application should be made by the operator only as required under paragraph (k) (3). (Note that the items of track material listed in paragraph (b) (2) are no longer controlled materials.)

Use of these authorizations for advance quarters is subject to paragraph (e).

(d) *How to use the ratings and allotment symbol—(1) Certification.* An operator may use the above ratings and allotment symbol T-7 to get materials under this order by placing on his purchase orders a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7:

Preference rating—(specify rating if necessary); CMP allotment symbol T-7; P-142, serial No. -----

The undersigned operator certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order; to receive, for transportation MRO under P-142, the item(s) ordered; and to use any preference rating or allotment symbol which the undersigned has placed on this order.

However, the certifications provided in CMP Regulation 7 and Priorities Regulation 7 may be used instead of the above, if they include the following identification:

Preference rating—(specify rating if necessary); CMP allotment symbol T-7; P-142, serial No. -----

(2) An order for controlled materials which bears the above certification and allotment symbol is an authorized controlled material order, except that, when placed with a producer, the order must conform to paragraph (s) (4) of CMP Regulation 1 relating to content of the order and time for placing it. On orders for controlled materials, no preference rating should be shown.

(3) The ratings applied by operators under paragraph (d) (1) may be ex-

tended in the manner provided in Priorities Regulation 3.

(4) The ratings assigned under this order may not be used to get items shown on List A or B of Priorities Regulation 3.

(e) *Advance authorizations.* Neither the preference ratings nor the allotment symbol assigned by this order may be used by an operator to place orders for delivery farther ahead than the three calendar quarters following the quarter during which the order is placed, unless otherwise indicated with respect to any authorization issued on Form WPB-2585. For example, during the second quarter of 1944, orders may be placed for delivery during that quarter and in each of the last two quarters of 1944 and the first quarter of 1945 to the full extent authorized per quarter under the above paragraphs; during the third quarter of 1944, orders may be placed in corresponding amounts for delivery in the second quarter of 1945, and so on. Any special authorization, unless otherwise indicated, is valid only for the quarter for which issued.

Permitted Uses of Materials and Inventories

(f) *Maintenance, repair, etc.* No operator shall acquire any material under the provisions of this order, nor make withdrawals from inventory of any material acquired with priorities assistance of any kind, except for the following purposes:

(1) Maintenance, repair and operating supplies (including materials required for MRO by the operator for its own use in carrying out authorized construction projects and in manufacturing transportation equipment);

(2) Heavy repair of locomotives;

(3) Heavy repair of railroad cars;

(4) Minor items of productive capital equipment not exceeding \$500 per unit (excluding cost of labor);

(5) Replacement of rail with the weight of rail and type of fastenings conforming to the operator's standard practice;

(6) Construction to the extent permitted by paragraph (g) below; or

(7) For any other use when specifically authorized in writing by the War Production Board.

(g) *Construction.* Any operator may acquire materials under this order, or make withdrawals from inventory of materials acquired with priorities assistance, for the following kinds of construction:

(1) Laying of railroad tracks or the construction of necessary operating facilities (including tunnels, overpasses, underpasses or bridges), but only to the extent that the total cost of such materials for anyone project is \$2,500 or less (excluding cost of labor). If the total cost of such material is over \$2,500, the project is covered by Conservation Order L-41 in the case of tunnels, overpasses, underpasses or bridges, and the operator must get permission to con-

struct under that order. Even in the case of projects exempted by L-41, the operator must apply to the Transportation Equipment Division on Form WPB-617 for specific authorization if he needs priorities assistance to get any materials over the above \$2,500 limit, or if he wants to withdraw more than this amount from his inventory of materials acquired with priorities assistance.

(2) Construction of railroad stations, warehouses, loading platforms and similar structures, where the construction is within the annual cost limits set forth in Order L-41.

With respect to any project costing over the above limits, after the operator gets specific authorization in writing from the War Production Board (under L-41 or otherwise as indicated above), he may withdraw amounts over those limits from his inventory of materials acquired with priorities assistance. However, replacement in inventory of any additional materials so withdrawn may be made only by using the ratings and allotments assigned by the specific authorization (CMPL-224, GA-1456, or other applicable form). Furthermore, with respect to any project specifically authorized by the War Production Board (under L-41 or otherwise), acquisition or withdrawal from inventory of materials by the operator is limited to those which may be permitted by the authorization.

Inventory Control; Resales

(h) *Inventory control.* Notwithstanding the provisions of any other order or regulation of the War Production Board (including CMP Regulation 2), an operator's inventory of material for uses permitted under this order shall be subject to the following restriction only:

No operator shall receive any delivery of material which will increase his inventory of such material to an amount greater than the minimum necessary to sustain his current level of operations.

However, this does not prevent the operator from maintaining minimum stocks of material for emergency use, nor from acquiring reasonable stocks of ties and lumber for seasoning. The foregoing inventory control also does not apply to printed matter.

(i) *Permitted resale of materials.* An operator may resell material (whether or not obtained with the assistance of this order):

(1) To any other operator;

(2) To another person when such material is to be physically incorporated in repairs of equipment that is used in the maintenance, repair, or operations of the operator's own property: *Provided*, That such material could have been used by the operator itself in making its own repairs without violation of any of the provisions of this order;

(3) To the operator's own transportation system subsidiaries, or for the maintenance of track or equipment not

owned but customarily maintained by the operator or its subsidiaries; or

(4) For the repair of equipment of another carrier in accordance with the Code of Rules for the Interchange of Traffic as adopted by the Association of American Railroads.

Any such sale shall be expressly permitted within the provisions of paragraph (c) (3) of Priorities Regulation 13: *Provided*, That nothing in this paragraph (i) shall be deemed to authorize receipt or use of any material by any person in violation of any inventory or use restriction imposed by this order or any other order or regulation of the War Production Board, and no operator shall make any sale of material authorized above if he knows or has reason to believe that receipt or use thereof by the buyer will be in violation of any such restriction.

(j) *Other resales.* Any other resale of materials by an operator is subject to Priorities Regulation 13.

Procedure

(k) *How to make application under this order—(1) Serial numbers.* No operator shall be entitled to any assistance under the provisions of this order until he has been assigned an authorized serial number, which may be obtained upon application by letter to the War Production Board, stating that the applicant will be unable to obtain all of his controlled material requirements at retail or under the provisions of CMP Regulation 4. In addition, any person who can obtain all such requirements at retail or under that regulation may elect to apply as above for an authorized serial number. When such serial number is assigned to him, he shall be deemed an "operator" under all the provisions of this Order P-142.

(2) *Application for special or additional authorizations.* In order to get authorization or exemption under paragraph (b) (1), (b) (3), (c) (2) or (f) (7) of this order, an operator must communicate with the War Production Board, describing the nature of the emergency or the reason why specific authorization is necessary, and the amount and type of material involved. The War Production Board will thereupon notify the operator in writing whether, and to what extent, his application is approved.

Requests for additional authorizations for any quarter under paragraph (b) (1) or (c) (2) must be made by letter, giving the above information. In acting upon such a request, the War Production Board may at the same time authorize all or part of the additional amount for future quarters. For example, if it was shown that the operator's authorizations on Form WPB-2585 for the first quarter of 1944 were not a reasonable indication of his quarterly needs of any item or group of items, his "base" (against which to apply the 110% quota) might be increased. The War Production Board may also direct in writing that the "base" be reduced.

(3) *Application for special items and track material.* Application for track material under paragraph (b) (2) and for rail and track accessories under paragraph (c) (3) should be made by an operator only if called for by specific instructions of the War Production Board.

Application for special items (other than track material) listed in paragraph (b) (2) should be made on Form WPB-2535 at least 45 days before the beginning of each calendar quarter, in accordance with the instructions on the form and any supplemental instructions that may be issued.

(4) *Aluminum.* Any operator requiring aluminum in the form of controlled material for heavy repairs, as defined in paragraphs (a) (8) and (a) (9), must apply by letter for an allotment for the required amounts to the War Production Board, Aluminum and Magnesium Division, Ref.: M-1-i, giving substantially the information described in paragraph (d) of Supplementary Order M-1-i.

Note: The reporting requirements in this paragraph (k) have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Miscellaneous Provisions

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

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

(n) *Applicability of regulations.* (1) This order and all transactions affected by it are subject to all applicable regulations of the War Production Board, as amended from time to time, unless this order states otherwise.

(2) None of the provisions of CMP Regulations 5 or 5A shall apply to operators as defined in paragraph (a) (2) of this order, and no operator shall obtain any material under the provisions of either of those regulations. However, privileges under other orders and regulations of the War Production Board granted to persons on Schedule I or II of CMP Regulation 5 shall be considered as applicable to operators under this order. For example, Order E-5-a on gauges and precision measuring hand tools classifies a person on Schedules I and II of CMP Regulation 5 as an "approved user". Operators under this order P-142 are in the same position providing that certification clauses and all other provisions of those other orders are complied with.

(o) *Communications.* All communications concerning this order, unless otherwise directed, shall be addressed to: War Production Board, Transportation Equipment Division, Washington 25, D. C., Ref.: PF-142.

Issued this 19th day of April 1944.

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

[F. R. Doc. 44-5546; Filed, April 19, 1944; 11:35 a. m.]

PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Order P-142, Interpretation 1, Revocation]

Interpretation 1 to Order P-142 is revoked, since it appears that the situation it was designed to clarify no longer exists.

Issued this 19th day of April 1944.

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

[F. R. Doc. 44-5545; Filed, April 19, 1944; 11:35 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Supplementary General Limitation Order L-23-c as Amended Apr. 19, 1944]

DOMESTIC COOKING APPLIANCES AND DOMESTIC HEATING STOVES

§ 3288.66 *Supplementary General Limitation Order No. L-23-c—(a) Definitions.* For the purposes of this order:

(1) "Domestic cooking appliances" means gas ranges, cook stoves, and hot plates for household use; coal and wood ranges and cook stoves (including laundry stoves except water jacketed and permanently built-in coil types) for household use; fuel oil ranges, cook stoves, table stoves and hot plates for household use; combination ranges (including dual oven types, ranges with built-in kitchen heaters, and bungalow types) except electrical, for household use; camp and trailer stoves for cooking purposes; fuel oil conversion range burners; and drum and portable ovens.

(2) "Domestic heating stoves" means any above the floor devices (except electric) for the direct heating of the space in and adjacent to that in which the device is located, designed for use without heat distribution pipes or ducts, and includes, but is not limited to, circulating, radiant and portable heaters and trailer and caboose stoves. Domestic heating stoves shall not include floor or wall furnaces.

(3) "New domestic cooking appliances and domestic heating stoves" means any such appliances or stoves which have never been used by an ultimate consumer.

(4) "Accessories" means aprons, thermostats, high closets, high shelves, clocks, broiler pans other than iron or steel, thermometers, and any other instruments, attachments, or appurtenances (except top-burner lighters and storage compartments) for domestic cooking appliances not essential to any of the following three major cooking operations: top burner cooking, oven baking and oven broiling.

(5) "Steel coal or wood range or cook stove" means a coal or wood range or cook stove in which the total weight of steel is 20% or more of the total weight of metal of the unit.

(6) "Fuel oil" means any liquid petroleum product commonly known as fuel oil including Numbers 1, 2, 3, 4, 5, and 6, Bunker C, Diesel oil, kerosene, range oil, gas oil or any other liquid petroleum

product used for the same purposes as the above designated grades.

(7) "Base period" means the 12 months period from July 1, 1940 to June 30, 1941.

(8) "Factory sales value" means the aggregate value of shipments of domestic cooking appliances and domestic heating stoves.

(9) "Class A producers" means those manufacturers of domestic cooking appliances and/or domestic heating stoves whose factory sales value for the twelve months ending June 30, 1941, including both domestic sales and exports, was \$2,000,000 or more.

(10) "Class B producers" means those manufacturers of domestic cooking appliances and/or domestic heating stoves whose factory sales value for the twelve months ending June 30, 1941, including both domestic sales and exports, was less than \$2,000,000 and who are located in Labor Area Group I, as defined from time to time by the War Manpower Commission.

(11) "Class C producers" means those manufacturers of domestic cooking appliances and/or domestic heating stoves whose factory sales value for the twelve months ending June 30, 1941, including both domestic sales and exports, was less than \$2,000,000 and who are not located in Labor Area Group I, as defined from time to time by the War Manpower Commission.

(12) "Producer" means any person who during the base period manufactured, fabricated or assembled any domestic cooking appliances or domestic heating stoves.

(b) *General restrictions.* (1) No person except a producer shall manufacture, fabricate or assemble any domestic cooking appliances or any domestic heating stoves.

(2) No person shall manufacture, fabricate or assemble any domestic cooking appliance or domestic heating stove except from materials in inventory on July 29, 1943, or the acquisition and use of which is specifically authorized from time to time by the War Production Board under the Controlled Materials Plan or otherwise. In authorizing the manufacture of domestic cooking appliances and domestic heating stoves the War Production Board, will in general, authorize Class C producers to produce the types they normally fabricate up to 100% of their base period unit production before authorizing the manufacture of any of the same types by Class A and Class B producers; *Provided, however,* That during the period from July 1, 1943 to June 30, 1944 the total number of units of each type authorized for production by all producers will not exceed the percentages of total unit production specified in Schedule A attached.

(3) No producer shall manufacture, fabricate or assemble any domestic cooking appliances (other than combination ranges) or domestic heating stoves, except in those fuel types which he manufactured, fabricated or assembled during the base period; but this provision shall not apply to such appliances or stoves manufactured, fabricated or assembled for delivery to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration of the

United States, or for use in a building or project authorized under Preference Rating Order P-55-b or rated under Preference Rating Order P-55 or any Order in the P-19 series.

(4) No producer shall manufacture, fabricate, or assemble any domestic cooking appliances, except those listed in Schedule B attached and then only in accordance with the numbers of models or sizes and description of types set forth in such table; and no person shall manufacture, fabricate or assemble any accessories or incorporate them into any domestic cooking appliances.

(5) No person shall manufacture, fabricate or assemble any domestic heating stoves except those listed in Schedule B attached, and then only in accordance with the numbers of models and BTU capacities set forth therein.

(6) No producer shall

(i) Use any iron or steel in the production of cover tops or lids to cover the cooking surfaces of domestic cooking appliances when not in use; or

(ii) Produce or assemble any domestic cooking appliances equipped with such cover tops or lids containing any iron or steel; or

(iii) Use any "bright work", "bright finish", metal finish, or trim containing copper, nickel, chrome, or aluminum or other alloy in the production of domestic cooking appliances or domestic heating stoves.

(iv) [Deleted Mar. 23, 1944]

(7) No producer shall substitute steel for cast iron in the manufacture, fabrication of assembly of any model of domestic, cooking appliance or domestic heating stove which he manufactured, fabricated or assembled prior to July 29, 1943.

(8) No producer shall manufacture, fabricate or assemble any steel coal or wood range or cook stove who did not manufacture, fabricate or assemble such ranges or stoves during the period July 1, 1940 to July 29, 1943.

(c) *Exceptions.* (1) Nothing in paragraph (b) (4) or (b) (5) shall restrict the manufacture, fabrication or assembly of trailer or caboose stoves.

(2) Domestic cooking appliances or domestic heating stoves which do not conform to the provisions of paragraph (b) (4) or (b) (5) may be manufactured, fabricated or assembled to specifications for the account of or for delivery to the Army, Navy, Maritime Commission or War Shipping Administration of the United States, or to specifications for use in a building or project authorized under Preference Rating Order P-55-b or rated under Preference Rating Order P-55, or any Order in the P-19 series; *Provided,* That a prior request be made to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., by letter, and approved in writing.

(3) [Deleted Apr. 19, 1944]

(d) [Deleted Jan. 15, 1944]

(e) *Repair parts.* Nothing in this order shall prohibit or restrict the manufacture or shipment of repair parts for domestic cooking appliances or domestic heating stoves.

(f) *Reports.* Manufacturers of domestic cooking appliances and domestic

heating stoves shall report on or before the tenth day of each month on Form WPB-3249, following the instructions on that form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Applicability of regulations.* All persons and transactions affected by this order are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(h) *Applicability of other orders.* Insofar as any other orders heretofore or hereafter issued by the War Production Board limit the use of any material in the production of domestic cooking appliances or domestic heating stoves to a greater extent than the restrictions imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(i) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(j) *Communications.* All communications concerning this order, except appeals, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref.: L-23-c.

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

Issued this 19th day of April 1944.

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

SCHEDULE A
Percentage of total unit production by all producers in the base period (July 1, 1940 to June 30, 1941)

Domestic cooking appliances:	
1. Gas ranges and cook stoves.....	40
2. Combination, bungalow and kitchen heater ranges.....	40
3. Coal and wood ranges and cook stoves.....	100
4. Fuel oil ranges and cook stoves....	40
5. Coal and wood laundry stoves.....	100
6. Gas hot plates.....	75
7. Portable and drum ovens.....	75
Domestic heating stoves:	
1. Gas fired heaters.....	75
2. Oil fired heaters.....	40
3. Coal and wood heaters.....	100

SCHEDULE B

Note: Item 4 under "Stoves" amended Apr. 19, 1944.

Appliance	Maximum number of models or sizes permitted	Types
1. Gas ranges.....	2	One to have 3 top burners, broiler optional. One to have 4 top burners with broiler and bake oven.
2. Gas hot plates....	3	1-1 burner, 1-2 burner, 1-3 burner.
3. Coal or wood ranges and cook stoves.	3	2 steel ranges or cook stoves. 3 cast iron ranges. 3 cast iron cook stoves (At least one steel range or cook stove and one cast iron range and one cast iron cook stove manufactured by any producer shall be the lightest of each in his line).
4. Gas and coal or wood combination ranges.	1	
5. Bungalow or kitchen heater ranges (gas and coal or wood).	1	
6. Fuel oil ranges...	2	1-3 top burner range with bake oven. 1-2 top burner range with bake oven.
7. Fuel oil stoves....	2	1-2 burner stove. 1-3 burner stove.
8. Fuel oil table stoves.	3	1-1 burner stove. 1-2 burner stove. 1-3 burner stove.
9. Laundry stoves....	6	2-4 hole stoves. (1-2 hole stove and 1-4 hole stove manufactured by any producer shall be the lightest of each in his line.)
10. Portable ovens...	2	1 single oven. 1 double oven.
11. Drum ovens.....	1	

Stoves	Number of models or sizes permitted	Maximum of models or sizes permitted in B. t. u. capacities per hour
1. Gas radiant.....	10	2-12,000 or less input. 2-12,001 to 20,000 input. 2-20,001 to 29,000 input. 2-29,001 to 45,000 input. 2-over 45,000 input.
2. Gas circulating...	6	2-20,000 or less input. 2-20,001 to 29,000 input. 2-over 29,000 input.
3. Fuel oil portable (ball type).	5	2-20,000 or less output. 1-20,000 to 40,000. 1-40,000 to 60,000. 1-over 60,000.
4. Fuel oil circulating.	5	2-20,000 or less output. 1-20,000 to 40,000. 1-40,000 to 60,000. 1-over 60,000.
5. Cast iron or steel coal and/or wood.	10	
6. Sheet steel wood stoves.	6	

INTERPRETATION 1

STOVE TOP WORK SPACE NOT "ACCESSORIES"

Production of stoves with top work space is not prohibited by Limitation Order L-23-c. "Accessories" as defined in paragraph (a) (4) of the order does not include top work space. (Issued Apr. 1, 1944.)

[F. R. Dob. 44-5544; Filed, April 19, 1944; 11:34 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Order M-126, as Amended Mar. 31, 1944, Amdt. 1]

Section 3294.63 *General Conservation Order M-126* is hereby amended as follows:

1. By changing the items on List A which now read:

Awning frames and supports—except that no person shall process during the year 1944, in the manufacture of all awning frames and supports more than 75% of the amount of iron and steel used by him in making awning frames and supports during the year 1941. All iron and steel used must be from idle or excessive inventories reported to Steel Recovery Corporation or to the War Production Board.

Bed pans—except when made with iron or steel other than stainless steel and in accordance with Schedule 1 of Limitation Order L-214.

Beds—(i) except hospital beds; and (ii) except other beds when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to paragraph (g) (8) of this order.

Buckets and pails—(i) except to fill orders of chemical plants and plants handling explosives and (ii) except to fill other orders when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series and L-257.

Drawer pulls—except as may be permitted under Limitation Orders L-13-a and L-260.

Furniture—except as may be permitted under Limitation Orders L-13-a, L-62, L-135, Schedule 3 of L-214, L-226, L-249, L-254, and L-260, but subject to the prohibition on the use of stainless steel in "Mechanical drawing and drafting equipment" on this List A.

Furniture hardware—except when made with iron or steel other than stainless steel and as may be permitted under Limitation Order L-260.

Swivel chairs—except castors.

Vending machines for sanitary napkins—except as may be permitted under Limitation Order L-27-a.

Wheelbarrows (parts other than wheels)—except for use in dairies; coal yards and mines; for handling hot materials, forgings and castings.

to read as follows:

Awning frames and supports—except that a person may process during the year 1944, in the manufacture of all awning frames and supports not more than 75% of the amount of iron and steel used by him in making awning frames and supports during the year 1941. All iron and steel used must be from idle or excessive inventories reported to Steel Recovery Corporation or to the War Production Board, or must be scrap.

Bed pans—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-30-b.

Beds—(i) except hospital beds; and (ii) except other beds as may be permitted under Limitation Order L-49.

Buckets and pails—(i) except to fill orders of chemical plants and plants handling explosives and (ii) except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series, L-214, L-257 and Schedule IV of L-232 to fill other orders.

Drawer pulls—except as may be permitted under Limitation Orders L-13-a and L-260-a.

Furniture—except as may be permitted under Limitation Orders L-13-a, L-62, L-135,

Schedule 3 of L-214, L-226, L-249, L-254, and L-260-a, but subject to the prohibition on the use of stainless steel in "Mechanical drawing and drafting equipment" on this List A.

Furniture hardware—except when made with iron or steel other than stainless steel and as may be permitted under Limitation Order L-260-a.

Swivel chairs—except castors and upholstery springs.

Vending machines for sanitary napkins*—except as may be permitted under Limitation Order L-27.

Wheelbarrows (parts other than wheels)—except for use in dairies; coal yards and mines; for handling chemicals, hot materials, forgings and castings.

2. By deleting the following item:

Fountain pens—except as may be permitted under Limitation Order L-227.

Helmets—except as may be permitted under Limitation Order L-105.

3. By changing the last clause of the item on "Wire racks" of List A which now reads:

(v) except as may be permitted under Limitation Orders L-23-c and L-182, and under Directions to Order L-30-d,

to read as follows:

(v) except as may be permitted under Limitation Orders L-23-c and L-182, and under Directions to Orders in the L-30 series,

Issued this 19th day of April 1944.

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

[F. R. Doc. 44-5542; Filed, April 19, 1944;
11:34 a. m.]

Chapter XI—Office of Price Administration

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

[MPR 364, Amdt. 16]

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 2 is amended to read as follows:

SEC. 2. *How processors' maximum prices are fixed.* Section 14 lists the various species of frozen fish and seafood for which maximum prices are fixed by this regulation. The base price, in cents per pound, is listed for each species according to the style of processing and the size. The listed base prices in section 14 are base prices per pound for frozen fish and seafood as packed in the container size and kind customary for the species and for the industry. Section 13 sets out the amount which may be added to, or which must be subtracted

from, the listed base price when the frozen fish or seafood is packed in other kinds or sizes of containers. The listed base price, with any adjustment for kind of package, and transportation allowance for freezing at a point which is not a port of entry, is the processor's maximum price f. o. b. the shipping point nearest the freezer. If the processor freezes the fish or seafood in any place other than that port where the species is landed ex-vessel or shipped in by a producer, he may add as transportation allowance to the listed base price the actual per pound transportation cost, not to exceed the carload rail freight rate per pound for fresh fish, where such rate is available, from the port of entry to the freezing point, excluding any charges for local trucking, hauling and handling. A processor who performs the functions of a primary wholesaler and employs two or more full-time employees who are stationed at and engaged in making sales and performing services solely for the processor at a warehouse other than and remote from the original freezer, shall establish his maximum price for sales from such warehouse by adding the mark-up provided for a primary wholesale sale to the base price, plus or minus any package differential as listed in section 13, plus the allowable transportation to the warehouse from which the sale is made. Sales to wholesalers by persons not qualifying as primary wholesalers as defined in section 3 (d) (1) shall be at prices no higher than those fixed for sales by processors. A processor who performs the function of a cash-and-carry or service-and-delivery wholesaler, as specified in section 3, shall establish his maximum price by adding the mark-up provided for the particular class of sale to the base price, plus or minus any package differential as listed in section 13, plus allowable transportation cost.

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

(b) *Net cost.* The wholesaler's "net cost" is the amount he paid for the particular item of frozen fish or seafood delivered at his established place of doing business, plus or minus any package differentials listed in section 13, less all discounts allowed him except the discount for prompt payment, and excluding any charges for local trucking, hauling and handling. Except that for sales of halibut, the wholesaler's "net cost" shall not exceed the lowest amount determined by the application of section 3 (b) and 3 (b) (1). After April 30, 1944, the wholesaler's "net cost" must not exceed the sum of the following: (1) the base price listed for the species in the table of base prices in section 14 on April 22, 1944, plus or minus (2) any package differentials listed in Section 13 added or subtracted by previous handlers of the fish or seafood, plus (3) allowable transportation costs added by previous handlers of the fish or seafood, plus (4) the appropriate mark-up allowed his supplier in section 3 (d) (1) if his supplier is a primary wholesaler, plus or minus (5) any package differentials listed in sec-

tion 13 for packaging changes, if any, made by the wholesaler, plus (6) allowable transportation costs for delivery of the frozen fish or seafood to the established place of doing business of the wholesaler from his supplier's place of business, exclusive of local trucking, hauling and handling. Any wholesaler who buys frozen fish or seafood and processes it by a style of processing for which a price is listed in the table of base prices in section 14 may include as part of his "net cost" the difference between the price listed in the table for the frozen fish or seafood in the condition in which it is purchased by the wholesaler and the price listed in the table for the fish or seafood in the condition it is after processing by the wholesaler.

3. Subparagraph (1) is added to section 3 (b) to read as follows:

(1) *Net cost on sales of halibut.* The wholesaler's "net cost" in sales of frozen halibut shall not exceed the lowest amount determined by the application of (i), (ii) and section 3 (b). (i) The appropriate base price for frozen halibut landed or frozen on the Pacific Coast of the United States, plus or minus any package differentials listed in section 13 added or subtracted by previous handlers of the fish, plus the rail rate for the type of shipment used for frozen fish from Seattle to the established place of doing business of the primary wholesaler of that fish, if there is a primary wholesaler involved, plus the primary wholesaler's mark-up, if a primary wholesaler is involved, plus or minus any package differentials listed in section 13 for packaging changes made by the wholesaler, if any, plus transportation costs for delivery of the fish to the wholesaler from his supplier, not to exceed the rail rate for the type of shipment used for frozen fish from Seattle to his established place of doing business; or (ii) the appropriate base price for frozen halibut landed or frozen on the Pacific Coast of Canada, plus or minus any package differentials listed in section 13 added or subtracted by previous handlers of the fish, plus the rail rate for the type of shipment used for frozen fish from Prince Rupert, British Columbia, to the established place of doing business of the primary wholesaler of that fish, if there is a primary wholesaler involved, plus the primary wholesaler's mark-up, if a primary wholesaler is involved, plus or minus any package differentials listed in section 13 for packaging changes made by the wholesaler, if any, plus transportation costs for delivery of the fish to the wholesaler from his supplier, not to exceed the rail rate for the type of shipment used for frozen fish from Prince Rupert, British Columbia, to his established place of doing business.

4. Section 3 (d) (1) is amended to read as follows:

(1) *Primary wholesalers.* Primary wholesalers with respect to any species of fish or seafood listed in the table of base prices in Section 14 are wholesalers who buy frozen fish or seafood from processors in carload lots and distribute it

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

* 8 F.R. 4640, 6566, 7592, 11175, 12023, 12446, 12792, 14079, 15191, 15662, 16998; 9 F.R. 183, 946, 2023.

for resale to other wholesalers, government agencies, retailer-owned cooperatives or chain store warehouses in less-than-carload lots, and who, during the greater part of the year preceding April 13, 1943, bought the greater portion of the frozen fish or seafood they sold in carload lots and distributed the greater portion of such fish or seafood in less-than-carload lots. In the sale of frozen fish or seafood which has been unloaded, stored and warehoused in the regular course of his business, the primary wholesaler's mark-up is 12 percent. In the case of sales of fish or seafood which has not been stored and warehoused, the primary wholesaler's mark-up is 7 percent. In the case of sales involving delivery from the processor's cold storage warehouse to the primary wholesaler's customer, there is no mark-up.

5. Section 3 (e) is amended to read as follows:

(e) *Imported frozen fish and seafood.*

(1) The maximum price at which a wholesaler, including any agent of a foreign shipper, may sell any imported frozen fish or seafood listed in section 14 shall be the base price listed in the table of base prices in section 14 for the species in the style of processing and size sold, plus or minus the differential for packaging provided in Section 13, plus transportation allowance as provided in section 3 (e) (1) (i). To this amount may be added the mark-up provided for the class of sale in paragraphs (c) and (d) of section 3.

(i) *Transportation allowance for imported fish.* Any importer or agent of a foreign consignor of any frozen fish or seafood except frozen Atlantic Coast smelts and frozen Canadian lake fish covered in Schedules Nos. 70-77, inclusive, in the table of base prices in section 14 may add as a transportation allowance to the appropriate table price in section 14 the lowest amount determined on the following three bases:

(a) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) from the seller's shipping point to the importer's receiving point;

(b) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the point at which the frozen fish or seafood entered the United States or the carload rail rate for frozen fish or seafood from the point in the United States nearest the foreign shipper's shipping point, whichever is designated on the invoice by the seller.

(c) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the nearest domestic port from which a substantial volume of that species is shipped. However, with respect to the species listed hereinafter, the cost of transportation shall not exceed the cost for the type of shipment used from the ports listed for that species.

Species: Cod, haddock, pollack, hake, cusk, yellowtail, blackback, lemon sole, gray sole, sea dab, mackerel, rosefish. Port: Boston, Mass.

Where frozen Atlantic Coast smelts are imported for resale in the United States,

the freight from the point of shipment to the wholesaler's warehouse, not to exceed the carload rail freight rate, if such rate is available, may be added.

Where frozen Canadian lake fish covered in Schedules Nos. 70-77, inclusive, in the table of base prices in section 14 are imported for resale in the United States, there may be added the actual transportation cost (excluding local trucking, hauling and handling charges) from the point of shipment in Canada to the destination point in the United States, but in no event more than the carload rail rate for frozen fish from the City of Winnipeg in the Province of Manitoba, Canada, to the destination point in the United States.

A buyer of imported frozen fish or seafood from an importer-wholesaler, including any agent of a foreign shipper, may add the transportation from the shipper to his established place of doing business, exclusive of local trucking, hauling and handling charges.

In determining the transportation allowance, common carrier rates shall be used. The importer may add the allowance only when he records it on an invoice to the customer purchasing the fish or seafood, designating which of the three bases he is using. A purchasing wholesaler or subsequent wholesalers of that fish or seafood may pass on such transportation allowance, but only if they in turn record it on an invoice to their customers.

6. Section 7 (e) is amended 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 of the sale; the name and address 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 frozen fish or seafood where price differences exist in the table of base prices in section 14 because of these factors, and the prices charged therefor, including a separate statement of the

container differentials, if any, as provided in section 13, and allowable transportation cost, if any. If the statement furnished a purchaser at the time of delivery does not identify the size, grade and style of processing, where price differences exist in the table of base prices in section 14 because of these factors, the maximum price which may be charged for the frozen fish and seafood involved in the sale is the maximum price for the lowest priced size, grade and style of processing of the species of frozen fish and seafood sold. If the seller fails to note on the statement that the fish or seafood is frozen, and if a price is listed in Maximum Price Regulation No. 418 for the species in the particular style of processing or dressing sold, the maximum price which may be charged for the fish or seafood involved in the sale is the lower of the prices listed in Maximum Price Regulation No. 418 and this Maximum Price Regulation No. 364.

7. In section 12, after the definition of "Government agency" the following definition is inserted:

"Grade" means any qualification of the name of the fish or seafood listed in the table of base prices in section 14.

8. In section 12, after the definition of "Round" the following definition is inserted:

"Saddles" means the pectoral fins and the connecting cartilaginous strip of a rajafish.

9. In section 12, after the definition of "Tail cut" the following definition is inserted:

"Wings" means the pectoral fins of a rajafish.

10. In the table of base prices in section 14, Schedule Nos. 5, 7, 11 (a), 11 (b), 11 (c), 11 (e), 11 (f), 13, 14, 27, 39 and 48 are amended, reference to footnote 10 is added to the name of Schedule No. 15 and reference to footnote 11 is added to Item No. 2 of Schedule Nos. 11 (e) and 11 (f) and Item Nos. 6 and 7 are added to Schedule No. 15 to read as follows:

Schedule No.	Name	Item No.	Style of processing	Size	Base price per pound
5	Cod—Atlantic Coast (<i>Gadus callarias</i>).	1	Gutted.....	Under 2½ lbs.....	\$9.09
		2	Gutted.....	2½ lbs. and over.....	.09½
		3	Headed and gutted.....	2½ to 10 lbs.....	.12
		4	Headed and gutted.....	10 to 25 lbs.....	.13½
		5	Headed and gutted.....	25 lbs. and over.....	.12
		6	Steaks (fillet).....	All sizes.....	.13
		7	Fillets.....	All sizes.....	.23½
7	Cusk (<i>Brosme brosme</i>).....	1	Fillets.....	All sizes.....	.21
		11	Round.....	All sizes.....	.09½
11	(a) Blackback (Winter Flounder) (<i>Pseudopleuronectes</i>).	2	Fillets.....	All sizes.....	.25
		3	Headed and gutted.....	All sizes.....	.13
	(b) Dab (Sea).....	1	Round.....	All sizes.....	.07
		2	Fillets.....	All sizes.....	.25
	(c) Dab (Yellowtail) (<i>Limanda ferruginea</i>).	3	Headed and gutted.....	All sizes.....	.10
		1	Round.....	All sizes.....	.07
	(e) Sole, gray (<i>Glyptocephalus cynoglossus</i>).	2	Fillets.....	All sizes.....	.25
		3	Headed and gutted.....	All sizes.....	.10
	(f) Sole, lemon (<i>Pseudopleuronectes dignabilis</i>).	1	Round.....	All sizes.....	.11
		11	Fillets.....	All sizes.....	.35
13	Haddock (<i>Melanogrammus aeglefinus</i>)..	1	Round.....	All sizes.....	.12
		11	Fillets.....	All sizes.....	.39
14	Hake—Atlantic Coast (<i>Urophycis</i> species).	1	Gutted.....	2½ lbs. and over.....	.10½
		2	Gutted carol.....	Under 2½ lbs.....	.10
		3	Fillets.....	All sizes.....	.24½
		4	Headed and gutted.....	2½ lbs. and over.....	.12½
16	Halibut, Pacific (<i>Hippoglossus hippoglossus</i>) ¹¹ .	1	Fillets.....	All sizes.....	.20½
		6	Round.....	All sizes.....	.14
		7	Drawn.....	All sizes.....	.15½

Schedule No.	Name	Item No.	Style of processing	Size	Base price per pound
27	Rosefish (<i>Sebastes marinus</i>)	1	Fillets	All sizes	\$0.22
39	Skate (<i>Rajafish</i>)	1	Wings	All sizes	.06
		2	Saddles	All sizes	.05
48	Wolfish (<i>Anarhichas lupus</i>)	1	Chunks	All sizes	.20
		2	Fillets	All sizes	.22 $\frac{1}{4}$

11. Footnote 10 is added at the end of the table of base prices in section 14 to read as follows:

¹⁰ The base prices listed for halibut apply to frozen halibut landed or frozen on the Pacific Coast of the United States. For frozen halibut landed or frozen in Canada or Alaska, deduct the following amounts from the listed prices:

Style of dressing	Deductions Cents
Dressed	2 $\frac{1}{2}$
Steaks	3 $\frac{1}{4}$
Fillets	4
Round	2 $\frac{1}{2}$
Drawn	2 $\frac{1}{2}$

For frozen halibut landed or frozen on the Atlantic Coast of the United States, add $\frac{1}{2}$ cent to the listed prices.

12. Footnote 11 is added at the end of the table of base prices in section 14 to read as follows:

¹¹ The base price listed for these fillets apply only if they are wrapped and marked as gray sole or lemon sole, whichever is the case; otherwise the applicable base price is that listed for Item No. 2 of Schedule No. 11 (c), Dab (Yellowtail).

This amendment shall become effective April 22, 1944.

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

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5460; Filed, April 17, 1944; 4:40 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 368, incl. Amdts. 1-7]

NORTHEASTERN HARDWOOD LUMBER

Section 1 (b) is deleted; Sec. 23, Tables 1-13, 15, 16, 18 are amended, Table 20 is redesignated 19 and amended; Sec. 24, Tables 21 and 22 are redesignated 20 and 21 and amended; Sec. 25, Table 23 is redesignated 22 and amended; Sec. 30, Table 24 is redesignated 23; Sec. 31, Table 25 is redesignated 24 and amended by Amendment No. 7, effective April 22, 1944, so that Maximum Price Regulation No. 368 shall read as follows:

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has

¹⁸ F.R. 4968, 8541, 10660, 15672, 16791, 17414; 9 F.R. 1534.

been issued simultaneously herewith and filed with the Division of the Federal Register.²

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

[Above paragraph added by Supplementary Order 61, 8 F.R. 12552, effective 9-11-43]

§ 1382.301 *Maximum prices for Northeastern hardwood lumber.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 368 (Northeastern Hardwood Lumber), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1382.301, 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.

MAXIMUM PRICE REGULATION No. 368— NORTHEASTERN HARDWOOD LUMBER

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18. Petitions for adjustment or amendment.
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21. Grades, specifications and extras not specifically priced.
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24. Kiln-drying additions.
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² Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

ARTICLE VI—APPENDIX B: DOMESTIC NORTHEASTERN HARDWOOD LUMBER: PRICE TABLES ON "STANDARD SPECIAL" ITEMS

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33. Application of Appendix C.
34. Maximum prices for Canadian lumber.

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37. Air-dried, worked.
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ARTICLE I—PROHIBITION AND SCOPE OF REGULATION

SECTION 1. *Over-ceiling prices prohibited.* (a) On and after April 21, 1943, regardless of any contract or other obligations, no person shall sell or deliver, and no person shall buy in the course of trade or business, any Northeastern hardwood lumber for direct mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) [Deleted]

[Paragraph (b) deleted by Am. 7; effective 4-22-44]

Sec. 2. *Less than maximum prices.* Prices lower than the maximum prices may, of course, be charged and paid.

Sec. 3. *Lumber in transit.* If lumber has been received before April 21, 1943, 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.³

Sec. 4. *What transactions are covered.*—(a) *Direct-mill shipments.* This ceiling applies to all shipments originating at a mill, no matter who the seller is, and no matter whether he usually is known as a mill, concentrator, wholesaler, retailer or anything else. It does not apply to sales out of distribution yard stock. A shipment is regarded as originating at a mill if the lumber reaches the purchaser without ever becoming an integral part of the stock of a distribution yard. A sale is considered a sale out of distribution yard stock only if the lumber was a part of regular yard stock at the time the sale was made.

(b) *How to tell a mill from a distribution yard.*—(1) *General tests.* 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, (i), a typical sawmill or planing mill; the second, (ii), a typical concentration yard; and the third, (iii), a typical distribution yard. An establishment which resembles a typical sawmill or planing mill or a typical concentration yard more than it does a typical distribution yard is considered a mill;

³ 9 F.R. 1385.

and one which resembles a typical distribution yard more than it does a typical sawmill or planing mill or a typical concentration yard is considered a distribution yard.

(i) 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 Northeastern hardwood lumber.

(ii) A "typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment; which keeps in stock mostly Northeastern hardwood lumber; which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment; and which has been located at its particular site to be near the lumber producing area.

(iii) A "typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, stores, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber 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.

(2) *New yards.* In order to prevent violation of this regulation by unnecessarily routing through yards, the Office of Price Administration will not recognize distribution yards set up after April 21, 1943, unless the new yard writes to 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.

SEC. 5. *What products are covered.*

(a) This regulation covers all Northeastern hardwood lumber, whether the grades, sizes and specifications are specifically named in the price tables or not. All grade terms have the meaning given in the "Rules for the Measurement and Inspection of Hardwood Lumber" issued by the National Hardwood Lumber Association, effective January, 1943.

(b) This regulation covers, under the name of "Northeastern hardwood lumber", all lumber produced from the following botanical species, and processed into lumber at mills located in the Northeastern hardwood area: tough white ash (*Fraxinus americana*), beech (*Fagus americana*), hard maple (*Acer saccharum*), yellow poplar (*Liriodendron tulipifera*), and the commercial species of the genera basswood (*Tilia*), birch (*Betula*), soft elm (*Ulmus*), soft maple (*Acer*), chestnut (*Castanea dentata*), hickory (*Hicoria*), cherry (*Prunus*), oak (*Quercus*), and all other hardwood species.

[Paragraph (b) as amended by Am. 1, 8 F.R. 8541, effective 6-24-43]

(c) The "Northeastern hardwood area" includes the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, all of the state of Maryland except the counties of Garrett, Allegany, Washington, and Frederick, and the Dominion of Canada east of the 85th meridian.

SEC. 6. *What persons are covered.* Any person who makes the kind of sale or purchase described above, for himself or others, is subject to this regulation. The term "person" includes an individual, corporation, partnership, association, or any other organized group; their legal successors or representatives; the United States, or any Government, or any of their political subdivisions, or any agencies of the foregoing.

SEC. 7. *Relation to other regulations—*

(a) *General Maximum Price Regulation.* Any sale or delivery covered by Maximum Price Regulation No. 368 is not subject to the General Maximum Price Regulation.

(b) *Revised Maximum Export Price Regulation.* The maximum price for export sales of Northeastern hardwood lumber is governed by the Revised Maximum Export Price Regulation.

ARTICLE II—HOW TO FIGURE MAXIMUM F. O. B. MILL AND DELIVERED PRICES

SEC. 8. *Basic prices.* The maximum f. o. b. mill prices for domestic Northeastern hardwood lumber are set forth in Appendices A and B and for imported Northeastern hardwood lumber, in Appendix C.

SEC. 9. *Deductions for cash.* If cash is paid, the maximum price must be reduced by the seller's October, 1941, cash discount. For example, if this discount was 2% and the maximum price without cash discount is \$30, the maximum price when cash is paid is \$29.40. Exception: on specific written allocations issued by the Office of the Chief of Engineers, War Department, the terms 30 days net may be used by the seller regardless of his established practice.

SEC. 10. *Retail type sales excepted.* A "retail type" direct-mill sale is not subject to this regulation. A "retail type" direct-mill sale means a sale of not more than 2,000 feet of lumber in which the purchaser requests delivery to a point not more than 20 miles from the mill at which the shipment originates. It includes only sales of lumber to contractors or consumers for use in construction, remodeling, repair, maintenance, fabrication, or remanufacture, and it does not include sales for resale in substantially the same form. "Retail type" direct-mill sales remain subject to the General Maximum Price Regulation.

SEC. 11. *Transportation additions: Domestic and imported—(a) Private truck.* Where a domestic shipment is exclusively by motor vehicle owned or controlled by the seller, the addition to the f. o. b. mill prices for transportation may be no greater than the actual cost

* Second revision; 8 F.R. 4132, 5397, 7662, 9398, 15193; 9 F.R. 1036.

to the seller of delivery by motor vehicle; and in no event shall the charge exceed the rail carload rate for the most nearly comparable haul applied to the quantity actually shipped.

[Section heading as amended by Am. 2, 8 F.R. 10350, effective 8-4-43]

(b) *Common or contract carrier.* For common or contract carrier shipments, the maximum transportation addition shall be either the rate times the estimated weights in Appendix D, or the actual amount paid to the carrier. When estimated weights are used, the delivered price shall be evened out to the nearest quarter-dollar per 1,000 feet.

(c) *Truck delivery after rail haul.* Where the shipment is by rail followed by truck delivery, the amount added for transportation may include, in addition to the amount added for rail transportation, the actual cost of truck delivery.

(d) *Trucking to rails.* Where a truck haul precedes a rail shipment as where a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, in the following two cases, a mill may apply to the Lumber Branch of the Office of Price Administration, Washington, D. C. for special permission to make an addition:

(1) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(2) Where a mill's rail connection has been abandoned since September 5, 1941.

[Paragraph (d) as amended by Am. 5, 8 F.R. 17414, effective 1-3-44]

(e) *Transportation to planing mill.* Where the lumber is shipped by rail from a mill having milling-in-transit arrangements with a carrier to a planing mill, owned by the same person, for further processing before delivery to the purchaser, that person may apply for permission to figure transportation charges on the basis of the through rail freight rate from the first mill to final destination in the following case:

(1) Where the hurricane of September, 1938, damaged and destroyed a substantial portion of the timber near which the joint sawmill and planing mill operation had been located, so that the operator has been compelled to rely primarily on more distant sources of timber and has moved the sawmill near the source of supply; and

(2) Where it has not been practicable to move the planing mill because of excessive moving costs, shortages of mill labor and insufficient standing timber in any single location.

The application should be made by letter to the Lumber Branch, of the Office of Price Administration, Washington, D. C., and may be acted upon by letter. The addition may not be made on quotations or sales until permission has been received.

SEC. 12. [Revoked]

[Sec. 12 revoked by Am. 2, 8 F.R. 10660, effective 8-4-43]

SEC. 13. *Mixed cars.* The following additions per M may be made where the purchaser (or purchasers, in the case of a pool car) orders an item consisting of one species, thickness and grade, in the following quantities:

Quantity ordered:	Addition per M
3,000 to 4,000 ft.-----	\$1.00
2,000 to 2,999 ft.-----	2.00
1,000 to 1,999 ft.-----	2.50
999 ft. and less.-----	3.00

ARTICLE III—SPECIFIC DUTIES AND PROHIBITED PRACTICES

SEC. 14. *What the invoice must contain—(a) General.* Because of the large number of possible additions to the basic maximum prices, it is necessary that some of them be separately shown on the invoice. Otherwise the purchaser and the Office of Price Administration could not tell in many cases whether a price which appeared to be above the ceiling was legal or not. Failure to invoice properly is just as much a violation of this regulation as charging an excessive price.

(b) *Basic price.* All invoices must contain a complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum price must be mentioned in the description. The amount added for these does not have to be separately shown.

(c) *Transportation charges.* In 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); and in the case of the sales of imported lumber, the method of calculation of the freight addition;

(4) The words "direct-mill shipment".

(d) *Delivery and custom milling or kiln drying charges.* Any separate charge which the seller is permitted to make for the following must be separately shown on the invoice:

(1) Truck delivery after rail haul, or trucking to railhead.

(2) Custom milling or kiln drying. The invoice of the custom mill or kiln must be attached to the lumber invoice of the seller.

(e) *Different freight rates.* When a single order, for which a single flat delivered price was quoted and accepted, is shipped from two or more mills to a single destination on varying freight rates, the seller may average-out the transportation charges. For example, if a wholesaler bids \$33.00 per MBM on a single order of a hundred thousand feet of lumber, the ceiling price being \$30.00 per MBM and the estimated freight \$3.00, he can ship half of it on a rate resulting in a \$2.00 freight charge and half on a rate resulting in a \$4.00 freight charge. Where this practice is adopted, the seller must observe all of the following conditions:

(1) Each invoice must state that the particular shipment is part of a larger order and identify the order. It must also show the individual rates for each shipment or delivery.

(2) The transportation charges which may be made and collected for each shipment or delivery, on account, must not exceed the average transportation charge figured on the entire order or the actual transportation charge for the particular shipment based upon the permitted estimated weights, whichever is lower.

(3) Upon completion of the order the seller must render a final invoice showing the individual f. o. b. mill prices separately, the amount shipped from each mill, the freight charge for each shipment, and a reconciliation of the total amount so computed with the agreed delivered selling prices and also with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation.

SEC. 15. *Records.* All sellers of Northeastern hardwood lumber must keep records which show a complete description of 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 Northeastern hardwood lumber. They must be kept for two years for inspection by the Office of Price Administration.

SEC. 16. *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 October 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, without good reason, to ship lumber in standard grades and on grade-rule range widths and lengths.

(3) Breaking up a transaction into small orders or small deliveries in an attempt to take it out of this regulation.

(4) Grading as a special grade lumber which can be graded as a standard grade; 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) Unnecessarily routing lumber through a distribution yard.

(7) 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.

(8) Making the buyer take something he does not want in order to get what he does want; for example, making a

buyer who orders No. 2 Common take all the upper grades that develop.

(9) 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 except where the items ordered and delivered are non-standard sizes not specifically priced in the tables.

(c) 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 of lumber 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, insofar 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.

[Paragraph (c) as amended by Supplementary Order 77, 8 F.R. 14310, effective 10-26-43]

SEC. 17. *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, 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 shipment. 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 having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[Sec. 17 as amended by Supplementary Order 50, 8 F.R. 10568, 14310, effective 7-27-43]

ARTICLE IV—MISCELLANEOUS

SEC. 18. *Petitions for adjustment or amendment—(a) Government contracts.* See Procedural Regulation No. 6^o for adjustment provisions on certain government contracts or subcontracts.

[Paragraph (a) as amended by Supplementary Order 83, 9 F.R. 973, effective 2-1-44]

(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 1,⁶ issued by the Office of Price Administration.

(c) In treating with petitions for amendment or 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 Revised Maximum Price Regulation 161 (West Coast Logs),⁷ or Maximum Price Regulations 313 (Prime Grade Hardwood Logs)⁸ and 348 (Logs and Bolts),⁹ or any revision or amendment of these regulations. 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.

[Paragraph (c) added by Supplementary Order 47, 8 F.R. 5303, effective 5-8-43]

[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.]

Sec. 19. Enforcement. (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies, however, are subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

Sec. 20. Licensing. The provisions of Licensing Order No. 1,¹⁰ licensing all persons who make sales under price con-

⁶ 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594.

⁷ 8 F.R. 1117, 2992, 5678, 6619, 9381, 11509, 17327.

⁸ 8 F.R. 1453, 2208, 2992, 5564, 6359, 10825.

⁹ 8 F.R. 16115, 16198, 16204, 16297; 9 F.R. 220, 392, 343, 402, 450, 538, 574, 632, 792, 973, 1317, 1571, 1572, 1717, 2088, 2135.

¹⁰ 8 F.R. 13240.

trol, 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.

[Sec. 20 as amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

Sec. 21. Grades, specifications, and extras not specifically priced. (a) Northeastern hardwood lumber in grades, specifications, and extras not specifically priced in Appendices A, B, and C is nevertheless subject to this regulation. The maximum price shall be a price which bears the October 1941 relation to the most comparable standard item. The seller should find his price difference between the special item and this most comparable standard item in October 1941 or the first month before that in which he had sales of both items, or if this is impossible, the price differential he would have used. This difference is then added to or subtracted from the maximum price of the comparable standard grade, and the result is the maximum price for the special grade. This price must be reported to the Office of Price Administration, Washington, D. C. on OPA Form 675-1 given in paragraph (d) below. It may be ordered reduced, if it is found excessive. But if the price is not disapproved within 30 days of the receipt of the report it is approved.

Applications for approval of maximum prices for special grades and items under this section will be considered only when accompanied by (1) a true copy of the order or of customer's inquiry on the basis of which the application has been submitted; and (2) a statement certified to be true by the purchaser or prospective purchaser to the effect that none of the grades specifically priced in the regulation will serve the purpose for which the stock is intended to be used, which purpose is to be stated; that it has been his custom to purchase lumber on such special specifications. Approval of the price will be conditional on a finding that the purpose for which the special grade item is to be used is classified by the War Production Board as essential to the war effort. Prices, when approved, for such special grades or items will be based on the price differential previously established between the particular special item requirement and the related grade rule specification.

[Paragraph (a) as amended by Am. 5, 8 F.R. 17414, effective 1-3-44]

(b) A seller using this pricing section can go ahead with delivery of the lumber and collection of the price he has computed or requested. But he must tell the buyer that the price is subject to revision within the thirty-day period, and, if the price is ordered reduced, must refund any excess over the final approved price.

(c) For the purposes of this section the term Northeastern hardwood lumber

shall include all items of lumber in the species set forth in paragraph (b) of section 5, but shall not include the following items: (The term "items" includes specifications, workings, services, and/or extras.)

- (1) Glued stock.
- (2) Moulding.
- (3) Shiplap.
- (4) Riggers, step treads, thresholds, hand-ralls.
- (5) Bevel drop siding.
- (6) Flooring.
- (7) Switch, cross, and mine ties.
- (8) Mine material.
- (9) Small dimension stock.
- (10) Lath.
- (11) Navy oak ship stock (see Maximum Price Regulation 231).

[Subparagraph (11) added by Am. 1, 8 F.R. 8541, effective 6-24-43]

(d) OPA Form 675-1 is as follows:

OPA Form 675-1
4-43

Form Approved
Budget Bureau No. 03-R207

OFFICE OF PRICE ADMINISTRATION

LUMBER BRANCH
Hardwood Section

Report of Sales of Northeastern Hardwood Lumber in Special Grades (other than Combination Grades) or Specifications, or sold with special services or other extras.

Company _____
Address _____
Mill location _____

Sales of Special Stocks of Lumber

(As defined in section 21 of Maximum Price Regulation No. 369)

This report must be filed with the Lumber Branch of the Office of Price Administration, Washington, D. C., within 30 days of the date on which the producing mill enters into a contract for the sale of Northeastern hardwood lumber in a special grade (other than a combination grade) or specification, or with special services or other extras.

Date of order _____
Origin of shipment _____
Order No _____
Destination of shipment _____
Purchaser _____
(Name and address)

F. o. b. mill price _____
(Including discounts or commissions, if any)

(Species) (Thickness) (Widths) (Lengths)

(Designation of grade, specification, special services, or other extras)

Differential in relation to most comparable standard grade or item which was employed or would have been employed during October 1-15, 1941 _____

Most comparable standard grade or item to which differential is applied _____

Complete description of special grade, specification, special services, or other extras (including a statement whether the lumber is rough or machined and is air dried, kiln dried, or green) _____

Detailed explanation of how maximum price was computed or built up _____

(Name) (Office or title)

ARTICLE V—APPENDIX A: DOMESTIC NORTHEASTERN HARDWOOD LUMBER: PRICE TABLES ON STANDARD OR NEAR-STANDARD GRADES

SEC. 22. Application of Appendix A. Appendix A applies to all domestic Northeastern hardwood lumber, when sold on grade-rule-range widths and lengths, or widths and lengths substantially the same as grade-rule-range widths and lengths, or in specified average widths or specified average lengths which are substantially run-of-the-log.

SEC. 23. Maximum prices. The maximum f. o. b. mill price for 1,000 feet of Northeastern hardwood lumber in standard or near-standard grades in a rough air dried condition shall be as follows:

TABLE 1—TOUGH WHITE ASH

Thickness (inch)	FAS	Selects	No. 1 common	No. 2 common	No. 3 common
1	\$83.50	\$66.50	\$51.50	\$39.50	\$24.50
1 1/4	91.00	70.50	53.50	41.50	25.50
1 1/2	95.50	73.00	55.00	44.00	25.50
2	101.50	83.50	64.00	48.00	28.00
2 1/2	112.50	94.00	80.50	53.50	32.00
3	123.00	105.00	91.00	63.00	37.00
4	134.00	115.50	101.50	64.00	37.00

TABLE 2—BASSWOOD

Thickness (inch)	FAS	Selects	No. 1 common	No. 2 common	No. 3 common
1/2	\$50.00	\$52.50	\$38.50	\$27.00	-----
3/4	63.50	61.00	44.00	31.00	-----
1	77.00	69.50	50.50	34.00	-----
1 1/4	91.00	81.50	62.00	40.50	\$23.50
1 1/2	95.50	86.50	68.00	44.00	24.50
2	101.50	91.00	74.00	48.00	25.50
2 1/2	107.00	94.00	77.00	47.00	-----
3	112.50	99.50	83.00	-----	-----
4	123.00	108.00	82.50	-----	-----
5	139.00	123.00	93.00	-----	-----

TABLE 3—BEECH

Thickness (inch)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3A common	No. 3 common
1/2	\$52.50	\$35.50	\$23.50	\$17.00	-----
3/4	60.00	40.50	28.00	20.50	-----
1	68.50	46.00	31.00	22.50	-----
1 1/4	80.50	54.50	36.50	27.00	\$21.50
1 1/2	83.50	60.00	37.50	29.00	23.50
2	85.50	62.00	38.50	29.00	23.50
2 1/2	95.50	73.00	41.50	33.00	27.00

TABLE 4—BIRCH

Thickness (inch)	FAS	Selects	No. 1 common	No. 2 common	No. 3A common	No. 3 common
3/4	\$85.50	\$75.00	-----	-----	-----	-----
1	97.50	84.50	-----	-----	-----	-----
1 1/4	114.50	99.50	\$67.50	\$46.00	\$34.00	\$27.00
1 1/2	120.00	104.00	73.00	48.00	37.50	29.00
2	123.00	107.00	77.00	53.50	39.50	30.00
2 1/2	128.50	115.50	82.50	59.00	40.50	31.00
3	134.00	121.00	93.00	64.00	-----	-----
4	144.50	130.50	105.00	69.50	-----	-----
5	155.00	143.50	121.00	75.00	-----	-----

TABLE 5—CHERRY

Thickness (inch)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common
1	\$112.50	\$75.00	\$48.00	\$24.50
1 1/4	117.50	80.50	51.50	27.00
1 1/2	123.00	85.50	53.50	30.00
2	134.00	91.00	64.00	35.50
2 1/2	144.50	95.50	-----	-----
3	150.00	101.50	-----	-----

TABLE 6—CHESTNUT—WHOLE

Thickness (inch)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common
1/2	\$54.50	\$55.50	-----	-----
3/4	64.00	63.00	-----	-----
1	73.00	69.50	-----	-----
1 1/4	128.50	80.50	\$32.00	\$21.50
1 1/2	134.00	85.50	32.00	22.50
2	134.00	85.50	32.00	22.50
2 1/2	139.00	91.00	32.00	23.50
3	-----	-----	32.00	-----

TABLE 7—CHESTNUT—WHEND

Thickness (inch)	FAS	No. 1 common and better	No. 1 common	Sound wormy
1/2	\$40.50	\$34.00	\$32.00	\$28.00
3/4	46.00	38.50	36.50	32.00
1	51.50	43.00	40.50	36.50
1 1/4	62.00	52.50	48.00	43.00
1 1/2	64.00	56.50	52.50	47.00
2	67.50	58.00	53.50	48.00
2 1/2	73.00	63.00	59.00	53.50
3	-----	-----	-----	56.50
4	-----	-----	-----	62.00

TABLE 8—SOFT ELM

Thickness (inch)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common
1	\$64.00	\$43.00	\$34.00	\$20.50
1 1/4	69.50	48.00	38.50	21.50
1 1/2	75.00	52.50	38.50	21.50
2	78.00	55.50	40.50	23.50
2 1/2	83.50	60.00	44.00	28.00
3	91.00	65.50	47.00	30.00

TABLE 9—HICKORY

Thickness (inch)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common	Log run
1	\$80.50	\$43.00	\$25.50	\$21.50	\$40.50
1 1/4	91.00	45.00	29.00	22.50	43.00
1 1/2	91.00	48.00	35.50	22.50	46.00
2	101.50	53.50	35.50	23.50	61.50

TABLE 10—HARD MAPLE

Thickness (inch)	FAS	Selects	No. 1 common	No. 2 common	No. 3A common	No. 3 common
1/2	\$69.50	\$59.00	\$43.00	\$27.00	-----	-----
3/4	80.50	67.50	50.50	31.00	-----	-----
1	91.00	76.00	55.50	34.00	-----	-----
1 1/4	107.00	90.00	66.50	40.50	\$28.00	\$24.50
1 1/2	112.50	94.00	71.50	44.00	33.00	27.00
2	117.50	99.50	77.00	46.00	33.00	28.00
2 1/2	123.00	104.00	82.50	51.50	37.50	29.00
3	139.00	117.50	98.50	56.50	-----	-----
4	150.00	135.00	109.00	62.00	-----	-----
5	171.00	153.00	130.50	68.50	-----	-----

TABLE 11—SOFT MAPLE

Thickness (inch)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common
1/2	\$59.00	\$38.50	\$23.50	-----
3/4	67.50	44.00	23.00	-----
1	76.00	50.50	31.00	-----
1 1/4	90.00	60.00	30.50	\$21.50
1 1/2	95.00	64.00	40.50	23.50
2	97.50	69.50	43.00	23.50
2 1/2	102.50	75.00	48.00	27.00
3	117.50	85.00	-----	-----
4	128.50	96.50	-----	-----
5	147.50	112.50	-----	-----

TABLE 12—OAK

Thickness (inch)	FAS	Selects	No. 1 common	No. 2 common	No. 3A common	No. 3 common
1	\$83.50	\$68.50	\$55.50	\$41.50	\$30.00	\$19.50
1 1/4	94.00	78.00	63.00	46.00	31.00	20.50
1 1/2	98.00	81.00	66.50	48.00	31.00	20.50
2	110.00	93.00	74.00	52.50	32.00	21.50
2 1/2	131.50	105.00	83.00	-----	-----	-----

TABLE 13—YELLOW POPLAR—PLAIN

Thickness (inch)	FAS	Saps	No. 1 common and selects or No. 1 common	No. 2A common	No. 2B common	No. 3 common
1/2	\$59.00	\$47.00	\$38.50	\$23.00	\$22.50	-----
3/4	67.50	54.00	44.00	32.00	27.00	-----
1	76.00	62.00	50.50	36.50	30.00	-----
1 1/4	89.00	73.00	63.00	43.00	31.00	\$21.50
1 1/2	95.00	77.00	63.00	47.00	30.00	22.50
2	93.50	78.00	65.00	49.00	37.00	22.50
2 1/2	111.50	85.50	69.00	51.50	38.50	23.50
3	131.50	101.50	82.50	55.00	-----	-----
4	144.50	114.50	93.00	60.00	-----	-----
5	160.50	130.00	109.00	-----	-----	-----

[Tables 1-13 amended by Am. 7, effective 4-22-44]

TABLE 14—MIXED HARDWOODS

Dunnage or No. 4 Common. Lumber of any hardwood species of standard widths and lengths but poorer in quality than No. 3B Common. \$20.00

[Table 14 as amended by Am. 3, 8 F.R. 15672, effective 11-22-43]

TABLE 15—1" HARDWOOD TIE SIDES

Species	FAS	No. 1 common	No. 2 common	No. 3A common	No. 3B common
Birch	\$87.50	\$55.50	\$39.00	\$27.00	\$22.50
Maple	90.00	56.50	34.00	21.50	18.00
Oak	63.00	46.00	35.50	21.50	17.00
Beech	64.00	46.00	31.00	22.50	19.00

NOTES ON TIE SIDES

For 1 1/4" and thicker items in each species, add to the above prices the same amount by which the prices for these thicknesses, in standard lumber grades, exceed the prices for 1" stock in the same standard grades.

TABLE 16—HARDWOOD HEARTS

Size (inches)	Length (feet)	No. 3 common	Crossing plank
2 x 4	6 to 16	\$25.00	\$31.00
2 x 6	6 to 16	27.00	31.00
2 x 8	6 to 16	25.00	31.00
2 x 10	6 to 16	25.00	31.00
2 x 12	6 to 16	25.00	31.00
2 x 4 and wider	6 to 16	25.00	31.00
2 x 3	6 to 16	27.00	29.00
2 x 4	6 to 16	25.00	29.00
2 x 6	6 to 16	25.00	29.00
2 x 8	6 to 16	25.00	29.00
2 x 10	6 to 16	28.00	32.00
2 x 12	6 to 16	32.00	37.00
3 x 12	6 to 16	38.00	45.00

TABLE 16—HARDWOOD HEARTS—Continued

Size (inches)	Length (feet)	No. 3 common	Crossing plank
4x4	6 to 16	\$27.00	\$30.00
4x6	6 to 16	27.00	31.00
4x8	6 to 16	32.00	38.50
6x6	6 to 16	27.00	31.00
6x8	6 to 16	32.00	38.50
8x8	6 to 16	37.50	47.00

NOTES ON HARDWOOD HEARTS

For all one length, 8' or longer, add \$2.00.
 For all 10' to 15', add \$3.00.
 For all 12' to 15', add \$1.00.
 For all 14' to 15', add \$1.50.

[Tables 15 and 16 amended by Am. 7, effective 4-22-44]

[Table 17 revoked by Am. 1, 8 P.R. 8541, effective 6-24-43]

TABLE 17A—WHITE OAK OR RED OAK—STRUCTURAL STOCK OR SOUND SQUARE EDGE

Size (inches)	Lengths (feet)						
	10 to 10	18	20	22	24	26	28
2x6	\$43	\$46	\$50	\$54	\$59	\$65	\$73
2x8	43	46	50	54	59	65	73
2x10	45	48	52	56	61	67	75
2x12	49	52	55	60	65	71	79
2x14	53	55	60	64	69	75	83
2x16	58	61	65	69	74	80	88
3x6	43	46	49	54	59	65	73
3x8	43	46	49	54	59	65	73
3x10	45	48	52	56	61	67	75
3x12	49	52	55	60	65	71	79
3x14	53	55	60	64	69	75	83
3x16	58	61	65	69	74	80	88
4x6	43	46	49	54	59	65	73
4x8	43	46	49	54	59	65	73
4x10	45	48	52	56	61	67	75
4x12	49	52	55	60	65	71	79
4x14	53	55	60	64	69	75	83
4x16	58	61	65	69	74	80	88
6x6	43	46	50	54	59	65	73
6x8	45	48	52	56	61	67	75
6x10	47	50	54	58	63	69	77
6x12	49	52	55	60	65	71	79
6x14	53	55	60	64	69	75	83
6x16	58	61	65	69	74	80	88
8x8	45	48	52	56	61	67	75
8x10	47	50	54	58	63	69	77
8x12	49	52	55	60	65	71	79
8x14	53	55	60	64	69	75	83
8x16	58	61	65	69	74	80	88
10x10	47	50	54	58	63	69	77
10x12	49	52	55	60	65	71	79
10x14	53	55	60	64	69	75	83
10x16	58	61	65	69	74	80	88
10x18	63	66	70	74	79	85	93
12x12	59	63	67	71	76	82	90
12x14	55	58	62	66	71	77	85
12x16	60	63	67	71	76	82	90
12x18	66	69	73	77	82	88	96
12x20	72	75	79	83	88	94	102
14x14	60	63	67	71	76	82	90
14x16	62	65	69	73	78	84	92
14x18	68	71	75	79	84	90	98
14x20	75	78	82	86	91	97	105
14x22	83	86	90	94	99	105	113
14x24	92	95	99	103	108	114	122
14x26	102	105	109	113	118	124	132
14x28	113	116	120	124	129	135	143
16x16	69	72	76	80	85	91	99
16x18	76	79	83	87	92	98	106
16x20	84	87	91	95	100	106	114
16x22	92	95	99	103	108	114	122
16x24	101	104	108	112	117	123	131
16x26	111	114	118	122	127	133	141
16x28	122	125	129	133	138	144	152
18x18	83	86	90	94	99	105	113
18x20	91	94	98	102	107	113	121
18x22	100	103	107	111	116	122	130
18x24	110	113	117	121	126	132	140
18x26	121	124	128	132	137	143	151
18x28	133	136	140	144	149	155	163

NOTES ON WHITE OAK OR RED OAK—STRUCTURAL STOCK OR SOUND SQUARE EDGE

Random widths; in 2", 3" and 4" thicknesses—\$43.00.

Free of heart; in 2", 3" and 4" thicknesses—add \$6.00 to maximum price for same thickness, width and length in above schedule.

Prices for specific sizes not in schedule. The maximum price for material of a length not included in this schedule shall be determined by adding to the maximum price for the next shorter length the proportionate amount of the difference between the maximum price of such next shorter length and the maximum price of the next longer length.

In the case of any item for which the thickness or the width is not included in the schedule, the maximum price shall be the maximum price for the material of the next greater thickness or width.

The maximum prices set forth above supersede the maximum prices for like material authorized for individual sellers under the special pricing provisions of this regulation.

Deduction for mixed hardwoods. For mixed hardwoods—structural stock or sound square edge, deduct \$4.00 from the maximum price for white oak or red oak—structural stock or sound square edge in the same size as shown in above table.

[Above paragraph added by Am. 5, 8 P.R. 17414, effective 1-3-44].

TABLE 17B—WHITE OAK OR RED OAK—FREIGHT CAR STOCK, COMMON DIMENSION, MINE CAR LUMBER

Size (inches)	Lengths (feet)						
	10 to 16	18	20	22	24	26	28
2 x 6	\$60	\$55	\$61	\$67	\$74	\$83	\$95
2 x 8	60	55	61	67	74	83	95
2 x 10	63	57	63	69	77	86	98
2 x 12	68	63	69	75	82	91	103
2 x 14	64	68	74	80	88	97	109
2 x 16	70	75	81	87	95	104	116
3 x 6	60	55	61	67	74	83	95
3 x 8	60	55	61	67	74	83	95
3 x 10	63	57	63	69	77	86	98
3 x 12	68	63	69	75	82	91	103
3 x 14	64	68	74	80	88	97	109
3 x 16	70	75	81	87	95	104	116
4 x 6	48	55	60	65	71	78	88
4 x 8	48	55	60	65	71	78	88
4 x 10	50	63	62	67	73	80	90
4 x 12	55	62	67	72	78	85	95
4 x 14	59	67	72	77	83	90	100
4 x 16	65	73	78	83	89	96	106
6 x 6	48	55	60	65	71	78	88
6 x 8	50	53	62	67	73	80	89
6 x 10	53	60	65	70	76	83	92
6 x 12	55	62	67	72	78	85	95
6 x 14	59	67	72	77	83	90	100
6 x 16	65	73	78	83	89	96	106
8 x 8	50	58	62	67	73	80	90
8 x 10	53	60	65	70	76	83	92
8 x 12	55	62	67	72	78	85	95
8 x 14	59	67	72	77	83	90	100
8 x 16	65	73	78	83	89	96	106
10 x 10	60	63	65	70	76	83	92
10 x 12	65	62	67	72	78	85	95
10 x 14	69	67	72	77	83	90	100
10 x 16	75	73	78	83	89	96	106
10 x 18	71	79	84	89	95	102	112
12 x 12	66	64	68	73	79	86	96
12 x 14	62	70	74	79	85	92	102
12 x 16	67	76	80	85	91	98	108
12 x 18	74	83	88	92	98	106	115
12 x 20	81	90	95	100	106	113	122
14 x 14	63	71	76	80	86	94	103
14 x 16	69	78	83	88	94	101	110
14 x 18	76	85	90	95	101	108	118
14 x 20	84	94	98	103	109	116	126
14 x 22	93	103	108	113	119	126	136
14 x 24	103	114	119	124	130	137	146
14 x 26	114	125	131	136	142	149	158
14 x 28	127	139	144	149	155	162	172
16 x 16	77	86	91	96	102	109	119
16 x 18	85	95	100	104	110	118	127
16 x 20	94	104	109	114	120	127	137
16 x 22	103	114	119	124	130	137	146
16 x 24	113	125	130	134	140	148	157
16 x 26	124	137	142	146	152	160	169
16 x 28	137	150	155	160	166	173	182
18 x 18	93	103	108	113	119	126	136
18 x 20	102	113	118	122	128	136	146
18 x 22	112	124	128	133	139	146	156
18 x 24	123	136	140	145	151	158	168
18 x 26	136	149	154	158	164	172	181
18 x 28	149	163	168	173	179	186	196

NOTES ON WHITE OAK OR RED OAK—FREIGHT CAR STOCK, COMMON DIMENSION, MINE CAR LUMBER

Random widths; in 2" and 3" thicknesses—\$50.00.

Free of heart; in 2" and 3" thicknesses—add \$8.00 to maximum price for same thickness, width and length in above schedule.

Prices for specific sizes not in schedule. The maximum price for material of a length not included in this schedule shall be determined by adding to the maximum price for the next shorter length the proportionate amount of the difference between the maximum price of such next shorter length and the maximum price of the next longer length.

In the case of any item for which the thickness or the width is not included in

the schedule, the maximum price shall be the maximum price for the material of the next greater thickness or width.

The maximum prices set forth above supersede the maximum prices for like material authorized for individual sellers under the special pricing provisions of this regulation.

Deduction for mixed hardwoods. For mixed hardwoods—freight car stock, common dimension, mine car lumber deduct \$4.00 from the maximum prices for white oak or red oak—freight car stock, common dimension, mine car lumber in the same size as shown in the above table.

[Above paragraph added by Am. 5, 8 F.R. 17415, effective 1-3-44]

[Tables 17-A and 17-B added by Am. 1, 8 F.R. 8541, effective 6-24-43]

TABLE 17C—MIXED HARDWOODS No. 1 DIMENSION

Thickness and width (inches)	Lengths (feet)										
	4	6	8	9	10	12	14	16	18	20	22 and 24
2 x 2	\$27.50	\$27.50	\$34.50	\$35.50	\$34.50	\$34.50	\$35.50	\$36.50	\$33.00	\$30.00	\$44.50
2 x 3	26.50	26.50	33.50	34.50	33.50	33.50	34.50	35.50	37.00	33.00	43.50
2 x 4	25.50	25.50	22.50	33.50	32.50	32.50	33.50	34.50	36.00	37.00	42.50
2 x 5	29.00	29.00	26.00	38.50	37.50	37.50	37.50	38.50	42.00	44.00	43.50
2 x 6	25.50	25.50	32.50	33.50	32.50	32.50	33.50	34.00	36.00	37.00	42.50
2 x 8	25.50	25.50	32.50	33.50	32.50	32.50	33.50	34.00	36.00	37.00	42.50
2 x 10	29.00	29.00	26.00	38.50	37.50	37.50	37.50	38.50	42.00	44.00	43.50
2 x 12	31.00	31.00	28.00	40.50	39.50	39.50	39.50	40.50	44.00	46.00	50.50

TABLE 17D—MIXED HARDWOODS No. 2 DIMENSION

Thickness and width (inches)	Lengths (feet)										
	4	6	8	9	10	12	14	16	18	20	22 and 24
2x2.....	\$25.50	\$25.50	\$31.50	\$32.50	\$31.50	\$31.50	\$32.50	\$33.50	\$35.00	\$35.00	\$41.50
2x3.....	24.50	24.50	30.50	31.50	30.50	30.50	31.50	32.50	34.00	35.00	40.50
2x4.....	23.50	23.50	29.50	30.50	29.50	29.50	30.50	31.50	33.00	34.00	39.50
2x5.....	24.00	24.00	30.00	31.00	30.00	30.00	31.00	32.00	33.50	34.50	40.00
2x6.....	22.50	22.50	28.50	29.50	28.50	28.50	29.50	30.50	32.00	33.00	38.50
2x8.....	22.50	22.50	28.50	29.50	28.50	28.50	29.50	30.50	32.00	33.00	38.50
2x10.....	24.00	24.00	30.00	31.00	30.00	30.00	31.00	32.00	33.50	34.50	40.00
2x12.....	26.00	26.00	32.00	33.00	32.00	32.00	33.00	34.00	35.50	36.50	42.00

[Tables 17C and 17D added by Am. 3, 8 F.R. 15672, effective 12-18-43]

[Table 17E added by Am. 3; revoked by Am. 6, 9 F.R. 1534, effective 2-5-44]

TABLE 18—GRAIN AND COAL DOOR BOARDS

	6'	7'
Grain door boards.....	\$18.00	\$18.00
Coal door boards.....	16.00	16.00

[Table 18 amended by Am. 7, effective 4-22-44]

TABLE 19—1" ROUND EDGE HARDWOODS

Species	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common	Mill run	Log run
Ash.....	\$70.50	\$46.00	\$34.00	\$22.50	\$33.00	\$40.50
Basswood.....	78.00	53.50	35.50	21.50	35.50	46.00
Beech.....	67.50	47.00	31.00	19.50	31.00	39.50
Birch.....	101.50	62.00	40.50	24.50	41.50	55.50
Soft elm.....	51.50	35.50	29.00	18.00	25.50	32.00
Hard maple.....	94.00	61.00	35.50	22.50	38.50	51.50
Soft maple.....	77.00	51.50	31.00	19.50	32.00	43.00
Oak.....	70.50	50.50	36.50	17.00	32.00	44.00

NOTES ON 1" ROUND EDGE HARDWOODS

These maximum prices for "log run" and "mill run" shall be applicable only in case the seller guarantees to the buyer that the shipment shall meet the following requirements:

Log run: Not more than 45% No. 2 Common and not less than 15% FAS.

Mill run: Not more than 40% No. 3 Common, not more than 25% No. 2 Common, and not less than 10% FAS.

The maximum price of round-edge mixed hardwoods sold on a "log run" or "mill run" basis shall be the "log run" or "mill run" price of the lowest-priced species included.

For items thicker than 1" in each species, add to the above prices the same amounts by which the prices for those thicknesses, in square-edge lumber grades, exceed the prices for 1" stock in the same square-edge lumber grades.

[Table 19, formerly Table 20, redesignated and amended by Am. 7, effective 4-22-44; former Table 19 revoked by Am. 4, 8 F.R. 16791, effective 12-18-43]

Where the item is of a thickness for which no prices are listed in the square edge lumber tables for the same species, for example,

2 1/4 inches or 2 3/4 inches, the amount of addition shall be proportioned, according to the thickness of the item, between the amount of addition for the next lower thickness and the amount of addition for the next greater thickness over the one inch price in the same square edge lumber species and grade. Example: F. A. S. Hard Maple 2 3/4 inch thick.

Maximum price for 1" F. A. S. Hard Maple (square edge).....	\$107.00
Maximum price for 2 1/2" F. A. S. Hard Maple (square edge).....	139.00
Maximum price for 3" F. A. S. Hard Maple (square edge).....	150.00
Addition for 2 1/2" stock.....	32.00
Addition for 3" stock.....	43.00
Proportionate addition for 2 3/4" stock.....	37.50

[Above example and preceding paragraph added by Am. 2, 8 F.R. 10660, effective 8-4-43. Example corrected to conform with Am. 3]

SEC. 24. Kiln-drying additions—(a) To 8 percent.

TABLE 20

The following additions per 1,000 feet may be made for kiln-drying the lumber to a moisture content not exceeding 8 percent as of the time the lumber leaves the kiln:

Species	3/4" thick	1" thick	1 1/4" thick	1 1/2" thick	2" thick	2 1/2" thick	3" thick
Basswood.....	7.00	9.00	10.50	12.00	14.50	17.50	22.00
Soft elm.....							
Soft maple.....							
Poplar.....							
Ash.....							
Birch.....							
Beech.....							
Cherry.....							
Chestnut.....							
Hickory.....							
Hard maple.....							
Oak.....							

[Table 20, formerly Table 21, redesignated and amended by Am. 7, effective 4-22-44]

(b) To 12 percent.

TABLE 21

The following additions per 1,000 feet may be made for kiln-drying the lumber to a moisture content greater than 8 percent but not exceeding 12 percent as of the time the lumber leaves the kiln.

Species	3/4" thick	1" thick	1 1/4" thick	1 1/2" thick	2" thick	2 1/2" thick	3" thick
Basswood.....	6.00	8.00	9.00	10.50	12.50	15.00	19.00
Soft elm.....							
Soft maple.....							
Poplar.....							
Ash.....							
Beech.....							
Birch.....							
Cherry.....							
Chestnut.....							
Hickory.....							
Hard maple.....							
Oak.....							

[Table 21, formerly Table 22, redesignated and amended by Am. 7, effective 4-22-44]

(c) To 20 percent. The following additions per 1000 feet may be made for kiln drying the lumber to a moisture content greater than 12 percent but not exceeding 20 percent as of the time the lumber leaves the kiln: One-half of the addition permitted in subparagraph (a) above, except that a minimum of \$4.00 per 1000 feet may be charged.

(d) For inspecting, grading and measuring after kiln drying. Where, at the request of the purchaser, the seller inspects, grades and measures the lumber after kiln drying, an addition may be made of 5 percent of the f. o. b. mill rough air dried price of the lumber.

(e) Custom kiln drying. Where Northeastern hardwood lumber is kiln dried for the seller through a custom kiln and such custom kiln is not owned or operated by, or connected with, the saw mill, the seller may add the actual cost of this custom kiln drying. The amount added may not be higher than the custom kiln's maximum price established by Maximum Price Regulation No. 165, as amended "—Services—for such kiln drying.

7 F.R. 6423, 6366, 8239, 8431, 8793, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8596, 8373, 10671, 10939, 11754, 12023, 12710, 13302, 13472, 14990; 9 F.R. 1819.

Sec. 25. Millworking.

TABLE 22

The following additions per 1,000 feet may be made for millworking:

Species	Surfacing 1 or 2 sides	Surfacing 1 or 2 sides and resawing 1 cut	Surfacing 1 or 2 sides and resawing 2 cuts	Surfacing 4 sides or S1E or S2E	Dressed and matched	Resawing 1 cut	Resawing each additional cut	Ripping per cut	Bundling
Ash.....	\$2.50	\$5.00	\$7.00	\$5.00	\$6.00	\$3.00	\$2.50	\$1.50	\$1.50
Beech.....									
Birch.....									
Cherry.....									
Chestnut.....									
Soft elm.....									
Hickory.....									
Hard maple.....									
Soft maple.....									
Oak.....									
Poplar.....									
Basswood.....	2.00	4.00	5.50	4.00	4.00	2.50	2.00	1.50	1.50

Note: Where Northeastern hardwood lumber is milled for the seller by a custom milling establishment, and such custom milling establishment is not owned or operated by, or connected with, the sawmill, the seller may add the actual cost of the custom milling. The amount added may not be higher than the custom milling establishment's maximum price established by Maximum Price Regulation No. 165, as amended, Services—for such milling.

[Table 22, formerly Table 23, redesignated and amended by Am. 7, effective 4-22-44]

SEC. 26. *Anti-stain treatment.* An addition of 50 cents per MBM may be made when lumber is anti-stain treated.

SEC. 27. *National Hardwood Lumber Association inspection certificate.* Where the purchaser requests an inspection by, and an inspection certificate issued by, the National Hardwood Lumber Association, 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. 28. *Green lumber.* For lumber shipped in a "green" condition, deduct from the maximum prices for air-dried lumber established in this Appendix A, 10 per cent of the maximum price for rough, air-dried material in the same specifications.

This deduction shall not apply to special sawn timbers, tough ash lumber, or to lumber customarily used without air seasoning, but it shall apply to any lumber which requires further air seasoning by the purchaser before being placed in the kiln for kiln-drying, or before fabrication if not kiln-dried.

The mere fact that the lumber is not used immediately, but is stored on the purchaser's yard, does not necessarily mean that green lumber has been shipped, but in case of dispute any lumber which weighs 25% or more in excess of the air-dried weight as published in the Rules for the Measurement and Inspection of Hardwood Lumber, issued by the National Hardwood Lumber Association January 1, 1943, or for weights filed with the Office of Price Administration

by the individual shippers, shall be considered to be "green".

Any purchaser who accepts "green" lumber at prices applicable to "dry" lumber is guilty of violation of the regulation to the same extent as the seller.

[Sec. 28 amended by Am. 1, 8 F.R. 8541, effective 6-24-43; and Am. 5, 8 F.R. 17414, effective 1-3-44]

SEC. 29. *Combination grades or species—(a) General.* For Northeastern hardwood lumber sold on "Log run",

"Mill run", or "No. 1 Common and better" grade for which no specific maximum price has been established in the price tables, the maximum price shall be the maximum price established in the table for the lowest grade of lumber contained in the stock that is sold on the special inspection grade. The seller, however, may grade and ship the lumber on the standard grades included in the special inspection grade and invoice the footage in each of the standard grades at a price not to exceed the maximum price established in this regulation for the respective standard grades.

(b) *No. 1 Common and selects.* If lumber subject to this regulation is sold on a grade of No. 1 Common and selects, and if no specific maximum price has been established for this grade in the tables, \$2.00 may be added to the maximum price for No. 1 Common.

(c) *Mixed hardwoods.* The maximum price for mixed hardwoods in a specified grade and thickness shall be the price of the same grade and thickness for the lowest-priced species included.

ARTICLE VI—APPENDIX B: DOMESTIC NORTHEASTERN HARDWOOD LUMBER: PRICE TABLES ON "STANDARD SPECIAL" ITEMS

SEC. 30. *Standard special widths and lengths: all hardwood species.* The maximum f. o. b. mill price for 1000 feet of domestic Northeastern hardwood lumber in the standard special widths and lengths listed below shall be as follows:

TABLE 23—STANDARD SPECIAL WIDTHS AND LENGTHS IN ALL HARDWOOD SPECIES

(Except as shown in section 31 Table 25)

Width and/or Length	Grade	Maximum additions to maximum prices established in § 23 to 25 for lumber in corresponding standard grade and thickness
8" or 6" and wider; 8' and longer.....	No. 1 Common and No. 2 Common.	\$2.00
10' and longer or 12' and longer.....	No. 2 Common.....	2.00
7" and wider; standard lengths.....	No. 1 Common and Better.....	8.00
8" and wider; standard lengths.....	No. 1 Common and Better.....	12.00
9" and wider; standard lengths.....	No. 1 Common and Better.....	25.00
10" and wider; standard lengths.....	No. 1 Common and Better.....	30.00
12" and wider; standard lengths.....	No. 1 Common and Better.....	35.00
11" and wider; standard lengths.....	Step Plank.....	35.00
12" and wider; standard lengths.....	Step Plank.....	40.00

¹Add to FAS price.

For all one width, same price as for the same width and wider, except where otherwise specifically provided for. For 6' and shorter, deduct \$2.00 except where otherwise specifically provided for.

[Table 23, formerly Table 24, redesignated by Am. 7, effective 4-22-44]

SEC. 31. *Standard special grades, specified widths, and specified lengths: In basswood, birch, and hard maple.* The maximum f. o. b. mill price for 1000 feet of domestic Northeastern basswood, birch, and hard maple in the standard special grades, specified widths, and specified lengths listed below shall be as follows, except where a different price has been provided in section 23 above:

TABLE 24—STANDARD SPECIAL GRADES, SPECIFIED WEIGHTS, AND SPECIFIED LENGTHS

[In specified hardwood species]

Species	Grade or designation	Thickness (inches)	Widths (inches)	Lengths (feet)	Maximum price for 1000 feet BM	Maximum additions to maximum price established in §23 to 25 for lumber in corresponding standard grade and thickness
Basswood	No. 2 common and better	1	Regular	4 and 6	\$41.50	
	No. 2 common	1	3½ to 5½	Regular	\$38.50	
	All	1	Regular	10 and 12		\$5.00.
	All	1½ and thicker	Regular	10 and 12		\$9.00.
	No. 1 common and better	All	7 and wider	Regular		\$7.00.
	No. 1 common and better		10 and wider	Regular		\$15.00.
	No. 1 common and better		12 and wider	Regular		\$20.00.
	No. 1 common and No. 2 common	1		8 and longer (long cutting)		\$4.00.
	Venetian blind stock	1 and 1½				\$5.00.
	FAS key stock	1			\$112.50	
	No. 1 common and selects key stock	1			\$50.50	
	FAS key stock	1½			\$117.50	
	No. 1 common and selects key stock	1½			\$109.50	
	1 and 2 face clear	1	4	6 to 16	\$31.50	
	1 and 2 face clear	1	5	6 to 16	\$39.00	
Selects and better	1 and 1½	45 percent 8 and wider (10 percent to 15 percent 10 and wider).	45 percent 14 and 16.	For each 10 percent of 8' and wider in excess of 45 percent.	\$2.70.	
Selects and better	1 and 1½	45 percent 8 and wider (10 percent to 15 percent 10 and wider).	45 percent 14 and 16.	For each 10 percent of 14' and 16' in excess of 45 percent.	\$2.00.	
Straight-grained, free from cross-grained or curly stock					\$20.00.	
Birch	Knotty	1	4 to 8	8 to 16	\$35.50	
	No. 1 common and better	1	4 and wider	4 and 6	\$77.50	
	No. 2 common and better	1	4 and wider	4 and 6	\$71.50	
	No. 2 common	1	4 and wider	4 and 6	\$47.50	
	No. 2 common and better	1½	4 and wider	4 and 6	\$52.50	
	1 and 2 face clear	1	4	6 to 16	\$52.50	
	1 and 2 face clear	1	5	6 to 16	\$55.50	
	2 face clear	1	4	6 to 16	\$101.50	
	2 face clear	1	5	6 to 16	\$107.50	
	No. 1 common	1	4	Any	\$77.50	
	No. 2 common	1	4	Any	\$71.50	
	No. 3 common	1	4	Any	\$47.50	
	No. 1 common	1	6	Any	\$73.50	
	No. 2 common	1	6	Any	\$48.00	
	No. 3 common	1	6	Any	\$28.00	
	Selected red birch					\$20.00.
	1 and 2 face clear	1	4	6 to 16	\$165.00	
	1 and 2 face clear	1	5	6 to 16	\$112.50	
	1 and 2 face clear	1½	4	6 to 16	\$111.50	
	No. 1 common and better—Curly	1 and thicker	Regular	Regular	\$152.50	
F A S birds-eye	1 and thicker	Regular	Regular		\$25.00.	
No. 1 common and better heel stock	1½ to 2½	Regular	Regular		\$10.00.	
No. 1 common flooring stock	1	4 and wider	4 and longer	\$75.50		
No. 2 common flooring stock	1	4 and wider	4 and longer	\$37.50		
No. 3A common flooring stock	1	4 and wider	4 and longer	\$27.50		
No. 1 common flooring stock	1½	4 and wider	4 and longer	\$29.50		
No. 2 common flooring stock	1½	4 and wider	4 and longer	\$29.50		
No. 3A common flooring stock	1½	4 and wider	4 and longer	\$32.00		
No. 1 white					\$20.00.	
No. 1 and No. 2 white					\$15.00.	
No. 2 white					\$10.00.	
Sap 1 face					\$7.00.	
Straight grain (except in conjunction with No. 1 white; No. 2 white or No. 1 and No. 2 white)					\$20.00.	
Straight grain (in conjunction with No. 1 white; No. 2 white or No. 1 and No. 2 white)					\$10.00.	

[Table 24, formerly Table 25, redesignated and amended by Am. 7, effective 4-22-44]

Sec. 32. *Additions and adjustments.* The provisions of sections 24 to 28, inclusive, relating to additions for kiln drying, millworking, anti-stain treatment, and NHLA inspection, and adjustment for green lumber, are applicable to the price schedules in sections 30 and 31.

ARTICLE VII—APPENDIX C: CANADIAN NORTHEASTERN HARDWOOD LUMBER DELIVERED IN THE UNITED STATES

Sec. 33. *Application of Appendix C.* This appendix applies to Northeastern hardwood lumber produced in Canada east of the 85th meridian and delivered in the United States.

Sec. 34. *Maximum prices for Canadian lumber—(a) Maximum f. o. b. mill price.* The maximum f. o. b. mill price for 1000

feet of Northeastern hardwood lumber produced in Canada east of the 85th meridian, and shipped to the United States, shall be the maximum price established in section 23 (Appendix A) minus \$3.50.

(b) *Import taxes and duties.* Import taxes and duties may be added to the maximum f. o. b. mill prices.

(c) *Additions and adjustments.* The provisions of sections 24 to 28, inclusive, relating to additions for kiln drying, mill working, and anti-stain treatment, and NHLA inspection, and adjustment for green lumber, are applicable to this section.

[Sec. 34 as amended by Am. 2, 8 F.R. 10569, effective 8-4-43]

ARTICLE VIII—APPENDIX D: ESTIMATED WEIGHTS

Sec. 35. *Square-edge, green or rough air-dried.* The estimated average weights for Northeastern square-edge hardwood lumber in a green or rough air-dried condition shall be as follows:

Species:	Pounds per 1000 feet BM
Ach	3,800
Basswood	2,500
Beech	4,000
Birch	4,000
Cherry	3,900
Chestnut	2,800
Soft elm	3,200
Hickory	4,500
Hard maple	4,300
Soft maple	3,700
Oak	4,000
Poplar	2,800

The estimated average weight for Northeastern square-edge "Mixed Hardwoods" shall be the estimated average weight of that species included in the "Mixed Hardwoods" which has the lowest estimated average weight according to this schedule.

Sec. 36. *Round-edge, green or rough air-dried.* The estimated average weights for Northeastern round-edge hardwood lumber in a green or rough air-dried condition shall be as follows:

Species:	Pounds per 1000 feet BM
Ash.....	4,900
Basswood.....	3,200
Beech.....	5,200
Birch.....	5,200
Soft elm.....	4,200
Hard maple.....	5,600
Soft maple.....	4,800
Oak.....	5,200

The estimated average weight for Northeastern round-edge "Mixed Hardwoods" shall be the estimated average weight of that species included in the "Mixed Hardwoods" which has the lowest estimated average weight according to this schedule.

Sec. 37. *Air-dried, worked.* The estimated average weights for Northeastern hardwood lumber in an air-dried condition worked as indicated shall be as follows in pounds per 1000 feet BM:

Species	S1S or S2S	S1S or 2S & re-sawn one cut	S1S or 2S & re-sawn two cuts	Rough resawn one cut	Rough resawn two cuts	D & M or S4S
Ash.....	3300	3100	2900	3500	3300	3000
Basswood.....	2000	1800	1700	2200	2000	1800
Beech.....	3500	3300	3100	3700	3500	3200
Birch.....	3500	3300	3100	3700	3500	3200
Cherry.....	3400	3200	3000	3600	3400	3100
Chestnut.....	2400	2200	2000	2500	2400	2000
Soft elm.....	2700	2500	2300	2900	2700	2300
Hickory.....	3900	3700	3500	4200	3900	3600
Hard maple.....	3800	3600	3400	4000	3800	3500
Soft maple.....	3200	3000	2800	3400	3200	2800
Oak.....	3500	3300	3100	3700	3500	3200
Poplar.....	2400	2200	2000	2500	2400	2000

Sec. 38. *Kiln-dried.* The estimated average weights for Northeastern hardwood lumber in a kiln-dried condition shall be the average weights established in sections 35, 36, and 37, decreased by the average difference in weight between air-dried lumber and kiln-dried lumber in the particular species and in the condition shipped. This average difference shall be calculated on the basis of the experience during the year 1941 of the mill which produced the lumber shipped.

Effective date. This regulation shall become effective April 21, 1943. [MPR 368 originally issued April 16, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

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 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5459; Filed, April 17, 1944; 4:40 p. m.]

PART 1388—DEFENSE-RENTAL AREAS
[Rent Reg. for Hotels and Rooming Houses,¹ Correction]

LITTLE ROCK, ARK.

Item 23 of the Rent Regulation for Hotels and Rooming Houses is corrected to read as follows:

(23) Little Rock, Arkansas.....	Lonoke and Pulaski.....	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
Arkansas.....	Saline.....	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942

This correction is effective as of March 1, 1944.

(56 Stat. 23, 765)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5451; Filed, April 17, 1944; 11:56 a. m.]

dual measurements of the ultimate consumer.

5. Section 53 (a) (2) is amended to read as follows:

(2) *What transactions are covered.* This section applies to sales at wholesale, sales at retail, sales by manufacturing-wholesalers and sales by manufacturing-retailers of men's and boys' wear set forth in paragraph (a) (1). This section does not apply to sales by custom or merchant tailors of garments which are manufactured to the individual measurements of the ultimate consumer.

6. Section 61 (a) (2) is amended to read as follows:

(2) *What transactions are covered.* This section applies to sales at wholesale, sales at retail, sales by manufacturing-wholesalers and manufacturing-retailers, of children's and infants' wear as set forth in paragraph (a) (1). This section does not apply to sales by custom tailors or dressmakers of garments which are manufactured to the individual measurements of the ultimate consumer.

This amendment shall become effective as follows:

(a) As to section 19b, as of March 13, 1944.

(b) As to sections 52, 53, and 61, as of March 20, 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 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5462; Filed, April 17, 1944; 4:41 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 373,² Amdt. 50]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

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 373 is amended in the following respects:

1. Section 19b (e) (3) (i) (s) is added to read as follows:

(s) "Sausage, pork and veal (bulk) (type 3)" means sausage containing not more than 70% ground veal as defined in (e) (2) (iii) (e) and not less than 30% pork trimmings and fat.

2. Section 19b Table C is amended by adding a new item under the category "Miscellaneous pork cuts" to read as follows:

Miscellaneous pork cuts:	Cents per pound
Sausage, pork and veal (bulk) (type 3)	\$0.35

3. Section 19b Table G is amended by changing the item "Butter, salted" to read as follows:

Butter, salted:	Maximum price (Cents per pound)
U. S. Grade AA or U. S. 93 score.....	\$0.60
U. S. Grade A or U. S. 92 score.....	.60
U. S. Grade B or U. S. 90 score.....	.59
U. S. Grade C or U. S. 89 score.....	.59

4. Section 52 (a) (2) is amended to read as follows:

(2) *What transactions are covered.* This section applies to sales at wholesale, sales at retail, sales by manufacturing-wholesalers, and sales by manufacturing-retailers of women's and girl's wear set forth in paragraph (a) (1). This section does not apply to sales by custom tailors or dressmakers of garments which are manufactured to the individual measurements of the ultimate consumer.

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

¹ 9 F.R. 2165, 2290, 3231, 3421.
² 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393.

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 395,¹ Amdt. 18]

PIECE GOODS IN VIRGIN ISLANDS

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 395 is amended in the following respects:

1. Section 24 Table XII item 3 is amended to read as follows:

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
3. All types of animal and poultry feed.	Pounds 2.....	\$0.025	\$0.025	\$0.03

¹ 8 F.R. 6621, 8873, 9996, 11438, 12661, 13345, 14144, 15865, 17052, 16298, 16793; 9 F.R. 1398.

2. Section 25 Table XIII is amended to read as follows:

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
1. Natural American Cheddar	Lb.			
2. Processed Cheddar, leaves weighing 2 pounds and over	1	\$0.43	\$0.44	\$0.46
	1	.47	.48	.50

NOTE: The maximum prices for all types, grades or varieties of cheese, other than those listed above shall be established in accordance with the requirements of Maximum Price Regulation No. 201.

3. Section 38 is added to read as follows:

SEC. 38 *Maximum prices for imported piece goods sold or delivered in the Virgin Islands of the United States*—(a) *Definitions*. When used in this section 38, the term:

(1) "Piece goods" means all unused finished piece goods, yard goods and pound goods, 12 inches or more in width, consisting basically of wool or other animal fibre, cotton, rayon, silk, linen, oilcloth or synthetic textile fibre by whatever process manufactured, whether commonly used for dress or other garment making or for industrial, utility or household purposes.

(2) "Imported piece goods" means piece goods not actually manufactured or produced in the Virgin Islands of the United States.

(3) "Foreign place" means any place outside of the continental United States and the territories and possessions of the United States.

(4) "Class of piece goods items" means a group of piece goods products having the same or similar description, all of which have identical maximum prices and are received by the seller in one delivery.

(b) *Maximum prices*—(1) *Piece goods directly imported from foreign places*. The maximum prices at retail and at wholesale of piece goods directly imported from a foreign place shall be governed by Maximum Price Regulation No. 201.²

(2) *All other imported piece goods*. (i) Maximum retail prices for imported piece goods, except those directly imported from a foreign place, shall be computed by multiplying the direct cost to the importer by the applicable multiplier set forth in Table XXVI below:

TABLE XXVI—IMPORTED PIECE GOODS

	Sales in the Municipalities of St. Thomas and St. John	Sales in the Municipality of St. Croix
Multiplier.....	\$1.35	\$1.50

(ii) The wholesale prices for such imported piece goods are subject to agreement between buyer and seller, but in no event may the wholesale price exceed the seller's maximum retail price for the commodity.

² 7 F.R. 6269, 6744, 9996, 8847, 10231, 10790; 8 F.R. 1860, 10984.

(iii) No sales at retail of such imported goods in excess of the retail price computed in accordance with the method stipulated in sub-division (b) (2) (1) herein shall be permitted, regardless of the number of transfers of the commodity which may occur in the Virgin Islands of the United States.

(c) *Price lists and statements*—(1) *Price lists to be filed by the seller at retail*. The seller at retail shall file with the Office of Price Administration in St. Thomas or St. Croix not later than two weeks after the effective date a statement indicating the direct cost to the importer, his applicable multiplier and his maximum retail selling price for each class of piece goods items in his inventory on the date when he submits his statement to the Office of Price Administration. Thereafter, the retailer shall notify the Office of Price Administration of his ceiling prices by filing a supplementary price list setting forth similar information for each class of piece goods items subsequently acquired by him within three days after placing such class of piece goods items on sale. The inventory and supplementary price lists shall contain the following information:

(i) Description of class of piece goods items: type, brand, size, supplier's stock number if available.

(ii) The date of receipt (applicable only when filing the supplementary price list).

(iii) The name and address of the supplier.

(iv) The direct cost to the importer.

(v) The applicable multiplier (or markup).

(vi) The retailer's maximum price.

(2) *Price statement required of the seller at wholesale*. Any person, including the importer, who sells or transfers imported piece goods (except those subject to Maximum Price Regulation No. 201) to another person for purposes of resale shall furnish such person with a written statement of the direct cost of each class of such piece goods items to the importer, and shall certify this information to be true and correct.

This amendment shall become effective April 22, 1944.

NOTE: The reporting and record-keeping provisions 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 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5461, Filed, April 17, 1944; 4:40 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Rev. SR 14 to GMPR, Amdt. 119]

LABORATORY REAGENT SPECIALTY SOLUTIONS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

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

Section 4.25 is added to read as follows:

SEC. 4.25 *Laboratory reagent specialty solutions*—(a) *Definition*. Laboratory reagent specialty solutions are solutions of dyes, chemicals or other substances sold for the following purposes: scientific and medical research; analytical, educational and clinical laboratory uses; and quality control of industrial products.

(b) *Maximum prices*—(1) *Manufacturers*. Manufacturers of laboratory reagent specialty solutions which contain U. S. tax-paid ethyl alcohol and for which no Treasury drawback is obtainable under law, may add to their maximum prices established under this General Maximum Price Regulation without the use of this section 4.25 for sales of such solutions the exact amount of the tax in excess of \$4.00 per proof gallon paid on the alcohol contained therein. The added amount permitted to be charged shall be separately stated by the seller on an invoice furnished the buyer prior to payment.

(2) *Resellers*. Resellers of laboratory reagent specialty solutions may add to their maximum selling prices the amount of the increase in their buying prices permitted by the preceding subparagraph (1) and shall separately show such amount on an invoice furnished their buyers prior to payment.

This amendment shall become effective April 22, 1944.

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

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5442; Filed, April 17, 1944; 11:58 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 120]

MUSSEL SHELLS

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 Supplementary Regulation No. 14 is amended by adding a new section 6.45 to read as follows:

SEC. 6.45 *Mussel shells*. Diggers of mussel shells used in the production of pearl buttons, may sell and deliver "Figtote" shells and "Washboard" shells secured along the banks of the Tennessee River and Ohio River at prices not to exceed the following maximum prices:

For "Figtote" shells: 125% of the maximum prices established under the General Maximum Price Regulation, or \$40.00 per ton, whichever is lower, f. o. b. river bank.

For "Washboard" shells: 125% of the maximum prices established under the General

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

Maximum Price Regulation, or \$18.75 per ton, whichever is lower, f. o. b. river bank.

This section shall expire on December 31, 1944.

This amendment shall become effective on the 22d day of April 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 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5443; Filed, April 17, 1944;
11:58 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,² Amdt. 57]

FOOD RATIONING FOR INSTITUTIONAL USERS

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

A new section 18.2 (f) is added to read as follows:

(f) An institutional user who has no meal service base is not required to keep the records described in paragraph (b) or (c). He must, however, keep a record of the amount of rationed food he acquired and the amount of rationed food he used in each allotment period.

This amendment shall become effective April 22, 1944.

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

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

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5490; Filed, April 18, 1944;
11:44 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 8,² Amdt. 7]

GENERAL PROHIBITIONS AND PENALTIES

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

General Ration Order 8 is amended in the following respects:

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

¹ 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476.

² 8 F.R. 3783, 5677, 9626, 15455; 9 F.R. 402, 1325, 2746.

1. The title of the order is amended to read, "General Prohibitions, Penalties and Conditions".

2. Section 1305.53 is amended to read as follows:

§ 1305.53 *General prohibitions, penalties and conditions.* Under the authority vested in the Administrator by Executive Order No. 9125, Directive No. 1 of the War Production Board and Food Directive No. 3 issued by the Secretary of Agriculture, General Ration Order No. 8 (General Prohibitions, Penalties and Conditions) which is annexed hereto and made a part hereof, is hereby issued.

3. Section 1.1 is amended to read as follows:

Sec. 1.1 *Scope of order.* This order sets forth certain uniform prohibitions, penalties and conditions which shall apply to all ration orders.

4. Section 2.10 is revoked.

5. Section 4.1 is amended by inserting after the second word in the first sentence the following: "who sells or transfers, or in the course of trade or business buys or receives, any rationed commodity at a price in excess of the applicable maximum price established for that commodity by the Office of Price Administration or".

This amendment shall become effective April 22, 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. 9334, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5489; Filed, April 18, 1944;
11:44 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMFR 291,² Corr. to Amdt. 3]
CERTAIN SYRUPS AND MOLLASSES

Amendment No. 3 to Revised Maximum Price Regulation 291 is corrected in the following respect:

The paragraph denoted by the use of (b) for the second time in section 11a is corrected to read (c) and the reference in that paragraph to (a) is corrected to read (b).

This correction shall become effective as of April 8, 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 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5488; Filed, April 18, 1944;
11:43 a. m.]

¹ 8 F.R. 16508; 9 F.R. 795, 2562, 8642.

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 375,² Corr. to Amdt. 2]

USED INDUSTRIAL SEWING MACHINES

In paragraph 1 the phrase "Section 1390.61a is amended to read as follows:" is corrected to read "Section 1390.161 (a) is amended to read as follows:".

This correction to Amendment 2 shall become effective as of April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Directive No. 35 of the War Production Board)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5487; Filed, April 18, 1944;
11:43 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,² Amdt. 117]

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:

Section 1394.7706 (x) (5) is amended to read as follows:

(5) A States War Inspection Service Volunteer of the Office of Civilian Defense who is certified by a Regional Industrial Protection Officer of the Office of Civilian Defense to be a States War Inspection Service Volunteer for travel in the performance of his official duties. Such certification shall also state the estimated number of inspections to be made by the applicant during the three month period following the date of application and the estimated mileage required for such inspection work.

(i) Daily or periodic travel between home or lodgings and a fixed place of work shall not be deemed performance of official duties.

This amendment shall become effective April 22, 1944.

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

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5491; Filed, April 18, 1944;
11:45 a. m.]

¹ 8 F.R. 5887, 7114, 9 F.R. 3855.

² 8 F.R. 16937, 16250, 16420, 9 F.R. 104, 8 F.R. 16845, 16846, 17327, 17484, 17297; 9 F.R. 286, 90, 1181, 1180, 972, 1326, 1397, 1712, 2033, 2087, 2239, 2654, 2302, 2567, 2655, 2829, 2791, 3073, 2909, 3232, 3734, 3745.

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 472, Amdt. 2]

CERTAIN ESSENTIAL OILS

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. 472 is amended in the following respects:

1. Section 1 is amended by adding the following oils to the list contained therein:

Oil of cedarleaf.
Oil of spruce.

2. Section 7 (a) is amended by substituting the expression "Appendices A and B" for the expression "Appendix A," wherever it occurs.

3. Section 11 (a) (5) is amended to read as follows:

(5) "Producer" means:
(i) In the case of natural oil of peppermint and natural oil of spearmint, a person who sells natural oil of peppermint or natural oil of spearmint distilled from plants grown by him or distilled by him from plants grown by others.

(ii) In the case of oil of cedarleaf and oil of spruce, a person who produces these oils from plant material.

4. Section 11 (a) (6) (iv) is added to read as follows:

(iv) In the case of oil of cedarleaf and oil of spruce, a person other than a producer or drug wholesaler who sells oil of cedarleaf or oil of spruce. A person may be a producer as to oils produced by

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

19 F.R. 13126; 9 F.R. 3426.

him, and a dealer as to oils produced by others.

5. Section 11 (a) (9) is added to read as follows:

(9) "Oil of cedarleaf" means oil of cedarleaf U. S. P. and all other types and grades of oil of cedarleaf.

6. Section 11 (a) (10) is added to read as follows:

(10) "Oil of spruce" means the volatile oil distilled with steam from species of *Picea* and known commercially as oil of spruce.

7. Appendix B is added to read as follows:

Appendix B—Maximum prices for oil of cedarleaf and oil of spruce

(a) *Sales by producers.* The maximum prices for sales by producers of oil of cedarleaf or oil of spruce in any quantity and any container, f. o. b. producer's shipping point, shall be \$2.25 per pound.

(b) *Sales by dealers.* The maximum prices per pound for sales by dealers of oil of cedarleaf or oil of spruce are set forth below:

Quantity per container:	Sales by dealers per lb. per oz.
Over 50 lbs.	02.65
50 lbs.	2.73
25 lbs.	2.75
10 lbs.	2.76
6 lbs.	2.78
1 lb.	2.85
8 oz.	2.80
4 oz.	3.02
1 oz.	3.34

The quantities specified above refer to the quantity contained in a single container. It shall be an evasion of the regulation, however, for a seller to require a buyer to purchase a given quantity in a number of small containers in order to obtain a higher price.

Where the container in which the oil is sold contains a quantity not specifically listed, the price which is applicable is the price for a sale in the next larger quantity which is specifically listed.

Each dealer shall apply to the maximum prices listed above the same credit terms and

practices relating to the payment of freight charges and other transportation costs as were in effect during the year 1942 on his sales of oil of cedarleaf or oil of spruce.

- This amendment shall become effective April 24, 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 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5493; Filed, April 18, 1944; 11:45 a. m.]

PART 1408—GLASS AND GLASS CONTAINERS

[MPR 382, Amdt. 5]

WIDE MOUTH GLASS CONTAINERS

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

Maximum Price Regulation No. 382 is amended in the following respects:

1. Section 5.1 (a) is amended to read as follows:

Sec. 5.1 *Base prices for the Eastern area—(a) Standard glass containers.*

TABLE FOR STANDARD GLASS CONTAINERS
(Quantities listed below are for shipments at one time and are for GOA #400 finish)

Capacity in ounces	Finish M/M	Tacked O, or #13 cartons dozen	Over 1,000 caco lots	500-1,000 caco lots	100-500 caco lots	Less than 100 cases	Shipping weight per gross in pounds
4 1/4	45	4	\$1.70	\$1.60	\$1.60	\$2.15	40
6 1/4	53	2	2.10	2.10	2.20	2.45	46
8 1/4	53	2	2.10	2.20	2.30	2.65	55
8 3/4	53	2	2.10	2.20	2.30	2.65	55
8 3/4	53	2	2.10	2.20	2.30	2.65	55
11 1/4	53	2	2.35	2.40	2.50	2.75	70
12 1/4	53	2	2.35	2.40	2.50	2.81	73
12 3/4	53	2	2.70	2.60	2.70	2.91	80
15 3/4	53	2	2.70	2.60	2.70	2.91	80
16 3/4	53	1	2.70	2.60	2.70	2.91	80
17 1/4	53	1	2.70	2.60	2.70	2.91	80
18 1/4	53	1	2.70	2.60	2.70	2.91	80
22 1/4	53	1	2.90	2.80	2.90	3.25	100
24 1/4	53	1	2.90	2.80	2.90	3.25	110
27 1/4	53	1	3.00	2.90	3.00	3.35	115
31 1/4	53	1	3.00	2.90	3.00	3.40	123
33 1/4	53	1	3.00	2.90	3.00	3.45	133
35 1/4	53	1	3.00	2.90	3.00	3.45	133
37 1/4	53	1	3.00	2.90	3.00	3.45	133
37 1/4	53	1	3.00	2.90	3.00	3.45	133

As defined in paragraph (b) immediately following. When A or B style cartons are used, there may be added to the prices specified in this table the dollar-and-cent amount by which the A or B style carton differential exceeds the O price specified in the Table of Case Differentials to be Added to Bulk Carton Prices Per Gross in Paragraph (b) immediately following. When case is made in other than A, B or C style cartons, the maximum price shall be determined in accordance with section 4.3 (b) above.

For other standard finishes interchangeable with GOA #400, the following minimum quantities, ordered for shipment as soon as made, may be required:

Quantity	Gross
4 1/4 ounce	375
6 1/4 ounce	350
8 1/4 and 8 3/4 ounce	275
11 1/4 ounce to 12 1/4 ounce inclusive	200
15 1/4 ounce to 22 1/4 ounce inclusive	235
24 1/4 ounce to 34 ounce inclusive	200

19 F.R. 6375, 6830, 10018, 11013, 13251.

2. Section 5.2 (a) is amended to read as follows:

SEC. 5.2 *Base prices for the Western area—(a) Standard glass containers.*

TABLE FOR STANDARD GLASS CONTAINERS

[Quantities listed below are for shipments at one time and are for GCA #400 finish]

Capacity in ounces	Finish M/M	Packed O, or #13 cartons ¹ dozen	Over 1,000 case lots	500-1,000 case lots	100-499 case lots	Less than 100 cases	Shipping weight per gross in pounds
4¼	48	4	\$1.99	\$2.09	\$2.19	\$2.44	40
6¼	53	2	2.34	2.44	2.54	2.79	45
8¾	53	2	2.51	2.61	2.71	2.96	55
8¾	58	2	2.51	2.61	2.71	2.96	55
8¾	58	2	2.51	2.61	2.71	2.96	55
11¾	58	2	2.81	2.91	3.01	3.26	70
12¾	53	2	2.88	2.98	3.08	3.33	75
12¾	58	2	2.88	2.98	3.08	3.33	75
15¾	63	2	3.08	3.18	3.28	3.53	80
16¾	63	1	3.34	3.44	3.54	3.79	90
17	63	1	3.34	3.44	3.54	3.79	90
18¾	63	1	3.68	3.78	3.88	4.13	100
22¾	63	1	3.81	3.91	4.01	4.26	110
24¾	63	1	3.89	3.99	4.09	4.34	115
27¾	63	1	3.96	4.06	4.16	4.41	125
31	63	1	4.04	4.14	4.24	4.49	130
32¾	63	1	4.11	4.21	4.31	4.56	130
34	63	1	4.11	4.21	4.31	4.56	135

For other standard finishes interchangeable with GCA #400, the following minimum quantities, ordered for shipment as soon as made, may be required:

	Gross
4¼ ounce.....	375
6¼ ounce.....	350
8¾ and 8¾ ounce.....	275
11¾ ounce to 12¾ ounce, inclusive.....	250
15¾ ounce to 22¾ ounce, inclusive.....	225
24¾ ounce to 34 ounce, inclusive.....	200

¹ As defined in paragraph (b) immediately following.

This amendment shall become effective April 24, 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 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5494; Filed, April 18, 1944;
11:46 a. m.]

PART 1412—SOLVENTS

[MPR 28,¹ Amdt. 6]

ETHYL ALCOHOL (EXCLUDING WEST COAST ETHYL ALCOHOL)

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 28 is amended in the following respects:

1. The introductory paragraph of § 1412.263 is amended by changing the colon after "specified" to a period and adding the following sentences:

The maximum prices established herein do not apply to sales to persons other than Defense Supplies Corporation of ethyl alcohol produced in whole or in part from potatoes where any part of the cost of such potatoes is borne by the United States or any agency thereof. Maximum prices for such sales shall be prices in line with the level of maximum prices established herein adjusted to re-

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

¹ 8 F.R. 2339, 4256, 4852, 8016, 12879; 9 F.R. 2668, 3330.

fect the portion of raw material cost borne by the government, and specifically authorized by the Office of Price Administration, Washington, D. C., pursuant to written application by the manufacturer. No delivery of such ethyl alcohol may be made to any person other than Defense Supplies Corporation prior to obtaining authorization of a maximum price covering such delivery. Deliveries of such alcohol to Defense Supplies Corporation may be made only at or below the maximum price established for such deliveries under paragraph (h) below.

2. The heading of § 1412.263 (h) is amended to read as follows:

(h) *Sales of certain ethyl alcohol to the Defense Supplies Corporation.*

3. Section 1412.263 (h) (1) is amended by changing in the first paragraph the colon following the words "following formula" to a period, the words "following formula" to "formula below" and adding the following sentence:

The maximum price for the sale by any plant to Defense Supplies Corporation of ethyl alcohol of 190 proof produced in whole or in part from potatoes, where any part of the cost of such potatoes is borne by the United States Government or any agency thereof, shall be the maximum price computed pursuant to the following formula:

This amendment shall become effective April 24, 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 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5496; Filed, April 18, 1944;
11:46 a. m.]

PART 1412—SOLVENTS

[MPR 295,¹ Amdt. 7]

WEST COAST ETHYL ALCOHOL

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. 295 is amended in the following respects:

1. The introductory paragraph § 1412.165 is amended by changing the colon following the word "specified" to a period and adding the following sentences:

The maximum prices established herein do not apply to sales to persons other than the United States Government or any agency thereof of West Coast ethyl alcohol produced in whole or in part from potatoes where any part of the cost of such potatoes is borne by the United States or any agency thereof. Maximum prices for such sales shall be prices in line with the level of maximum prices established herein adjusted to reflect the portion of raw material cost borne by the government, and specifically authorized by the Office of Price Administration, Washington, D. C., pursuant to written application by the manufacturer. No delivery of such West Coast ethyl alcohol may be made to any person other than the United States Government or any agency thereof prior to obtaining authorization of a maximum price covering such delivery. Deliveries of such alcohol to the United States Government or any agency thereof may be made only at or below the maximum price established for such deliveries under paragraph (g) below.

2. Section 1412.165 (g) is amended by changing in the first paragraph, the words "following formula" to "formula below" the colon after the words "following formula" to a period, and adding the following sentence:

The maximum prices for the sale to the United States Government or its agencies of West Coast ethyl alcohol produced in whole or in part from potatoes, where any part of the cost of such potatoes is borne by the United States Government or any agency thereof, shall be only those computed in accordance with the following formula:

This amendment shall become effective April 24, 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 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5495; Filed, April 18, 1944;
11:46 a. m.]

¹ 7 F.R. 11115; 8 F.R. 129, 2599, 4930, 15431; 9 F.R. 2668, 3330.

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 288, Amdt. 23]

MEAT AND POULTRY PRODUCTS 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 1418.354a is added to read as follows:

§ 1418.354a *Territorial adjustment of maximum prices.* The Territorial Director of the Office of Price Administration in Alaska may issue an order adjusting the maximum price of any item for any locality listed in the Tables of maximum prices in § 1418.363 whenever such action is necessary to correct an error or to prevent substantial hardship caused by

an unanticipated increase in the maximum wholesale price or costs of shipment. An order issued pursuant to this section shall remain in effect until superseded by an appropriate amendment.

2. Section 1418.363 (x) Table XXIV is added to read as follows:

(x) Table XXIV.—Maximum retail prices for canned beef, pork and poultry products.

Item	Container	Localities														Nome
		Kachikton	Wrangell	Petersburg	Junco-Douglas	Skagway-Haines	Sitka	Cordova	Valdez	Seward	Kodiak	Anchorage	Palmer and points on Alaska R. R. north of Anchorage and south of Chitina	Chitina and points on Alaska R. R. north of Chitina to and including Fairbanks	Nome	
Chicken and turkey:																
Lynden boned chicken	3½-oz. glass	\$0.54	\$0.54	\$0.54	\$0.54	\$0.54	\$0.54	\$0.54	\$0.54	\$0.54	\$0.54	\$0.54	\$0.54	\$0.54	\$0.54	\$0.54
Lynden diced chicken	4-oz. glass	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50
Lynden chicken a la king	17-oz. glass	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49
Lynden minced chicken	4-oz. glass	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47
Lynden egg noodles and chicken	1-lb. glass	.39	.39	.39	.39	.39	.39	.39	.39	.39	.39	.39	.39	.39	.39	.39
Lynden sliced chicken	5½-oz. glass	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59
Lynden Twistee noodle dinner	1-lb. glass	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19	.19
Lynden boned turkey	5½-oz. glass	.73	.73	.73	.73	.73	.73	.73	.73	.73	.73	.73	.73	.73	.73	.73
Lynden chunk turkey	1-lb. glass	1.44	1.44	1.44	1.45	1.45	1.45	1.45	1.45	1.45	1.45	1.45	1.50	1.51	1.51	1.51
Lynden egg noodles and turkey	1-lb. glass	.53	.57	.57	.57	.57	.57	.57	.57	.57	.57	.57	.57	.57	.57	.57
Chili:																
Armour's chili con carne	1-lb. tin	.42	.42	.42	.42	.42	.42	.42	.42	.42	.42	.42	.42	.42	.42	.42
Cerretelli with beans	8-oz. glass	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16	.16
Cerretelli with beans	16-oz. glass	.32	.32	.32	.32	.32	.32	.32	.32	.32	.32	.32	.32	.32	.32	.32
Cerretelli with beans	24-oz. glass	.48	.48	.48	.48	.48	.48	.48	.48	.48	.48	.48	.48	.48	.48	.48
Dennison's with beans	15½-oz. tin	.39	.39	.39	.39	.39	.39	.39	.39	.39	.39	.39	.39	.39	.39	.39
Morrell's	11-oz. tin	.23	.23	.23	.23	.23	.23	.23	.23	.23	.23	.23	.23	.23	.23	.23
Wilson's	13-oz. tin	.27	.27	.27	.27	.27	.27	.27	.27	.27	.27	.27	.27	.27	.27	.27
Deviled ham:																
Armour	3-oz. tin	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18
Cudahy	3-oz. tin	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18
Libby's	3-oz. tin	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18
Swift	3-oz. tin	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18
Underwood	3-oz. tin	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18
Underwood	3-oz. glass	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18
Wilson's certified	3-oz. tin	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18	.18
Deviled meat:																
Armour	3¼-oz. tin	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10
Armour	5½-oz. tin	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15
Libby's	3¼-oz. tin	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10
Libby's	5½-oz. tin	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15
Morrell's	3¼-oz. tin	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10
Morrell's	5½-oz. tin	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15	.15
Swift Premium	3¼-oz. tin	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10	.10
Wilson's certified	3¼-oz. tin	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08	.08
Wilson's certified	5-oz. tin	.12	.12	.12	.12	.12	.12	.12	.12	.12	.12	.12	.12	.12	.12	.12
Luncheon meats:																
Armour's lunch tongue	12-oz. tin	.55	.55	.55	.55	.55	.55	.55	.55	.55	.55	.55	.55	.55	.55	.55
Armour's pressed ham	12-oz. tin	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59
Armour's Treet	12-oz. tin	.48	.48	.48	.48	.48	.48	.48	.48	.48	.48	.48	.48	.48	.48	.48
CAP corned beef	12-oz. tin	.48	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47
CAP corned beef	12-oz. glass	.50	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49
Cudahy's Puritan lunch tongue	12-oz. tin	.64	.64	.64	.64	.64	.64	.64	.64	.64	.64	.64	.64	.64	.64	.64
Cudahy's Rex lunch tongue	12-oz. tin	.53	.53	.53	.53	.53	.53	.53	.53	.53	.53	.53	.53	.53	.53	.53
Cudahy's Puritan chopped pressed ham	12-oz. tin	.76	.76	.76	.76	.76	.76	.76	.76	.76	.76	.76	.76	.76	.76	.76
Hormel's bacon	12-oz. tin	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49	.49
Hormel's Spam	12-oz. tin	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47	.47
Mor luncheon meat	12-oz. tin	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44
Morrell's E-Z Serve corned beef	12-oz. tin	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44
Morrell's Rex Serve ham loaf	12-oz. tin	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44	.44
Morrell's savory ham, chopped, pressed	24-oz. tin	1.21	1.21	1.21	1.21	1.21	1.21	1.21	1.21	1.21	1.21	1.21	1.21	1.21	1.21	1.21
Morrell's E-Z Serve liver loaf	10½-oz. tin	.62	.62	.62	.62	.62	.62	.62	.62	.62	.62	.62	.62	.62	.62	.62
Morrell's Pride, spiced	6-lb. tin	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25
Morrell's pure pork	12-oz. tin	.63	.63	.63	.63	.63	.63	.63	.63	.63	.63	.63	.63	.63	.63	.63
Morrell's Snack	12-oz. tin	.63	.63	.63	.63	.63	.63	.63	.63	.63	.63	.63	.63	.63	.63	.63
Morrell's E-Z Serve tongue loaf	11½-oz. tin	.45	.45	.45	.45	.45	.45	.45	.45	.45	.45	.45	.45	.45	.45	.45
Morrell's E-Z Serve veal loaf	11½-oz. tin	.45	.45	.45	.45	.45	.45	.45	.45	.45	.45	.45	.45	.45	.45	.45
Rath's luncheon meat	12-oz. tin	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59
Swift's Prem	12-oz. tin	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59
Swift's Prem	12-oz. glass	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59	.59
Pigs' feet:																
Armour's	14-oz.	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38
Armour's	28-oz.	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69
Carsten	14-oz.	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38
Carsten	28-oz.	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69
Fidelity	9-oz.	.23	.23	.23	.23	.23	.23	.23	.23	.23	.23	.23	.23	.23	.23	.23
Fidelity	14-oz.	.31	.31	.31	.31	.31	.31	.31	.31	.31	.31	.31	.31	.31	.31	.31
Hormel	1-lb.	.37	.37	.37	.37	.37	.37	.37	.37	.37	.37	.37	.37	.37	.37	.37
Hormel	28-oz.	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69
Morrell's	9-oz.	.24	.24	.24	.24	.24	.24	.24	.24	.24	.24	.24	.24	.24	.24	.24
Morrell's	14-oz.	.33	.33	.33	.33	.33	.33	.33	.33	.33	.33	.33	.33	.33	.33	.33
Morrell's	28-oz.	.66	.66	.66	.66	.66	.66	.66	.66	.66	.66	.66	.66	.66	.66	.66
Rath's	1-lb.	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38	.38
Rath's	28-oz.	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69	.69
Swift's	14-oz.	.41	.41	.41	.41	.41	.41	.41	.41	.41	.41	.41	.41	.41	.41	.41
Swift's	28-oz.	.81	.81	.81	.81	.81	.81	.81	.81	.81	.81	.81	.81	.81	.81	.81
Wilson's certified	14-oz.	.31	.31	.31	.31	.31	.31	.31	.31	.31	.31	.31	.31	.31	.31	.31
Wilson's certified	28-oz.	.62	.62	.62	.62	.62	.62	.62	.62	.62	.62	.62	.62	.62	.62	.62

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

7 F.R. 10581, 11012; 8 F.R. 23, 567, 2158, 2445, 6964, 3244, 8183, 12349, 13166, 14305, 16514, 16626, 16627, 16365, 16325, 16733; 9 F.R. 301, 249, 1715.

Item	Container	Ketchikan	Wrangell	Petersburg	Juneau-Douglas	Skagway-Haines	Sitka	Ordova	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 and including Fairbanks	Noma
Pork and sausage:															
Armour's pork sausage meat.....	1½-lb. tin.....	\$0.78	\$0.78	\$0.78	\$0.78	\$0.78	\$0.79	\$0.81	\$0.81	\$0.81	\$0.81	\$0.83	\$0.84	\$0.87	\$0.83
Armour's Vienna sausage.....	4-oz. tin.....	.19	.19	.19	.19	.19	.19	.20	.20	.20	.20	.21	.21	.22	.21
Libby's Vienna sausage.....	4-oz. tin.....	.18	.18	.18	.18	.18	.18	.19	.19	.19	.19	.20	.20	.21	.21
Ravioli:															
Lynden Ravioli.....	1-lb. glass.....	.26	.26	.26	.27	.27	.27	.28	.28	.28	.29	.30	.31	.31	.31
Stripe's Ravioli.....	1-lb. glass.....	.21	.21	.21	.21	.21	.21	.23	.23	.23	.23	.25	.25	.25	.25
Tamales:															
Armour's.....	10½-oz. glass.....	.26	.26	.26	.26	.27	.27	.28	.28	.28	.28	.30	.31	.33	.29
Stidd's.....	7-oz. glass.....	.35	.35	.35	.35	.35	.35	.36	.36	.36	.36	.37	.37	.38	.37
Wilson's certified.....	9¼-oz. glass.....	.16	.17	.17	.17	.17	.17	.18	.18	.18	.18	.19	.20	.21	.19

This amendment shall become effective April 24, 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 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5492; Filed, April 18, 1944; 11:45 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 53¹ incl. Amdts. 1-19]

FATS AND OILS

The Table in sec. 9.1 and the Table and preceding text in sec. 9.2 are amended; sec. 9.2 (d) is added by Amendment 19, effective April 24, 1944, so that Maximum Price Regulation No. 53 shall read as follows:

The Administrator has deemed it necessary to establish maximum prices for fats and oils under this Maximum Price Regulation No. 53. 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.²

§ 1351.151 *Maximum prices for fats and oils.* 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. 53 (Fats and Oils), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.151 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.

MAXIMUM PRICE REGULATION No. 53—FATS AND OILS

ARTICLE I—GENERAL PROVISIONS

- Sec. 1.1 Prohibition against dealing in fats and oils at prices above the maximum.
- 1.2 Exempt sales.
- 1.3 Exempt governmental purchases of foreign fats and oils.
- 1.4 Application for determination of a maximum price.

¹ 8 F.R. 11150.

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

- Sec. 1.5 Imports and exports—adjustment of maximum prices caused by variances in freight and insurance charges.
- 1.6 Brokers' commissions paid by buyers.
- 1.7 Adjustable pricing.
- 1.8 Petitions for amendment.
- 1.9 Evasion.
- 1.10 Enforcement.
- 1.11 Records and reports.
- 1.12 Geographic applicability of the regulation.
- 1.13 Definitions.
- 1.14 Licensing.

ARTICLE II—MAXIMUM PRICES FOR FATS AND OILS FOR WHICH NO MAXIMUM PRICES IN TERMS OF DOLLARS AND CENTS ARE PROVIDED

- 2.1 Maximum prices.
- 2.2 Inclusion of transportation and other charges in maximum prices.
- 2.3 Evasion.

ARTICLE III—COTTONSEED OIL

- 3.1 Maximum prices.
- 3.2 Refined cottonseed oil produced from the 1942-1943 cotton crop and sold for industrial use.
- 3.3 Cottonseed oil futures contracts.
- 3.4 Purchases of cottonseed oil by the Commodity Credit Corporation.

ARTICLE IV—PEANUT OIL

- 4.1 Maximum prices.
- 4.2 Refined peanut oil produced from the 1942-1943 peanut crop and sold for industrial use.

ARTICLE V—SOYBEAN OIL

- 5.1 Maximum prices.
- 5.2 Refined soybean oil produced from the 1942-43 soybean crop and sold for industrial use.

ARTICLE VI—CORN OIL

- 6.1 Maximum prices.

ARTICLE VII—LINSEED OIL

- 7.1 Maximum prices.

ARTICLE VIII—OLIVE OIL

- 8.1 Maximum prices of domestic olive oil.
- 8.2 Differentials.
- 8.3 Maximum prices of imported olive oil.
- 8.4 Differentials.
- 8.5 Limitation.

ARTICLE IX—IMPORTED VEGETABLE OILS

- 9.1 Maximum prices.
- 9.2 Maximum prices.

ARTICLE X—SHORTENING AND COOKING AND SALAD OILS

- 10.1 Maximum prices of processors.
- 10.2 Differentials.
- 10.3 Maximum prices of brands for which maximum prices are not established in section 10.1.

- Sec. 10.4 Applications for adjustment of maximum prices by processors.
- 10.5 Sales of bulk shortening to government agencies.
- 10.6 Definitions.

ARTICLE XI—LARD

- 11.1 Maximum prices.
- 11.2 Quality differentials.
- 11.3 Container differentials.
- 11.4 Quantity differentials.
- 11.5 Cash lard.
- 11.6 F. S. C. C. lard.
- 11.7 Lard flakes.
- 11.8 Lard or pork fat sold for inedible use by certain sellers.
- 11.9 Definitions.
- 11.10 Denatured edible lard.
- 11.11 Loose prime steam lard sold to processors located in basing points.

ARTICLE XII—OLEO

- 12.1 Maximum prices.

ARTICLE XIII—WOOL GREASE

- 13.1 Maximum prices.

ARTICLE XIV—TALLOW AND GREASES

- 14.1 Maximum prices.
- 14.2 Imported tallow and greases.

ARTICLE XV—SOAPSTOCKS AND FATTY ACIDS

- 15.1 Maximum prices of raw soapstocks.
- 15.2 Maximum prices of recovered or acidulated soapstocks.
- 15.3 Maximum prices of distilled fatty acids.
- 15.4 Maximum prices of split fatty acids.
- 15.5 Maximum prices of stearic acid and oleic acid.

ARTICLE XVI—MARINE ANIMAL OILS

- 16.1 Maximum prices.

ARTICLE XVII—LINSEED OIL SHORTENING AND HYDROGENATED LINSEED MARGARINE OIL

- 17.1 Temporary exemption for linseed oil shortening and hydrogenated linseed margarine oil.

ARTICLE I—GENERAL PROVISIONS

SECTION 1.1 *Prohibition against dealing in fats and oils at prices above the maximum.* No person shall sell, offer to sell, deliver, or transfer, and no person in the course of trade or business shall buy or receive, fats or oils at prices higher than the maximum prices, except that contracts entered into prior to December 13, 1941, providing for a higher price than the maximum prices may be carried out at the contract price. The maximum prices shall include commis-

sions and all other charges. Lower prices than the maximum prices established by this Maximum Price Regulation No. 53 may be charged, demanded, paid, or offered.

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894, 8 F.R. 1312, 3762) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

SEC. 1.2 Exempt sales. Sales of fats and oils products in the finished form, sales of refined fats and oils (except coconut oil) destined for use or consumption without further processing or packing by the buyer, and sales of lard destined for human consumption without further processing are exempt from the operation of this Maximum Price Regulation No. 53, unless a maximum price for such fats or oils product, or refined fat or oil, or lard, is enumerated in terms of dollars and cents, or a method for computing a maximum price for such fats or oils product, or refined fat or oil, or lard, is set forth in Article III or any subsequent article of this regulation.

[NOTE: Supplementary Order No. 42 (8 F.R. 4968) provides that no price regulation of the Office of Price Administration shall apply to sales or deliveries of any commodity or service made to Government agencies pursuant to secret contracts or subcontracts.]

SEC. 1.3 Exempt Governmental purchases of foreign fats and oils. All purchases of fats and oils located in any foreign country by the United States Government or any agency thereof, or by an agent, broker or other representative purchasing for the account of the United States Government or any agency thereof, shall be exempt from the operation of this Maximum Price Regulation No. 53, whether the purchase is made directly in the foreign country or through an agent, broker or other representative of the foreign seller located in the United States. Where fats and oils located in a foreign country are purchased by an agent, broker or other representative of the United States Government or any agency thereof who has a contract to resell the fats and oils so purchased to the United States or any agency thereof, such resale shall be exempt from the operation of this Maximum Price Regulation No. 53. This provision shall have no application to purchases by the United States Government or any agency thereof of fats and oils located in the United States which have been imported into this country without a contract to resell the fats and oils so imported to

the United States Government or any agency thereof.

Sec. 1.4 Application for determination of a maximum price. If the maximum price on a particular fat or oil covered by this Maximum Price Regulation No. 53 cannot be determined under the provisions of this Maximum Price Regulation No. 53, the affected party shall file an application with the Office of Price Administration in Washington, D. C., containing:

(a) A description of the fat or oil and showing wherein it is impossible to determine a maximum price therefor;

(b) A statement of the facts of all transactions since January 1, 1941, of the applicant and all information he may have obtained concerning transactions of others from said date in the fat or oil in question in any form or state of processing including transactions in the oil bearing material, raw product, and crude oil.

(c) (1) An itemized statement of the applicant's total cost of said fat or oil (including any manufacturing or processing costs), (2) the applicant's maximum price for that commodity presently sold by the applicant that has a maximum price presently determinable and that is most nearly similar to the fat or oil for which a maximum price is sought and (3) an itemized statement of the applicant's total cost of such most nearly similar commodity (including any manufacturing or processing costs).

Upon receipt of such application the Office of Price Administration will proceed to fix a maximum price or instruct the applicant as to the method of determining the same and for reporting the price he may determine. Any price fixed or determined under this paragraph shall be subject to adjustment at any time by the Office of Price Administration.

Sec. 1.5 Imports and exports: Adjustment of maximum prices caused by variances in freight and insurance charges. The maximum prices hereinafter established by this Maximum Price Regulation No. 53 for fats and oils shipped into or out of the United States by ocean transportation shall include the charges prevailing on October 1, 1941, for freight, war risk insurance, and marine insurance connected with such transportation.

Increases in such charges may be added only if such charges have been actually incurred by the seller on such sale. Decreases in such charges shall be subtracted from the maximum prices hereinafter established by this Maximum Price Regulation No. 53.

Sec. 1.6 Brokers' commissions paid by buyers. (a) Where the buyer pays a broker or other person a commission or other contingent compensation for services in bringing about, or otherwise connected with, any purchase, sale, delivery, acquisition, or other transfer of any fats or oils for which a maximum price is established by this Maximum Price Regulation No. 53, (1) the maximum total price that the buyer may pay for the fats or oils and as such commis-

sion or other contingent compensation, shall be the maximum prices for such fats or oils specified in this Maximum Price Regulation No. 53, and (2) the maximum price that the seller may receive for the fats or oils sold shall be that sum which, when added to such commission or other contingent compensation paid by the buyer, equals the maximum prices for such fats or oils specified in this Maximum Price Regulation No. 53.

(b) **Exception.** The provisions of paragraph (a) of this section 1.6 shall not apply to purchases made from the United States Government, or any state, municipal or other governmental unit, or any agencies of any of them, where the buyer customarily has paid broker's commissions or fees during the two years preceding the month of March 1942; in such case the buyer, in addition to paying the broker's commissions or fees, may pay the seller, and the seller may receive, the maximum prices specified in this Maximum Price Regulation No. 53.

Sec. 1.7 Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

Sec. 1.8 Petitions for amendment. Any person seeking an amendment of any provision of this Maximum Price Regulation No. 53 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.²

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5685; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 23 (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.]

² 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11606; 9 F.R. 1594, 3075.

SEC. 1.9 Evasion—(a) *General.* The price limitations set forth in this Maximum Price Regulation No. 53 shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of fats or oils, or by way of premium, commission, service, transportation or other charge, or by any other trade understanding or by any other means.

(b) *By purchasing oil-bearing materials and paying for processing.* The purchase of oil-bearing materials from a processor who is to process the oil-bearing materials for the purchaser is forbidden, if the combined cost of (1) the oil-bearing materials and (2) the processing toll exceeds the maximum price established by this Maximum Price Regulation No. 53 for the type and quantity of oil produced from the oil-bearing materials. If the meal or other by-products produced from the oil-bearing materials are to be retained by the processor, the value of the meal or other by-product retained must be considered in determining the cost of the processing toll.

SEC. 1.10 Enforcement. Persons violating any provision of this Maximum Price Regulation No. 53 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

[NOTE: Supplementary Order No 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

SEC. 1.11 Records and reports. Every person making any sale of fats or oils, except sales exempted under sections 1.2 and 1.3 shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each such sale, including the date thereof, the name of the purchaser, the price paid or received, and the grade, quality and amount sold.

Every person affected by this Maximum Price Regulation No. 53 shall submit such reports to the Office of Price Administration as it may from time to time require, subject to the approval of the Bureau of the Budget.

SEC. 1.12 Geographic applicability of the regulation. This Maximum Price Regulation No. 53 shall apply in, and only in, the District of Columbia and the forty-eight states of the United States.

SEC. 1.13 Definitions. When used in this Maximum Price Regulation No. 53, the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing.

(b) "Fats and oils" means all of the raw, crude, and refined fats and oils, their by-products and derivatives, and greases, except "essential oils", mineral oils, butter, cocoa butter, and poultry fat.

[Paragraph (b) amended by Am. 18, 9 F.R. 2087, effective 2-15-44.]

(c) "Fats and oils products in the finished form" means those products the whole or substantial part of which are manufactured from fats or oils, which are sold for use or consumption without further processing and the manufacturing process of which includes more than filtering, refining, or deodorizing, or splitting, or dividing into component parts, for example, shortening, soap, paint, margarine, salad dressing, and mayonnaise.

(d) "Refined fats and oils" means those fats and oils which have been cleaned, deodorized, or purified by settling, straining, filtering, distilling, treating with chemicals, or by any other means, and which at the conclusion of the refining process do not contain any added substance other than is necessary as a preservative, for example, margarine oil, salad oil, prime summer yellow, and/or bleachable cottonseed oil, oleo oil, and oils used for the technical and protective coating trades.

(e) In the phrase, "similar amount to a similar purchaser," the word "similar" means that amount and that type of purchaser with respect to which the same price did apply or would have applied under the seller's trade practices on October 1, 1941.

SEC. 1.14 Licensing. The provisions of Licensing Order No. 1⁴ 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.

[Sec 1.14 added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43.]

ARTICLE II—MAXIMUM PRICES FOR FATS AND OILS FOR WHICH NO MAXIMUM PRICES IN TERMS OF DOLLARS AND CENTS ARE PROVIDED

SEC. 2.1 Maximum prices. (a) The maximum price for any kind, grade or quality of fat or oil for which a maximum price is not specifically provided in any of the following articles of this Maximum Price Regulation No. 53, shall be the highest price at which the seller sold such kind of fat or oil of the same grade and quality in a similar amount to a similar purchaser on October 1, 1941, for delivery within sixty days.

(b) If the maximum price of such fat or oil cannot be determined under paragraph (a) of this section 2.1, the maximum price shall be the highest price at which the seller sold the same kind of fat or oil of a different grade or quality or in a different amount or to a different type of purchaser on October 1, 1941, for delivery within sixty days, making the necessary adjustments for differences in grade, quality, amount or type of purchaser in accordance with the seller's practice for determining price differentials existing on October 1, 1941.

(c) If the maximum price cannot be determined under either paragraphs (a)

or (b) of this section 2.1, the maximum price shall be the price at which such kind of fat or oil of the same grade and quality in a similar amount to a similar purchaser was sold in the locality of the seller's shipping point on October 1, 1941, for delivery within sixty days.

(d) If the maximum price cannot be determined under paragraphs (a), (b) or (c) of this section 2.1, the maximum price shall be the price at which such kind of fat or oil of the same grade and quality in a similar amount to a similar purchaser was sold in the nearest market in which such sale was made on October 1, 1941, making adjustments for the customary differential between the price in such markets and the price in the locality of the seller's shipping point.

(e) If the maximum price determined under the above paragraphs of this section 2.1 is less than 111 percent of the price at which the same kind of fat or oil of the same grade and quality was sold by the seller, or was sold in the locality of the seller's shipping point, or in the nearest market, as the case may be, in a similar amount and to a similar purchaser on November 26, 1941, for delivery within sixty days, the maximum price shall be 111 percent of such November 26 price.

SEC. 2.2 Inclusion of transportation and other charges in maximum prices. The maximum prices for both domestic and imported fats and oils determined under section 2.1 hereof, shall include at least the same absorption of transportation and other charges as were or would have been absorbed by the seller on comparable shipments to the same place of destination on October 1, 1941.

SEC. 2.3 Evasion. The price limitations set forth in section 2.1 hereof, shall not be evaded by making the discounts given or other terms and conditions of sale more onerous to the purchaser than those available or in effect on October 1, 1941, or by any other direct or indirect means.

ARTICLE III—COTTONSEED OIL

SEC. 3.1 Maximum prices. The maximum prices of cottonseed oil shall be the following prices:

(a) *Crude cottonseed oil.* F. o. b. mill, in tank cars in cents per pound, as follows:

California (except Los Angeles).....	13. 125
Los Angeles, California.....	13. 40
Arizona.....	12. 875
Illinois, North Carolina, South Carolina, Tennessee, Crittenden and Mississippi Counties, Arkansas, New Madrid and Scott Counties, Missouri, Morgan County, Alabama.....	12. 75
Alabama (except Morgan County), Arkansas (except Crittenden and Mississippi Counties), Florida, Georgia, Louisiana, Mississippi, Missouri (except New Madrid and Scott Counties), New Mexico, Muskogee and Tulsa Counties, Oklahoma, Bowie, Dallas, El Paso and Tarrant Counties, Texas.....	12. 625
Oklahoma (except Muskogee and Tulsa Counties), Texas (except Bowie, Dallas, El Paso and Tarrant Counties).....	12. 50

(1) These crude cottonseed oil maximum prices shall be adjusted on a 9%

⁴ 8 F.R. 13240.

set forth above, plus the premium that customarily prevailed in that locality on such sales prior to price control.

(Paragraph (a) amended by Am. 6, 8 F.R. 12542, effective 9-16-43.)

(b) Refined cottonseed oil and bleachable cottonseed oil stearine, produced from cottonseed obtained from the 1942-1943 cotton crop, delivered in tank cars, as follows:

(Cents per pound)

	Bleach-able cottonseed oil stearine	Bleach-able prime summer yellow oil	Refined, bleached and un-odorized oil	Cooking or deodorized white, bleached, summer oil	Saled or winterized oil	Hydro-gennated or mar-garino oil	High titre hydrogenated oil
Albany, N. Y.	13.75	14.00	13.32	14.07	16.05	15.25	16.40
Atlanta, Ga.	13.97	13.62	13.04	14.20	14.07	14.87	16.02
Baltimore, Md.	13.69	13.01	14.23	14.20	14.00	15.10	16.31
Boston, Mass.	13.74	13.69	14.31	14.34	15.01	15.24	16.39
Buffalo, N. Y.	13.49	14.03	14.35	14.03	16.01	15.23	16.43
Charlotte, N. C.	13.74	14.09	14.09	14.70	16.08	15.23	16.43
Chattanooga, Tenn.	13.64	13.70	14.11	14.46	14.84	15.04	16.14
Chicago, Ill.	13.63	13.88	14.29	14.53	14.93	15.13	16.23
Cincinnati, Ohio	13.63	13.03	14.25	14.28	14.93	15.18	16.23
Columbus, Ohio	13.65	13.00	14.22	14.22	14.95	15.16	16.20
Dallas, Tex.	13.22	13.47	13.70	14.07	14.22	14.72	16.20
Denison, Tex.	13.23	13.31	13.83	14.14	14.26	14.70	16.21
Denver, Colo.	13.63	13.20	14.12	14.09	14.93	15.15	16.33
El Paso, Tex.	13.53	13.20	14.12	14.10	14.83	15.05	16.33
Fort Worth, Tex.	13.51	13.23	14.04	14.10	14.74	14.74	16.29
Houston, Tex.	13.69	13.65	13.87	14.23	14.63	14.70	16.29
Indianapolis, Ind.	13.47	13.65	14.07	14.23	14.63	14.70	16.29
Indianapolis, Ind.	13.47	13.65	14.07	14.23	14.63	14.70	16.29
Jacksonville, Fla.	13.40	13.72	14.06	14.14	14.70	14.67	16.12
Kansas City, Mo.	13.69	14.16	14.47	14.10	15.20	15.40	16.31
Los Angeles, Calif.	13.67	13.82	14.10	14.53	15.20	15.40	16.31
Louisville, Ky.	13.57	13.62	13.67	14.51	14.67	14.87	16.04
Memphis, Tenn.	13.30	13.64	13.63	14.31	14.70	14.69	15.11
New Orleans, La.	13.70	13.95	14.37	14.63	15.00	15.20	16.35
New York, N. Y.	13.67	13.63	14.25	14.53	14.67	14.87	16.04
Oklahoma City, Okla.	13.63	13.63	14.25	14.60	14.68	15.18	16.33
Philadelphia, Pa.	13.63	13.70	14.11	14.14	14.84	15.04	16.10
St. Louis, Mo.	13.23	13.70	14.11	14.14	14.84	15.04	16.10
San Antonio, Tex.	13.69	14.15	13.85	14.29	14.83	14.78	16.03
San Francisco, Calif.	13.45	13.70	14.47	14.60	14.75	14.95	16.10
Savannah, Ga.	13.60	14.15	14.47	14.37	14.75	14.95	16.10
Seattle, Wash.	13.24	14.15	14.47	14.60	14.75	14.95	16.10
Sherman, Tex.	13.24	13.81	14.47	14.60	14.75	14.95	16.10
Terre Haute, Ind.	13.23	13.83	14.15	14.18	14.88	15.63	16.23

settlement basis as provided in Rule 142 of the 1942-1943 rules of the National Cottonseed Products Association, Inc.

(2) Where (1) crude cottonseed oil is sold and delivered to a buyer to whom it may be shipped for no more than a switching charge, and (1) where prior to price control it was customary for such oil to take a premium when sold by a seller in that locality to a buyer located within that locality's switching limits, the maximum price shall be the prices

(Paragraph (b) amended by Am. 10, 8 F.R. 17227, effective 12-28-43.)

(c) Refined cottonseed oil and bleachable cottonseed oil stearine produced from cottonseed obtained from the 1942-1943 cotton crop, or any subsequent cotton crop, delivered in tankcars, as follows:

(Cents per pound)

	Bleach-able cottonseed oil stearine	Bleach-able prime summer yellow oil	Refined, bleached and un-odorized oil	Cooking or deodorized white, bleached, summer oil	Saled or winterized oil	Hydro-gennated or mar-garino oil	High titre hydrogenated oil
Albany, N. Y.	14.11	14.30	14.50	14.76	16.15	15.45	16.60
Atlanta, Ga.	13.75	13.98	14.12	14.37	14.76	15.07	16.12
Baltimore, Md.	14.02	14.27	14.41	14.66	15.06	15.36	16.41
Boston, Mass.	14.10	14.35	14.49	14.74	15.14	15.44	16.41
Buffalo, N. Y.	14.14	14.30	14.43	14.68	15.08	15.38	16.41
Charlotte, N. C.	13.85	14.10	14.24	14.49	14.88	15.18	16.31
Chattanooga, Tenn.	13.90	14.15	14.29	14.54	14.94	15.24	16.31
Chicago, Ill.	13.80	14.21	14.38	14.63	15.03	15.33	16.38
Cincinnati, Ohio	13.80	14.21	14.38	14.63	15.03	15.33	16.38
Columbus, Ohio	14.01	14.20	14.43	14.68	15.08	15.38	16.43
Dallas, Tex.	13.62	14.01	14.10	14.05	14.62	14.92	16.04
Denison, Tex.	13.62	13.83	13.97	14.22	14.62	14.92	16.04
Denver, Colo.	14.04	14.29	14.43	14.68	15.08	15.38	16.43
El Paso, Tex.	13.91	14.16	14.30	14.55	14.95	15.25	16.30
Fort Worth, Tex.	13.64	13.85	13.99	14.24	14.64	14.94	16.09
Houston, Tex.	13.64	13.80	14.03	14.28	14.68	14.98	16.03
Indianapolis, Ind.	13.99	14.21	14.35	14.44	14.60	14.90	16.35
Indianapolis, Ind.	13.99	14.21	14.35	14.44	14.60	14.90	16.35
Jacksonville, Fla.	13.83	14.03	14.22	14.31	14.47	14.87	16.17
Kansas City, Mo.	13.93	14.10	14.24	14.33	14.49	14.89	16.24
Los Angeles, Calif.	13.93	14.10	14.24	14.33	14.49	14.89	16.24
Louisville, Ky.	13.73	13.90	14.04	14.13	14.29	14.69	16.04
Memphis, Tenn.	13.46	13.63	13.77	13.86	14.02	14.42	15.63
New Orleans, La.	13.76	14.09	14.14	14.20	14.37	14.77	16.07
New York, N. Y.	13.82	14.07	14.12	14.18	14.35	14.75	16.21
Oklahoma City, Okla.	13.73	13.63	14.23	14.20	14.51	14.90	16.40
Philadelphia, Pa.	13.60	14.15	14.43	14.32	14.68	15.08	16.12
St. Louis, Mo.	13.60	14.15	14.43	14.32	14.68	15.08	16.12
San Antonio, Tex.	13.64	13.69	14.63	14.32	14.63	14.93	16.03
San Francisco, Calif.	13.41	14.01	14.63	14.32	14.63	14.93	16.03
Savannah, Ga.	13.61	14.06	14.63	14.32	14.63	14.93	16.03
Seattle, Wash.	13.81	14.06	14.63	14.32	14.63	14.93	16.03
Sherman, Tex.	13.60	14.23	14.61	14.40	14.82	15.15	16.20
Terre Haute, Ind.	13.61	13.85	13.69	14.21	14.64	14.94	16.03
Terre Haute, Ind.	13.61	13.85	13.69	14.21	14.64	14.94	16.03

(1) The usual or normal differentials, above or below these delivered prices, shall apply to all other destinations.

(2) The usual or normal differentials for grade, above or below these prices for basic grades, shall continue to apply.

(3) The usual or normal differentials for type of container shall continue to apply.

(Paragraph (c) added by Am. 10, 8 F.R. 17227, effective 12-28-43; amended by Am. 17, 9 F.R. 2020, effective 2-29-44.)

Sec. 3.2 Refined cottonseed oil produced from the 1942-1943 cotton crop and sold for industrial use. When refined cottonseed oil produced from cotton crop is sold to be used ultimately for industrial usages and not for edible purposes, the seller may add 1/2¢ per pound to the maximum prices established for such oil by section 3.1 (b) hereof.

[Sec. 3.2 amended by Am. 10, 8 F.R. 17227, effective 12-28-43.]

Sec. 3.3 Cottonseed oil futures contracts. The maximum prices established in sections 3.1 and 3.2 hereof, shall be the maximum prices for cottonseed oil futures contracts traded after May 11, 1942 on the New York Produce Exchange and on the New Orleans Cotton Exchange.

Sec. 3.4 Purchases of cottonseed oil by the Commodity Credit Corporation. The Commodity Credit Corporation is free to purchase bleachable prime summer yellow cottonseed oil at any price, whether that price is above or below the maximum price for bleachable prime summer yellow cottonseed oil established by this schedule.

ARTICLE IV—PEANUT OIL

Sec. 4.1 Maximum prices. The maximum price of peanut oil shall be the following prices:

(a) Crude peanut oil—in tank cars:

	<i>Cents per pound</i>
F. o. b. Southeastern mills.....	13.00
F. o. b. Texas and Oklahoma mills.....	12.875

(1) These crude peanut oil maximum prices shall be adjusted on a 5% settlement basis as provided in Rule 142 of

the 1942-1943 Rules of the National Cottonseed Products Association, Inc.

(b) Refined peanut oil produced from the 1942-43 peanut crop—delivered in tank cars, as follows:

[Above paragraph amended by Am. 16, 9 F.R. 1882, effective 2-21-44.]

[Cents per pound]

	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized white (bleached) refined peanut oil	Hydrogenated peanut margarine oil	High titre hydrogenated peanut oil
Albany, N. Y.....	14.38	14.70	14.73	15.05	15.63	15.78
Atlanta, Ga.....	14.00	14.32	14.35	14.67	15.25	15.40
Baltimore, Md.....	14.29	14.61	14.64	14.96	15.54	15.69
Boston, Mass.....	14.37	14.69	14.72	15.04	15.62	15.77
Buffalo, N. Y.....	14.41	14.73	14.76	15.08	15.66	15.81
Charlotte, N. C.....	14.12	14.44	14.47	14.79	15.37	15.52
Chattanooga, Tenn.....	14.17	14.49	14.52	14.84	15.42	15.57
Chicago, Ill.....	14.26	14.58	14.61	14.93	15.51	15.66
Cincinnati, Ohio.....	14.26	14.58	14.61	14.93	15.51	15.66
Columbus, Ohio.....	14.31	14.63	14.66	14.98	15.56	15.71
Cudahy, Wis.....	14.28	14.60	14.63	14.95	15.53	15.68
Dallas, Tex.....	13.85	14.17	14.20	14.52	15.10	15.25
Denison, Tex.....	13.89	14.21	14.24	14.56	15.14	15.29
Denver, Colo.....	14.31	14.63	14.66	14.98	15.56	15.71
El Paso, Tex.....	14.18	14.50	14.53	14.85	15.43	15.58
Fort Worth, Tex.....	13.87	14.19	14.22	14.54	15.12	15.27
Houston, Tex.....	13.91	14.23	14.26	14.58	15.16	15.31
Indianapolis, Ind.....	14.23	14.55	14.58	14.90	15.48	15.63
Jacksonville, Fla.....	14.10	14.42	14.45	14.77	15.35	15.50
Kansas City, Mo.....	14.12	14.44	14.47	14.79	15.37	15.52
Los Angeles, Calif.....	14.53	14.85	14.88	15.20	15.78	15.93
Louisville, Ky.....	14.22	14.54	14.57	14.89	15.47	15.62
Macon, Ga.....	14.00	14.32	14.35	14.67	15.25	15.40
Memphis, Tenn.....	14.02	14.34	14.37	14.69	15.27	15.42
New Orleans, La.....	14.09	14.41	14.44	14.76	15.34	15.49
New York, N. Y.....	14.33	14.65	14.68	15.00	15.58	15.73
Oklahoma City, Okla.....	14.00	14.32	14.35	14.67	15.25	15.40
Philadelphia, Pa.....	14.31	14.63	14.66	14.98	15.56	15.71
St. Louis, Mo.....	14.17	14.49	14.52	14.84	15.42	15.57
San Antonio, Tex.....	13.91	14.23	14.26	14.58	15.16	15.31
San Francisco, Calif.....	14.53	14.85	14.88	15.20	15.78	15.93
Savannah, Ga.....	14.08	14.40	14.43	14.75	15.33	15.48
Seattle, Wash.....	14.53	14.85	14.88	15.20	15.78	15.93
Sherman, Tex.....	13.87	14.19	14.22	14.54	15.12	15.27
Terre Haute, Ind.....	14.21	14.53	14.56	14.88	15.46	15.61

(1) The usual or normal differentials above or below these delivered prices, shall apply to all other destinations.

(2) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(3) The usual or normal differentials for type of container shall continue to apply.

(c) Refined peanut oil produced from the 1943-44 peanut crop or any subsequent peanut crop—delivered in tank cars, as follows:

[Cents per pound]

	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized white (bleached) refined peanut oil	Hydrogenated peanut margarine oil	High titre hydrogenated peanut oil
Albany, N. Y.....	14.69	14.83	14.92	15.06	15.78	15.83
Atlanta, Ga.....	14.31	14.45	14.54	14.68	15.40	15.45
Baltimore, Md.....	14.60	14.74	14.83	14.97	15.69	15.74
Boston, Mass.....	14.68	14.82	14.91	15.05	15.77	15.82
Buffalo, N. Y.....	14.72	14.86	14.95	15.09	15.81	15.86
Charlotte, N. C.....	14.43	14.57	14.66	14.80	15.52	15.57
Chattanooga, Tenn.....	14.48	14.62	14.71	14.85	15.57	15.62
Chicago, Ill.....	14.57	14.71	14.80	14.94	15.66	15.71
Cincinnati, Ohio.....	14.57	14.71	14.80	14.94	15.66	15.71
Columbus, Ohio.....	14.62	14.76	14.85	14.99	15.71	15.76
Cudahy, Wis.....	14.59	14.73	14.82	14.96	15.68	15.73
Dallas, Tex.....	14.16	14.30	14.39	14.53	15.25	15.30
Denison, Tex.....	14.20	14.34	14.43	14.57	15.29	15.34
Denver, Colo.....	14.62	14.76	14.85	14.99	15.71	15.76
El Paso, Tex.....	14.49	14.63	14.72	14.86	15.58	15.63
Fort Worth, Tex.....	14.18	14.32	14.41	14.55	15.27	15.32
Houston, Tex.....	14.22	14.36	14.45	14.59	15.31	15.36
Indianapolis, Ind.....	14.54	14.68	14.77	14.91	15.63	15.68
Jacksonville, Fla.....	14.41	14.55	14.64	14.78	15.50	15.55
Kansas City, Mo.....	14.43	14.57	14.66	14.80	15.52	15.57
Los Angeles, Calif.....	14.84	14.98	15.07	15.21	15.93	15.98
Louisville, Ky.....	14.53	14.67	14.76	14.90	15.62	15.67
Macon, Ga.....	14.31	14.45	14.54	14.68	15.40	15.45
Memphis, Tenn.....	14.33	14.47	14.56	14.70	15.42	15.47
New Orleans, La.....	14.40	14.54	14.63	14.77	15.49	15.54
New York, N. Y.....	14.64	14.78	14.87	15.01	15.73	15.78
Oklahoma City, Okla.....	14.31	14.45	14.54	14.68	15.40	15.45
Philadelphia, Pa.....	14.62	14.76	14.85	14.99	15.71	15.76
St. Louis, Mo.....	14.48	14.62	14.71	14.85	15.57	15.62
San Antonio, Tex.....	14.22	14.36	14.45	14.59	15.31	15.36
San Francisco, Calif.....	14.84	14.98	15.07	15.21	15.93	15.98
Savannah, Ga.....	14.39	14.53	14.62	14.76	15.48	15.53
Seattle, Wash.....	14.84	14.98	15.07	15.21	15.93	15.98
Sherman, Tex.....	14.18	14.32	14.41	14.55	15.27	15.32
Terre Haute, Ind.....	14.62	14.66	14.76	14.89	15.61	15.66

(1) The usual or normal differentials above or below these delivered prices, shall apply to all other destinations.

(2) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(3) The usual or normal differentials for type of container shall continue to apply.

[Paragraph (c) added by Am. 16, 9 F.R. 1882, effective 2-21-44.]

SEC. 4.2 Refined peanut oil produced from the 1942-1943 peanut crop and sold for industrial use. When refined peanut oil produced from the 1942-1943 peanut crop is sold to be used ultimately for industrial usages and not for edible purposes, the seller, may add 1/2 cent per pound to the maximum prices established for such oil by section 4.1 (b) hereof.

[Sec. 4.2 amended by Am. 16, 9 F.R. 1882, effective 2-21-44.]

ARTICLE V—SOYBEAN OIL

SEC. 5.1 Maximum prices. The maximum prices of soybean oil shall be the following prices:

(a) Crude soybean oil—in tank cars:

	<i>Cents per pound</i>
F. o. b. mills located in:	
California, Oregon and Washington.....	12.50
Arizona.....	12.125
Edgewater, New Jersey; Houston, Texas; New Orleans, Louisiana; Savannah, Georgia.....	12.00
Michigan, New Jersey (except Edgewater), New Mexico, New York, North Carolina, Ohio, Pennsylvania, Virginia.....	11.875
Alabama, Arkansas, Florida, Georgia (except Savannah), Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana (except New Orleans), Minnesota, Mississippi, Missouri, Nebraska, Oklahoma, South Carolina, Tennessee, Texas (except Houston), Wisconsin.....	11.75

(1) The maximum price of crude soybean oil that does not meet the standard specifications set forth in Rule 102 of the Year Book and Trading Rules 1941-1942 of the National Soy Bean Processors Association, is the price set forth above, less the allowances provided in said Rule 102 for crude soybean oil of the kind and quality being delivered.

[Table amended by Am. 14, 9 F.R. 1522, effective 2-11-44.]

(b) Refined soybean oil produced from the 1942-43 soybean crop—in tank cars, basis f. o. b. Decatur, Illinois:

[Above paragraph amended by Am. 13, 9 F.R. 1054, effective 2-2-44 and Am. 17, 9 F.R. 2020, effective 2-28-44]

(a) *Raw linseed oil and linseed oil products, delivered in Zone 1. Linseed oil and linseed oil products, in tank cars, delivered in Zone 1, as follows:*

Color	Acid value	Iodine value	Sapon value	Spec. gravity	Viscosity	Cents per pound
11-13	4 max.	170-190	188-190	.931-.933	A	14.5
10-13	2-4	165-187	180-198	.934-.937	A-B	14.5
9-11	1-4	170-190	188-190	.931-.936	A	16.0
4-8	2-5	170-190	188-190	.931-.936	A	16.5
4-7	1-4	170-190	188-190	.931-.935	A	16.5
6-7	2-4	165-180	182-200	.931-.935	C-D	16.5
6-7	2-4	170-190	188-190	.931-.935	A	16.5
6-7	2-4	170-190	188-190	.931-.935	A	16.5
6-7	8-12	170-190	188-190	.930-.933	A	16.5
6-7	12-16	170-190	188-190	.930-.933	A	16.5
10-14	2-3	170-190	188-190	.931-.935	A	15.0
10-14	2-5	170-190	188-190	.931-.935	A	15.0
4-7	1.5-3	170-190	188-190	.931-.935	A	15.5
4-7	0-0.3	170-190	188-190	.931-.935	A	15.5
6-0	0-0.4	170-190	188-190	.931-.935	A	15.7
6-0	0-0.4	170-190	188-190	.931-.935	A	15.7
4-0	2-4	170-190	188-190	.931-.935	A	16.7
4-0	0.5-2.0	168-190	190-202	.934-.935	C-E	16.7
7-10	1.5-4.0	168-185	190-202	.934-.935	C-E	14.8
7-10	2-0	160-178	191-200	.935-.935	C-F	14.8
6-12	4-0	165-175	192-190	.940-.945	B-D	14.0
11-13	3-0	165-190	188-190	.934-.941	B	14.0
12-18	2-7.5	165-190	190-195	.935-.942	B-O	14.0
12-18	3-7	165-195	190-195	.934-.944	B	16.1
13-10	3-4	163-190	188-195	.931-.940	A	16.3
6-9	0-3	160-185	188-195	.931-.934	A	16.7
6-9	2.5-3	165-190	188-195	.931-.938	A	16.7
6-8	4-0	165-185	188-190	.933-.933	A	15.7
8-13	4-8	115-155	200-220	.970-.993	N-23	15.0
7-11	4-8	115-140	210-230	.931-.950	2-7/23	15.5
6-3	4-13	115-140	210-230	.931-.950	2-7/23	15.5
7-3	5-8	120-135	200-210	.931-.950	2-7/23	16.0
3-7	12-23	115-160	190-190	.949-.971	Q-24 (100-1000)	23.5
3-7	12-22	115-160	190-190	.950-.975	(100-1000)	23.5
10-14	160-193	175-190	194-200	.909-.914	A-1	17.3
2-4	104-205	175-195	194-208	.909-.913	A-1	16.5
6-8	2-4	60-70	125-132	.878-.884	A	16.5
77-9	4-7	110-120	200-210	.890-.894	2-7/23	17.0
11 max.	0-3	110-160	188-190	.931-.935	A	15.5
6-10	4-8	140-160	190-190	.940-.960	N-P	17
6-13	4-8	140-160	190-190	.940-.960	N-P	17.5

[Table corrected, 6 F.R. 12673; amended by Am. 4, 9 F.R. 11780, effective 8-20-43.]

[Cents per pound]

Refined unbleached and undecolorized	Refined deodorized and unbleached	Deodorized and bleached soybean oil	Winterized soybean oil	Hydrogenated max. refined soybean oil	High titre hydrogenated soybean oil
12.30	12.57	12.60	12.87	13.45	13.00

(1) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.
 (2) The usual or normal differentials for type of container shall continue to apply.

[Cents per pound]

Refined unbleached and undecolorized	Refined deodorized and unbleached	Deodorized and bleached soybean oil	Winterized soybean oil	Hydrogenated max. refined soybean oil	High titre hydrogenated soybean oil
12.29	12.73	12.80	12.94	13.50	13.05

(1) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.
 (2) The usual or normal differentials for type of container shall continue to apply.

[Paragraph (c) added by Am. 13, 9 F.R. 1054, effective 2-2-44.]

ARTICLE VI—CORN OIL

SEC. 6.1 *Maximum prices.* The maximum prices of corn oil shall be the following prices:

(a) Crude corn oil—in tank cars: Cents per pound
 F. O. B. Midwestern Mills..... 12.75
 (b) Refined corn oil—in tank cars, basis f. o. b. Chicago:

[Cents per pound]		
Decolorized bleached corn oil	Winterized corn oil	Hydrogenated margarine corn oil
14.37	14.00	14.05
		15.10

(1) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.
 (2) The usual or normal differentials for type of container shall continue to apply.

ARTICLE VII—LINSEED OIL

SEC. 7.1 *Maximum prices.* The maximum prices of the following linseed oils and linseed oil products shall be the following prices:

(1) *Discounts for prompt payment.* The above prices are before any discounts for prompt payment. Sellers shall continue to allow the same discounts for prompt payment as those they customarily allowed prior to May 21, 1943.

[Subparagraph (1) added by Am. 9, 8 F.R. 15870, effective 11-22-43; former (1), (2) and (3) redesignated (2), (3) and (4) respectively by Am. 9.]

(2) *Grade differentials.* The usual or normal differential for types or grades with specifications other than those listed above shall continue to apply.

(3) *Crushers' container and quantity differentials—(i) Returnable drums, carlots.* The maximum delivered prices of the above linseed oil products delivered by crushers in Zone 1, in returnable drums, carlot quantities, shall be the prices set forth above, plus 4¢ per pound.

(ii) *Returnable drums in less than carlot quantities—(a) Delivered by crushers in city in which seller has a warehouse.* The maximum delivered prices of the above linseed oil products delivered by crushers, in returnable drums in less than carlot quantities, in Zone 1 within the corporate limits of a city in which the seller has a warehouse, shall be the prices set forth in section 7.1 (a) above, plus the differentials hereinafter set forth for the particular quantity sold:

*Differential to be added
to specified prices
(Cents per pound)*

Quantity sold (returnable drums):	
Carlots, in more than one delivery of 10 drums each.....	0.6
5 to 9 drums, one delivery.....	1.0
1 to 4 drums, one delivery.....	1.4

(b) *Delivered by crushers outside city in which seller has a warehouse.* The maximum delivered prices of the above linseed oil products, delivered by crushers, in returnable drums in less than carlot quantities, in Zone 1 outside of the corporate limits of the city in which the seller's nearest warehouse is located, shall be the maximum prices provided in the preceding subparagraph hereof (section 7.1 (a) (3) (ii) (a)), plus the actual cost of transporting said linseed oil products from the seller's nearest warehouse to the buyer.

(iii) *Other containers.* When linseed oil products are sold by crushers in containers other than tank cars or returnable drums, the maximum delivered prices for such oil products in such other containers, delivered in Zone 1, shall be the tank car price specified above, plus the usual or normal differential for the type of container in which the oil is sold.

(iv) *Other quantities.* When linseed oil products are sold by crushers in quantities other than those listed in section 7.1 (a) (3) above, the usual or normal differential for the particular quantity sold shall continue to apply.

[Subparagraph (3), formerly (2), amended by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(4) *Container and quantity differentials for sellers who are not crushers.* The maximum delivered prices of the above linseed oil products sold by sellers

who are not crushers, shall be the tank car prices set forth above, plus the seller's usual and normal differential for such linseed oil products when delivered in the container and quantity that is being delivered. In and only in those cases where sellers who are not crushers customarily sold on an f. o. b. basis, there may also be added the actual cost of delivery to the buyer.

[Subparagraph (4), formerly (3), added by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(b) *Raw linseed oil and linseed oil products, delivered in zones 2 to 9, inclusive.* To determine his maximum delivered price for the above enumerated linseed oil products delivered in Zones 2 to 9, inclusive, the seller shall,

(1) Calculate his maximum price for such linseed oil products under the preceding paragraphs of this Article VII—(section 7.1 (a)), assuming for the purpose of such calculation that the delivery is being made in Zone 1.

(2) Add to the maximum price thus arrived at the differentials hereinafter set forth for the particular zone in which the oil actually is being delivered:

Zone:	<i>Differentials to be added Cents per pound</i>
2.....	0.2
3.....	.4
4.....	.6
5.....	.5
6.....	.5
7.....	.6
8.....	.5
9.....	None

(3) In those cases, and only those cases, where such linseed oil products are being delivered by crushers, in returnable drums in less than carlot quantities, within the corporate limits of the cities of Los Angeles, Calif., San Francisco, Calif., Portland, Ore., Seattle, Wash., and Spokane, Wash., add the actual cost of transporting such linseed oil product from the seller's nearest warehouse to the buyer.

The total thus arrived at shall be the seller's maximum delivered price at the place where delivery actually is made.

[Subparagraph (3) amended by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(c) *Sales to agencies of the United States that require prices on an f. o. b. basis.* Where, and only where, linseed oil products are sold to any agency of the United States that specifies that bids to, and contracts with, it shall be made on an f. o. b. basis, the maximum price of such linseed oil shall be on an f. o. b. basis. The maximum price of such linseed oil product, f. o. b. producer's plant, shall be equal to the maximum delivered price of a similar linseed oil product, in similar containers, sold in similar quantities to any other purchaser in the city in which the seller has his plant, minus .3 cents per pound.

(d) *Definitions.* When used in this Article VII, the following terms shall have the following meanings:

(1) "Zone 1" means the area included in the states of Minnesota, Iowa, Missouri, Illinois and Wisconsin.

(2) "Zone 2" means the area included in the states of Michigan, Indiana, Ohio

and West Virginia, in all that portion of New York west of and including the counties of Niagara, Erie, and Cattaraugus, and in that portion of Pennsylvania west of and including the counties of McKean, Cameron, Clearfield, Cambria and Somerset.

(3) "Zone 3" means the area included in the states of Vermont, New Hampshire, Maine, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware and Maryland, in all that portion of New York east of and including the counties of Orleans, Genesee, Wyoming, Allegany, and in all that portion of Pennsylvania east of and including the counties of Potter, Clinton, Centre Blair and Bedford and in the District of Columbia.

[Subparagraph (3) amended by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(4) "Zone 4" means the area included in the state of Florida, and also the following port cities: Charleston, South Carolina; Savannah, Georgia; Brunswick, Georgia, and Mobile, Alabama.

(5) "Zone 5" means the area included in the states of Kentucky, Virginia, Tennessee, North Carolina, Mississippi, Alabama (except Mobile), Georgia (except Savannah and Brunswick), and South Carolina (except Charleston).

(6) "Zone 6" means the area included in the states of Montana, North Dakota, Wyoming, South Dakota, Nebraska, Colorado and Kansas.

(7) "Zone 7" means the area included in the states of New Mexico, Oklahoma, Arkansas, Texas, and Louisiana.

(8) "Zone 8" means the area included in the states of Washington, Oregon, Idaho, Nevada, Utah and Arizona.

(9) "Zone 9" means the area included in the state of California.

ARTICLE VIII—OLIVE OIL

Sec. 8.1 *Maximum prices of domestic olive oil.* The maximum prices of the following described domestic olive oils shall be the following prices:

(a) *Pure pressed edible domestic olive oil, f. o. b. producer's plant in returnable drums, carlots or less than carlots, as follows:*

Percent F. F. A. (Max.):	<i>Dollars per gallon</i>
.50.....	4.80
1.00.....	4.70
1.41 (U. S. P.).....	4.60
1.50.....	4.575
1.75.....	4.55
2.00.....	4.50
2.25.....	4.45
2.50.....	4.40
2.75.....	4.35
3.00.....	4.30

(b) *Pure pressed domestic olive oil, f. o. b. producer's plant, in returnable drums, carlots or less than carlots, as follows:*

Percent F. F. A. (range):	<i>Dollars per gallon</i>
3.01 to 3.50.....	4.25
3.51 to 4.00.....	4.20
4.01 to 5.00.....	4.15
5.01 to 6.00.....	4.10
6.01 to 7.00.....	4.05
7.01 to 8.00.....	4.00
8.01 or more.....	4.00, less 12¢ for each 1% or fraction of 1% of F. F. A. over 8%.

(c) *Refined, bleached, and deodorized domestic olive oil*, f. o. b. producer's plant, in returnable drums, carlots or less than carlots, as follows:

Percent F. F. A. (max.): Dollars per gallon
50..... 4.75

SEC. 8.2 *Differentials*. The maximum prices of domestic olive oil when sold in the following described containers, shall be the prices set forth above for such oil in returnable drums, plus not more than, or minus at least, the differentials set forth below:

Container:	Differential
Tankcars.....	6½¢ per gallon less than olive oil in returnable drums.
Wooden barrels....	10¢ per gallon more than olive oil in returnable drums.
Drums or other metal containers holding less than 55 gallons and more than 6 gallons.	None.
Tin or other metal containers holding less than 7 gallons and more than 1 gallon.	10¢ per gallon more than olive oil in returnable drums.
Glass containers holding less than 7 gallons and more than 1 gallon.	15¢ per gallon more than olive oil in returnable drums.

SEC. 8.3 *Maximum prices of imported olive oil*. The maximum price of imported olive oil, in drums with duties and taxes paid, f. o. b. port of entry, shall be the maximum price, in returnable drums at the producer's plant, of domestic olive oil of the same F. F. A., plus 61½¢ per gallon.

SEC. 8.4 *Differentials*. The maximum price of imported olive oil when sold in the following described containers, shall be the price set forth above for such oil in drums, plus the differentials set forth below:

Container:	Differential
Drums or other metal containers holding less than 55 gallons and more than 6 gallons.	None.
Tin or other metal containers holding less than 7 gallons and more than 1 gallon.	10¢ per gallon more than such oil in drums.
Glass containers holding less than 7 gallons and more than 1 gallon.	15¢ per gallon more than such oil in drums.

SEC. 8.5 *Limitation*. The maximum prices for domestic olive oil and for imported olive oil established by this Article VIII are the maximum prices for such olive oils when sold in containers holding more than one gallon; they are not the maximum prices for such olive oils when sold in containers holding one gallon or less.

ARTICLE IX—IMPORTED VEGETABLE OILS

SEC. 9.1 *Maximum prices*. The maximum prices of the following oils shall be the following prices:

Imported vegetable oils, bulk, in cents per pound;

	c. i. f. New York	c. i. f. Pacific Coast ports	c. i. f. Gulf ports
Coconut oil:			
Crude, Manila.....	8.35	8.69	-----
Crude, Ceylon.....	8.85	8.59	-----
Cochin type.....	9.35	9.09	-----
Refined edible coconut oil, ex tax.....	0.85	0.59	-----
	c. i. f. New York	c. i. f. Pacific Coast ports	
Palm oil—African:			
Soft, basis 15% F. F. A.....	8.25	-----	-----
Semi, basis 35% F. F. A.....	8.25	-----	-----
Niger, or hard, basis over 45% F. F. A.....	8.25	-----	-----
Congo Plantation, basis 10% F. F. A.....	8.52	-----	-----
Malayan and Sumatra, basis 5% F. F. A.....	8.59	-----	-----
Palm kernel oil, crude.....	8.35	-----	-----
Rapeseed oil, denatured.....	11.59	11.59	11.59
Teaseed oil, crude, in drums.....	23.09	-----	-----

[Table amended by Am. 19, effective 4-24-44]

	New York		Pacific coast ports		Gulf ports	
	Tank-cars	Drums, carlots	Tank-cars	Drums, carlots	Tank-cars	Drums, carlots
Androba.....		11.69				
Babassu oil.....	11.19		11.19		11.19	
Castor oil:						
No. 1.....	13.65		13.50			
No. 3.....	12.75		13.29			
Dehydrated, bodied.....	17.85					
Chitaseed oil.....			24.00			
Cobuna oil.....	11.19				11.19	
Coyol oil.....	11.19		11.19		11.19	
Garcia nutans oil.....				29.00		
Muru-muru oil.....	14.63				14.63	
Oleica oil:						
Commercial grade, liquid.....	24.50		23.09		24.50	
Condensed, crude, solid.....		23.00		23.50		23.00
Ouricuri oil.....	11.19				11.19	
Palsun oil.....	43.60					
Perilla oil, crude.....	24.50					
Sesame oil.....	14.39		15.15			
Sunflower seed oil, semi-refined.....	14.39				14.65	
Tucum oil.....	12.63				12.63	
Tung oil (Chinawood oil).....		29.00		29.00		29.00
Uchuba crude vegetable tallow, barrels or drums, carlots.....		8.75				8.75

[Table and text preceding table amended by Am. 19, effective 4-24-44]

(a) The above prices are for basic grades. The usual or normal differentials for grades above or below these basic grades shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

(c) The usual or normal differentials, above or below these prices, shall continue to apply for all other shipping points.

(d) *Tung oil in less than carlot quantities*. Where tung oil is sold in less than carlot quantities, the seller may add to the carlot price set forth above, the differentials hereinafter set forth for the particular quantity sold:

Quantity sold (returnable drums):	Differential to be added (cents per pound)
Carlots, in more than one delivery of 10 drums each.....	1.00
5 to 9 drums, one delivery.....	1.50
1 to 4 drums, one delivery.....	2.00

(a) The above prices are for basic grades. The usual or normal differentials for grades above or below these basic grades shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

(c) The usual or normal differentials, above or below these prices, shall continue to apply for all other shipping points.

(d) Duties, processing taxes and excise taxes may be added to the above c. i. f. prices, and to the prices of refined edible coconut oil.

SEC. 9.2 *Maximum prices*. The maximum prices of the following oils shall be the following prices:

Imported vegetable oils, f. o. b. ports shown below, duties and taxes paid, in cents per pound.

If the oil is shipped in non-returnable drums, the cost of the drums may also be added to the above prices.

[Paragraph (d) added by Am. 19, effective 4-24-44]

ARTICLE X—SHORTENING AND COOKING AND SALAD OILS

SEC. 10.1 *Maximum prices of processors*. The maximum prices of processors for the following shortenings and cooking and salad oils shall be the following prices:

(a) *Standard shortening*. The maximum delivered prices of Swift's Jewel" and "Sanco"; Armour's "Vegetole"; Lookout's "Domino"; Wilson's "Advance"; Atlantic Lard's "Royal Aster"; Procter and Gamble's "Flakewhite" and "Fluffo"; Southern's "Socco" and "Kneedit"; South Texas' "Crustene"; Gulf and Valley's "Blue Plate"; Interstate's "Mrs. Tucker"; Lever Brothers' "Hydora" and Humko's "Humko" and

all other brands of standard shortening manufactured or distributed by the processors of these brands shall be the following prices:

	North	South	Pacific coast
Drums, tierces, or fibre containers of more than 45 pounds (per pound).....	Cents 16.50	Cents 16.25	Cents 16.75
Cartons:	Dollars	Dollars	Dollars
(1) 12 1/4 lbs. (per case).....	\$8.10	\$8.00	\$8.20
(2) 48 1/2 lbs. (per case).....	8.25	8.15	8.35

[Table amended by Am. 12, 9 F.R. 795, effective 1-26-44.]

(b) *Hydrogenated shortening.* (1) The maximum delivered prices of Procter and Gamble's "Primex"; Lever Brothers' "Cove"; Southern's "Heavy Duty MFB"; Swift's "Vream"; Armour's "Kremmit"; and Wilson's "Bakerite" shall be the following prices:

	North	South	Pacific coast
Drums, tierces, or fibre containers of more than 45 pounds (per pound).....	Cents 17.75	Cents 17.75	Cents 17.75

[Table amended by Am. 12, 9 F.R. 795, effective 1-26-44.]

(2) The maximum delivered prices of Procter and Gamble's "Sweetex"; Lever Brothers' "Covo Super Mix"; Southern's "Quik Blend"; Swift's "Vreamay"; Armour's "Kremor"; and Wilson's "Bakerite 140" shall be the following prices:

	North	South	Pacific coast
Drums, tierces, or fibre containers of more than 45 pounds (per pound).....	Cents 18.75	Cents 18.75	Cents 18.75

[Table amended by Am. 12, 9 F.R. 795, effective 1-26-44.]

(3) The maximum delivered prices of Lever Brothers' "Spry" and Procter and Gamble's "Crisco" shall be the following prices:

	North	South	Pacific coast
Three and six pound airtight containers (per case).....	\$7.74	\$7.74	\$7.74

(c) *Salad oil.* The maximum delivered prices of Southern's "77" and "Angela Mia"; Gulf and Valley's "Blue Plate"; Procter and Gamble's "Puritan" and "Fluffo"; Swift's "Jewel"; Armour's "Star"; Wilson's "Certified"; South Texas' "Crustene"; Interstate's "Mrs. Tucker" and Humko's "Humko" shall be the following prices:

	North	South	Pacific coast
(1) Drums (per pound).....	19.50¢	16.50¢	17.00¢
(2) 1/5 gal. can (per can).....	\$8.65	\$8.55	\$8.75
(3) 6/1 gal. can (per case).....	\$8.20	\$8.10	\$8.50

The maximum delivered prices of Southern's "Wesson Oil" shall be the following prices:

	North	South	Pacific coast
(4) 12 1/4 qt. cans (per case)....	\$5.40	\$5.35	\$5.39
(5) 24 1/2 pint cans (per case)....	5.60	5.60	5.65

(d) *Cooking oil.* The maximum delivered prices of Procter and Gamble's "Marigold"; Southern's "88"; Gulf and Valley's "Clarola"; Swift's "Golden West"; Armour's "Supreme"; Wilson's "Laurel"; South Texas' "Magnolia" and Interstate's "White Beauty" shall be the following prices:

	North	South	Pacific coast
(1) Drums (per pound).....	16.00¢	16.00¢	16.50¢
(2) 1/5-gal. can (per can).....	\$6.45	\$6.35	\$6.55
(3) 6/1-gal. cans (per case).....	\$7.95	\$7.85	\$8.25

SEC. 10.2 *Differentials*—(a) *Quantity.* The maximum delivered prices of hydrogenated and standard shortenings, established in section 10.1 above, are the maximum delivered prices for hydrogenated and standard shortenings when shipped in (1) carlots or (2) the quantity to which the lowest price is usually applied in the processor's published lists. When hydrogenated and standard shortenings are shipped in less than (1) carlots or (2) the quantity to which the lowest price is usually applied in the processor's published lists, the usual or normal differential for such a quantity shall continue to apply.

(b) *Quantity.* The maximum delivered prices of salad and cooking oils, established in section 10.1 above, are the maximum prices for salad and cooking oils when shipped in the quantities usually named in the processor's published lists. When salad and cooking oils are shipped in carlots on which a refining in transit privilege is applicable the usual or normal discount (if any) from the maximum prices established in the schedule shall continue to apply. When shipped in a quantity less than the quantity to which the lowest price is usually applied in the processor's published lists, the usual or normal differential over the maximum prices established in this schedule shall continue to apply.

(c) *Container.* When hydrogenated and standard shortenings and salad and cooking oils are sold in containers of different sizes from the container sizes named in section 10.1, the usual or normal differential for size of container shall continue to apply.

(d) *Cash discounts.* The maximum prices of hydrogenated and standard shortenings and salad and cooking oils, established in section 10.1, are the maximum prices before cash discounts. The usual or normal discount for the receipt of payment within the period usually specified in the processor's published lists shall continue to apply.

(e) *Area.* The maximum prices of hydrogenated and standard shortenings and salad and cooking oils, established in section 10.1, are basic prices for the three areas named (North, South, and Pacific Coast). The usual or normal differentials which have applied in the past over base prices to some points within these areas shall continue to apply.

(f) *Limitation.* The maximum prices of hydrogenated and standard shortenings and salad and cooking oils, established in this Article X are the maximum prices on sales made by processors. These prices are not the maximum prices on sales made by wholesalers and retailers.

(g) The maximum prices established in section 10.1, shall apply to sales to any person.

(h) The usual or normal differentials for type of purchaser shall continue to apply.

(i) *Branch houses and car routes.* Where a processor sells a brand of standard or hydrogenated shortening enumerated in section 10.1 hereof through a branch house or car route owned by the processor or owned by a corporation more than 50% of whose stock is owned or controlled by the processor, to a purchaser other than (1) a jobber, or (2) a wholesaler, or (3) a purchaser who buys a carlot or that quantity to which the lowest price usually is applied in the processor's published lists, or (4) a purchaser who during the years 1941 and 1942 customarily has bought in carlots or the quantity to which the lowest price usually is applied in the processor's published lists, the processor's maximum price on such sales shall be 106% of the lesser of (i) the amount that he bills his branch house or car route for the shortening so sold, or (ii) the maximum price permitted him by sections 10.1 to 10.2 (h) inclusive, for carlot shipments of the shortening so sold.

(j) *Branch houses and car routes.* Where a processor sells a brand of salad or cooking oil enumerated in section 10.1 hereof through a branch house or car route owned by the processor or owned by a corporation more than 50% of whose stock is owned or controlled by the processor, to a purchaser other than (1) a jobber, or (2) a wholesaler, or (3) a purchaser who buys a carlot or that quantity to which the lowest price usually is applied in the processor's published lists, or (4) a purchaser who during the years 1941 and 1942 customarily has bought in carlots or the quantity to which the lowest price usually is applied in the processor's published lists, the processor's maximum price on such sales shall be 110% of the lesser of (i) the amount that he bills his branch house or car route for the oil so sold, or (ii) the maximum price permitted him by sections 10.1 to 10.2 (h) inclusive, for carlot shipments of the oil so sold.

SEC. 10.3 *Maximum prices of brands for which maximum prices are not es-*

published in section 10.1. (a) The maximum price of a brand of shortening, the maximum price of which is not established in section 10.1, shall be determined according to the provisions of the General Maximum Price Regulation except that the period from January 16, 1942 to January 31, 1942 inclusive shall be substituted for the period of the month of March 1942 in determining the highest price which may be charged in accordance with §§ 1499.2 and 1499.3 thereof.

(b) The maximum price of a brand of salad or cooking oil, which is not specifically named in section 10.1, shall be determined according to the provisions of the General Maximum Price Regulation,⁵ except that the period from January 16, 1942 to January 31, 1942 inclusive shall be substituted for the period of the month of March 1942 in determining the highest price which may be charged in accordance with §§ 1499.2 and 1499.3 thereof.

Sec. 10.4 *Applications for adjustment of maximum prices by processors.* If the processor of a brand of shortening, or of a brand of salad or cooking oil, the maximum price of which is not established in section 10.1, feels that his brand should command the same maximum price as those brands for which a maximum price is established in section 10.1, or if he feels that the maximum price for his brand, as computed under section 10.3, is unduly low in relation to the maximum prices of those brands the maximum prices of which are established in section 10.1, he should file an application for adjustment with the Office of Price Administration in accordance with the procedure set forth in Revised Procedural Regulation No. 1. Such application should set forth in detail the reasons why the applicant believes his brand should command the maximum price requested by the applicant in his application. The application should also set forth in detail the price relationship between the applicant's brand and one of the brands specifically named in section 10.1.

Sec. 10.5 *Sales of bulk shortening to government agencies.* On sales of standard or hydrogenated shortening in drums or tierces holding 300 pounds or more, to the Army, Navy, Lend-Lease Administration, or any other government agency, the maximum price shall be the maximum price as determined under the preceding sections of this Article X, plus in the case of standard shortening, 4¢ per pound for each pound of vegetable oil contained in such standard shortening and, in the case of hydrogenated shortening, 2¢ per pound for each pound of hydrogenated shortening so sold.

[Sec. 10.5 added by Am. 12, 9 F.R. 795, effective 1-26-44. Former 10.5 redesignated 10.6 by Am. 12.]

Sec. 10.6 *Definitions.* When used in this Article X, the following terms shall have the following meanings:

(a) "Standard shortening" means a shortening which is (1) made from hardened vegetable oil or (2) made from a mixture of vegetable oil and animal fat

and/or hardened marine animal oils. It must conform with the following specifications:

Suspended matter: The shortening must be free from any appreciable amount of suspended matter.

Taste and odor: The shortening must be free from rancidity, foreign odor and sourness.

Moisture: The moisture must not exceed 0.3% (Vacuum Oven Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 423).

Smoke point: The shortening must withstand a temperature of 400 degrees F. without smoking.

Stability: The stability of the shortening must be not less than three hours (Active Oxygen Method; King, Roehen and Irwin; Oil and Soap, 10, 105, June, 1933).

Plasticity: The shortening must remain solid, and be plastic and workable at a temperature within the range from 70 degrees F. to 80 degrees F.

F. F. A.: The F. F. A. must not exceed 0.3% (Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 430).

(b) "Hydrogenated shortening" means a shortening made entirely from vegetable oils, each of which has been hydrogenated to some extent. It must conform with the following specifications:

No free oils: The shortening must contain no free oils.

Suspended matter: The shortening must be free from any appreciable amount of suspended matter.

Taste and odor: The shortening must be free from rancidity, foreign odor and sourness.

Moisture: The moisture must not exceed 0.3% (Vacuum Oven Method Official Agricultural Chemists Association, 6th ed., 1940, p. 423).

Smoke point: The shortening must withstand a temperature of 400 degrees F. without smoking.

Stability: The stability of the shortening must be not less than three hours (Active Oxygen Method; King, Roehen and Irwin; Oil and Soap 10, 105, June, 1933).

Plasticity: The shortening must remain solid and be plastic and workable at a temperature within the range from 70 degrees F. to 80 degrees F.

F. F. A.: The F. F. A. must not exceed 0.12% (Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 430).

Iodine number: The iodine number must not exceed 80 (Banus Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 429).

(c) The term "North" includes the following states:

Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Ohio, Indiana, Michigan, Illinois, Wisconsin, Iowa, Minnesota, Nebraska, South Dakota, North Dakota, Colorado, Wyoming.

The term "South" includes the following states:

Delaware, Maryland, Washington, D. C., West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Missouri, Arkansas, Louisiana, Kansas, Oklahoma, Texas, New Mexico.

The term "Pacific Coast" includes the following states:

Washington, Oregon, California, Montana, Idaho, Nevada, Utah, Arizona.

(d) "Person" includes an individual, corporation, partnership, association,

any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing.

ARTICLE XI—LARD

Sec. 11.1 *Maximum prices.* The maximum prices of lard shall be the prices computed as follows:

(a) *Chicago and East St. Louis basing points area.* This area shall include that part of the continental United States east of the Mississippi River and north of the northern boundaries of Tennessee and North Carolina, except Minnesota. Chicago and East St. Louis basing points maximum prices:

(1) Loose lard 12.80 cents per pound, in tank cars, delivered within corporate limits of basing points.

(2) Base or standard commercial refined lard, 14.55 cents per pound, in tierces, delivered within corporate limits of basing points.

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area outside the corporate limits of the basing points, shall be 12.80 cents per pound, plus the tankcar freight rate per pound on loose lard from the nearest basing point in the area to the community of sale. No other charges may be added to this delivered price.

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community in this area, outside the corporate limits of the basing points, shall be 14.55 cents per pound, plus the packing house product freight rate, tare added, between the nearest basing point and the community of sale. No other charges may be added to this delivered price.

(b) *Kansas City basing point area.* This area shall include that part of the continental United States east of the Mississippi River and south of the southern boundaries of Kentucky and Virginia. Kansas City basing point maximum prices:

(1) Loose lard, 12.55 cents per pound, in tank cars, delivered within corporate limits of Kansas City.

(2) Base or standard commercial refined lard, 14.30 cents per pound, in tierces, delivered within corporate limits of Kansas City.

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area shall be 12.55 cents per pound, plus the tank-car freight rate per pound on loose lard from the basing point for this area to the community of sale. No other charges may be added to this delivered price.

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community in this area shall be 14.30 cents per pound, plus the packing house product freight rate, tare added, between the basing point and the community of sale. No other charges may be added to this delivered price.

⁵ 9 F.R. 1385.

(c) *Multiple basing point area.* This area shall include that part of the continental United States west of the Mississippi River and all of the State of Minnesota. Basing points shall be as follows:

Iowa: Cedar Rapids, Davenport, Des Moines, Dubuque, Fort Dodge, Marshalltown, Mason City, Ottumwa, Waterloo.

Minnesota: Albert Lea, Austin, Duluth, South St. Paul, St. Paul, Winona.

Missouri: Joplin, Kansas City, South St. Joseph, Springfield.

Nebraska: South Omaha, Omaha.

Maximum prices at each of these basing points shall be as follows:

(1) Loose lard, 12.55 cents per pound, in tank cars, delivered within corporate limits of basing points.

(2) Base or standard commercial refined lard, 14.30 cents per pound, delivered within corporate limits of basing points.

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area, outside the corporate limits of the basing points, shall be 12.55 cents per pound, plus the tank-car freight rate per pound or loose lard from the nearest basing point in the area to the community of sale. No other charges may be added to this delivered price.

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community in this area, outside the corporate limits of the basing points, shall be 14.30 cents per pound, plus the packing house products freight rate, tare added, between the nearest basing point and the community of sale. No other charges may be added to this delivered price.

SEC. 11.2 *Quality differentials.* To determine his maximum price for lard other than loose lard or base or standard commercial refined lard in tierces, the processor should determine his maximum price for base or standard commercial refined lard in tierces, in accordance with this schedule, and to this figure add no more than, or, subtract at least the quality differentials hereinafter set forth for the appropriate type of lard, irrespective of area, quantity or type of package:

Prime steam.....	¾ cent per pound under base or standard commercial refined lard.
Rendered pork fat.	1 cent per pound under base or standard commercial refined lard.
Refined rendered pork fat.	¾ cent per pound under base or standard commercial refined lard.
Base or standard commercial refined lard.	None.
Special refined hardened lard.	¾ cent per pound over base or standard commercial refined lard.
Open kettle rendered lard.	½ cent per pound over base or standard commercial refined lard.
Neutral lard.....	1 cent per pound over base or standard commercial refined lard.
Edible lard oil.....	1½ cents per pound over base or standard commercial refined lard.

Lard flakes.....	1½ cents per pound over base or standard commercial refined lard.
Rendered pork fat flakes.	1½ cents per pound over rendered pork fat.
Swift and Company's Brand lard.	4/10 cent per pound over base or standard commercial refined lard.

SEC. 11.3 *Container differentials.* (a) To determine his maximum price for lard sold in other than tierces, the processor should first compute his maximum price for the particular type of lard involved, in accordance with the above provisions of this schedule, than, to this figure he may add a sum equal to, but no more than, the differential hereinafter set forth for the appropriate type of package, irrespective of area, quantity or quality:

	<i>Cents per lb.</i>
Tierces	None
400 pound non-returnable steel drums..	None
120 pound non-returnable steel drums..	None
57 pound tubs.....	None
65 pound hardwood tubs.....	½
50 pound tins.....	¼
25 pound tins.....	½
20 pound tins.....	1
16 pound tins.....	1
20 pound wooden pails.....	1
8 pound tins.....	1
4 pound tins.....	1½
3 pound tin or fibre containers.....	1½
8 pound cartons.....	¼
4 pound cartons.....	¼
2 pound cartons.....	¼
1 pound cartons.....	¼

(b) If a processor sells lard in a type of package not listed in section 11.3 (a) above, his maximum price for lard sold in such type of package shall be his maximum price for the particular type of lard involved, in accordance with this schedule plus the usual or normal differential for such type of package.

SEC. 11.4 *Quantity differentials.* (a) The maximum prices for processors, established by sections 11.1 to 11.3 of this schedule, are maximum prices for carload sales of a lard commodity or combination of lard commodities where such carload is sold to one buyer and shipped in one shipment whether a through car shipment, single destination, or a stop-over joint car shipment, more than one destination.

(b) The processor's maximum price for less than carload sales shall be the processor's maximum delivered price at the community of sale, as established by section 11.1 to 11.3 of this schedule, plus ¾ cent per pound.

(c) Section 11.4 shall apply whether the sale is made direct or through branch house or car route activity or similar form of selling, so long as such selling unit is processor-owned or operated.

SEC. 11.5 *Cash lard.* The maximum price for cash lard shall be 13.80 cents per pound, Chicago basis, and the maximum price for lard futures contracts traded on the Chicago Board of Trade shall be 13.80 cents per pound.

SEC. 11.6 *F. S. C. lard.* The maximum price per pound, f. o. b. shipping point, for lard sold to the Federal Surplus Commodity Corporation shall be the maximum delivered price, per pound, permitted by this schedule for carload

quantities of similar lard, similarly packed, sold to other purchasers, and delivered at the point of shipment.

SEC. 11.7 *Lard flakes.* Where a Chicago processor sells lard flakes to another processor who is to use such lard flakes in the manufacture of war lard and the purchasing processor's maximum selling price on base or standard commercial refined lard, as established under this Article XI, is lower than the maximum price on base or standard commercial refined lard, as established for the corporate limits of Chicago under section 11.1 (a), the maximum price on such lard flakes shall be the maximum price on lard flakes, as established for the corporate limits of Chicago under section 11.1 (a), plus the actual cost of freight from the seller's plant to the buyer's plant. Where the maximum price on lard flakes is computed under this section 11.7, the maximum selling price of the purchasing processor on war lard, in whose manufacture such lard flakes are used, shall be the maximum price on war lard, as established for the corporate limits of Chicago under section 11.1 (a), plus ⅓ cent per pound.

SEC. 11.8 *Lard or pork fat sold for inedible use by certain sellers.* Where an edible pork fat or lard product is sold by a seller who sold a similar pork fat or lard product prior to January 1, 1943, and who, prior to said January 1, 1943 customarily sold over 75% of his production of such pork fat or lard product for inedible use, the maximum price of such pork fat or lard product shall be:

(a) On sales of such pork fat or lard product for edible use, the maximum prices for such products set forth in this Article XI.

(b) On sales of such pork fat or lard product for inedible use, the maximum price established by Article XIV hereof for the type and grade of inedible grease that the seller designated such product as being when he sold such product for inedible use prior to January 1, 1943, or, if no such designation was then made, the maximum price established by Article XIV hereof for that type and grade of inedible grease to which the product being sold would be most similar if it were inedible.

[Sec. 11.8 added by Am. 8, 8 F.R. 15523, effective 11-17-43. Former 11.8 and 11.9 redesignated 11.9 and 11.10 respectively by Am. 8.]

SEC. 11.9 *Definitions.* When used in this Article XI, the term:

(a) "Loose lard" means lard conforming with paragraph 29, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture regardless of rendering method and not refined or packaged.

(b) "Prime steam lard" shall be considered the same as loose lard both as to definition and price consideration except that it shall be rendered in steam tanks.

(c) "Cash lard" means prime steam lard in tierces conforming with the requirements of paragraph 1479, pages 183-

184, of the rules and regulations of Board of Trade of City of Chicago, March 8, 1941.

(d) "Rendered pork fat" means those rendered edible pork fats, regardless of rendering method, not eligible for lard as such, in accordance with paragraph 30, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture.

(e) "Refined rendered pork fat" means rendered pork fat, as defined above, regardless of rendering method used in processing such pork fats, refined under standard commercial practice to conform to the following specifications:

Moisture: Not to exceed 0.3% as tested by the vacuum oven method of the Association of Official Agricultural Chemists.

Suspended matter: Shall be free from appreciable amounts of suspended matter.

F. F. A.: Not to exceed 0.5% as tested by method of the Association of Official Agricultural Chemists.

Taste and odor: Shall be mild, sweet and normal.

Stability: Not less than three hours, as determined by active oxygen method. (King, Roschen & Irwin, Oil and Soap 10, 105, June, 1933.)

(f) "Base or standard commercial refined lard" means that kind of lard produced from loose lard, regardless of rendering method used in making the loose lard, and refined under standard commercial practice to conform to the following specifications:

Moisture: Not to exceed 0.3%. (Same test as above.)

Suspended matter: Shall be free from appreciable amounts of suspended matter.

F. F. A.: Not to exceed 0.5%. (Same test as above.)

Taste and odor: Shall be mild, sweet and normal for pure lard.

Stability: Not less than three hours as determined by active oxygen method.

Plasticity: Shall remain solid and be plastic and workable at ordinary temperatures.

(g) "Special refined hardened lard" means lard which conforms to the requirements of base or standard commercial refined lard, as above defined, with the addition of a minimum of 8% lard flakes which have a minimum titre of 57° C. and shall conform to the following specifications:

Moisture: Not to exceed 0.2%. (Same test as above.)

Suspended matter: Shall be free from appreciable amounts of suspended matter.

F. F. A.: Not to exceed 0.5%. (Same test as above.)

Taste and odor: Shall be mild, sweet and normal for pure lard.

Stability: Not less than three hours as determined by active oxygen method.

Melting point: Not less than 45° C., as tested by Wiley Method of the Association of Official Agricultural Chemists.

(h) "Open kettle rendered lard" means that kind of lard which is produced from 100% leaf fat or any mixture of leaf fat and back fat down to a minimum of 40% leaf fat, and is kettle rendered in a regular commercial manner to conform to the following specifications:

Moisture: Not to exceed 0.3%. (Same test as above.)

Suspended matter: Shall be free from appreciable amounts of suspended matter.

F. F. A.: Shall be less than 0.5%. (Same test as above.)

Taste and odor: Shall have a characteristic kettle rendered flavor.

Stability: Not less than five hours as determined by active oxygen method.

Plasticity: Shall remain solid and be plastic and workable at ordinary temperatures.

(i) "Neutral lard" means that kind of lard from fresh chilled leaf fat only, rendered at a temperature not exceeding 130° F., to conform to the following specifications:

Moisture: Not to exceed 0.3%. (Same test as above.)

Suspended matter: Shall be free from appreciable amounts of suspended matter.

F. F. A.: Not to exceed 0.5%. (Same test as above.)

Taste and odor: Shall be neutral in flavor.

Stability: Not less than ten hours as determined by active oxygen method.

(j) "Lard flakes" means hydrogenated lard which conforms with paragraph 29, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture. The titre shall not be less than 57° C. and free fatty acid shall not exceed 0.2%.

(k) "Rendered pork fat flakes" means hydrogenated rendered pork fat conforming to paragraph 30, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture.

(l) "Edible lard oil" means the liquid or oil portion mechanically pressed from prime steam lard that has a minimum stability of seven hours measured by the active oxygen method and that has been previously conditioned by seeding under controlled temperatures, which oil conforms to the following specifications:

Moisture: Not to exceed 0.3% as tested by the vacuum oven method of the Association of Official Agricultural Chemists, 6th ed., 1940, P. 423.

Suspended matter: Shall be free from any appreciable amount of suspended matter.

F. F. A.: Shall not exceed 0.5% as tested by Association of Official Agricultural Chemists, 6th ed., 1940, P. 436.

Taste and odor: Shall be mild, sweet, and normal for pure lard.

Viscosity: At 100° F., Saybolt Method, shall be not more than 200 seconds.

(m) "Tare" means 15% of the packing house product freight rate, whether carload sale or less than carload sale and regardless of package or type of lard.

(n) "Packing house product freight rate" means the packing house product freight rate, published in public tariffs for minimum 30,000 pound weight packing house products (except canned meats) or if no rate for 30,000 pound minimum weight same class is available the nearest minimum weight carload established for same class shall apply in computing maximum prices under this Article XI.

(o) *Community of sale.* (1) Except as otherwise provided in sections 11.8 (o) (2) and 11.8 (o) (3), "community of sale" means that point at which the purchaser

from the processor resells the lard so purchased, regardless of the point at which actual delivery of the lard from the processor to the purchaser takes place.

(2) Where the purchaser of the lard is the owner of four or more retail stores at which the lard ultimately will be resold by him, and has the lard delivered by the seller to a warehouse for storage until he (the purchaser) reships it to his retail stores for resale, or to another warehouse for storage and subsequent reshipment to his retail stores for resale, and is unable to determine, at the time the lard is delivered by the seller to such warehouse, the particular retail stores from which the lard will be resold by him, then, in such case, and only in such case, "community of sale" means the place where the warehouse to which the lard is delivered by the seller is located.

(3) Where lard is sold for use in the manufacture of an inedible product, then in such case, and only in such case, "community of sale" is the place where is located the buyer's plant in which the lard is used in the manufacture of such inedible product.

[Paragraph (o) amended by Am. 2, 8 P.R. 11508, effective 2-24-43.]

(p) "The maximum price delivered" means the maximum price delivered at the community of sale, as established by section 11.1 (a) (b) and (c), regardless of the method of shipment and regardless of the point at which actual delivery of the lard from the processor to the purchaser takes place. It also means the actual dollars and cents figure, as computed decimally under this Article XI, and no higher price may be charged, although the processor may adjust this maximum price downward to the next nearest eighth of a cent or lower figure, if he so desires.

Sec. 11.10 Denatured edible lard. Where (a) denatured edible lard is sold for use in making an inedible product, and (b) where such lard is delivered by the seller on or before the 31st day of October 1943, the maximum price of such denatured edible lard shall be the same as the maximum price set forth above for similar edible lard that is not denatured.

[Sec. 11.10, formerly 11.9 added by Am. 3, 8 P.R. 11236, effective 8-14-43.]

Sec. 11.11 Loose prime steam lard sold to processors located in basing points. Where loose prime steam lard is sold and delivered by rail in tank cars to a processor who is located within the corporate limits of any of the above basing points, and is delivered by the seller from a plant located within the switching limits of the same basing point, the seller may add to the maximum prices hereinabove set forth the railroad's actual charge for delivering the loose prime steam lard to the buyer.

[Sec. 11.11 added by Am. 11, 9 P.R. 540, effective 1-18-44.]

ARTICLE XII—OLEO

Sec. 12.1 *Maximum prices.* The maximum prices of the following fats and oils shall be the following prices:

Oleo—Packed in used drums or barrels, f. o. b. Chicago:	Cents per pound
Extra oleo stock	12.75
Prime oleo stock	12.50
Extra oleo oil	13.04
Prime oleo oil	12.75
Prime oleo stearine	10.61

(a) The usual or normal differentials for grade, quantity, container and type of purchaser, above or below these prices for basic grades, shall continue to apply.

(b) The usual or normal differentials, above or below these f. o. b. Chicago prices, shall continue to apply for all other shipping points.

ARTICLE XIII—WOOL GREASE

Sec. 13.1 *Maximum prices.* The maximum prices of the following fats and oils shall be the following prices:

Wool grease: f. o. b. producer's plant, in returnable drums, carlots.

	Cents per pound
U. S. P. lanolin, anhydrous cosmetic grade	35
U. S. P. lanolin, pharmaceutical type	33
U. S. P. lanolin, hydrous	32
Technical lanolin, bleached and deodorized, ash maximum 1/10 of 1%, moisture maximum 3/4 of 1%, acid maximum 3/4 of 1%, 1 1/2% loss with petroleum ether extraction, color 3 1/2 A. S. T. M. standard	31
Neutral wool grease, fully refined, acid maximum 2%, ash maximum 1/10 of 1%, moisture maximum 1%	29
Neutral wool grease, fully refined, over 2% acid, ash maximum 1/10 of 1%, moisture maximum 1%	27 1/2
Crude centrifugal wool grease, known as dry, moisture maximum 2 1/2%, ash maximum 3/4 of 1%, maximum 1 1/2 F. F. A.	20
Crude centrifugal wool grease, known as wet, over 5% moisture, maximum 2 1/2 F. F. A., not refined, anhydrous grease basis	17
Common Degras, moisture maximum 2 1/2%, 1/4 to 1% ash, maximum 11% F. F. A.	12
Common Degras, moisture maximum 2 1/2%, 1/4 to 1% ash, maximum 20% F. F. A.	11
Common Degras, moisture maximum, 2 1/2%, 1/4 to 1% ash, maximum 30% F. F. A.	10

(a) The usual or normal differential for type of container shall continue to apply.

(b) The usual or normal differentials for grades above or below the listed grades shall continue to apply.

(c) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(d) The maximum price of an imported wool grease, duties and taxes paid, shall be the maximum price established above for the closest grade of domestic wool grease.

ARTICLE XIV—TALLOW AND GREASES

Sec. 14.1 *Maximum prices.* The maximum prices of the following tallows and greases shall be the following prices:

Tallows and greases. F. o. b. producer's plant, in tank cars or tank trucks, or in returnable or non-returnable drums, barrels, or tierces, carlots:

	Titre minimum	F. F. A. maximum	M. I. U. basis (percent)	F. A. C. maximum untreated and unbleached	Cents per pound
TALLOWES					
Edible	41.5	1	1	5	9 1/4
Rancy	41.5	4	1	7	8 3/4
Choice	41	5	1	9	8 3/4
Prime, renderers prime, prime packers, or extra	40.5	6	1	13 or 11B	8 3/4
Special	40.5	10	1	10 or 11C	8 3/4
No. 1	40.5	15	2	33	8 3/4
No. 3	40.5	20	2	37	8 3/4
No. 2	40	35	2	No color	8 3/4
Naphtha extracted bone	40	50	3	No color	7 3/4
GREASES					
Choice white	37	4	1	13 or 11B	8 3/4
A. white	37	8	1	15	8 3/4
B. white	36	10	2	19 or 11C	8 3/4
Yellow	36	15	2	37	8 3/4
House	37.5	20	2	39	8 3/4
Brown	35	50	2	No color	7 3/4
Fleshing and/or Glue grease No. 1	26	15	1	15	8 3/4
Fleshing and/or Glue grease No. 2	36	40	2	21	8 3/4
No. 1 pig skin & Pigfoot	34	2	1	9	8 3/4
Garbage grease	34	60	3	No color	7

(a) Materials of less than 40 titre shall be deemed greases and shall be priced only on the basis of the maximum prices set forth above for greases; and materials of more than 39.9 titre shall be deemed tallows and shall be priced only on the basis of the maximum prices set forth above for tallows.

(b) Each type or grade of tallow or grease must be designated by the name customarily applied to it by the trade prior to August 1, 1942, and must be priced on the basis of the specifications prescribed in section 14.1 for such type or grade.

(c) The usual or normal differentials for grades, or grades with specifications other than those listed above, shall continue to apply. Bleaching qualities of any material, however, do not constitute any better grade, and do not justify any premium.

(d) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(e) When any of the above named tallows or greases are sold in drums, barrels or tierces (1) to a buyer who has obtained a priority rating or priority order for such tallows or greases from the Food Distribution Administration, (2) by a seller who customarily has charged a premium for tallows or greases when sold in drums, barrels or tierces to a person engaged in a business similar to that in which the buyer is engaged, the maximum prices of such tallows or greases shall be the prices set forth above, plus the differentials hereinafter set forth for the type of container in which the tallows or greases are shipped:

Container	Differentials to be added in cents per pound
Returnable drums, barrels or tierces	3/8
Non-returnable drums, barrels, or tierces	1

(f) The maximum prices for sales of the above tallows and greases to the Federal Surplus Commodity Corporation, in non-returnable tierces, shall be the prices set forth in section 14.1 above, plus 1¢ per pound.

Sec. 14.2 *Imported tallows and greases.* The maximum prices of imported tallows and greases, with duties and taxes paid, f. o. b. port of entry, shall be the maximum prices set forth above for the nearest domestic grade at the producer's plant.

ARTICLE XV—SOAPSTOCKS AND FATTY ACIDS

Sec. 15.1 *Maximum prices of raw soapstocks.* The maximum prices of the following raw soapstocks, delivered in tank cars or tank wagons, shall be the following prices:

RAW SOAPSTOCKS—BASIS 50% T. F. A. [Cents per pound]

	New York	Chicago & Cincinnati	Los Angeles & San Francisco
Cottonseed foots	3.625	3.50	3.50
Corn foots	3.50	3.375	3.375
Soybean foots	3.50	3.375	3.375
Peanut foots	3.875	3.75	3.75

(a) Where any of the above soapstocks are delivered to other destinations, the maximum price shall be the price set forth above for the city nearest the point to which the soapstock is delivered, plus or minus the usual or normal differential that prevailed prior to price control between the point to which the soapstock is delivered and the nearest city named in the above schedule.

(b) The usual or normal differentials for grade, above or below the listed grades, shall continue to apply.

[Sec. 15.1 amended by Am. 1, 8 P.R. 11500, effective 8-24-43.]

Sec. 15.2 *Maximum prices of recovered or acidulated soapstocks.* The maximum prices of the following recovered or acidulated soapstocks, delivered in tank cars or tank wagons, shall be the following prices:

RAW OR ACIDULATED SOAPSTOCKS [Cents per pound]

	New York	Chicago & Cincinnati	Los Angeles & San Francisco
Acidulated cottonseed foots (black grease), basis 95% T. F. A.	7.375	7.25	7.25
Corn oil, basis 95% T. F. A.	7.25	7.00	7.00
Soybean oil, basis 95% T. F. A.	7.25	7.00	7.00
Peanut oil, basis 95% T. F. A.	8.00	7.75	7.75
Coconut oil, 68% saponifiable	10.125	10.125	10.125

(a) Where any of the above soapstocks are delivered to other destinations, the maximum price shall be the price set forth above for the city nearest the point

to which the soapstock is delivered, plus or minus the usual or normal differential that prevailed prior to price control between the point to which the soapstock is delivered and the nearest city named in the above schedule.

(b) The usual or normal differentials for grade, above or below the listed grades, shall continue to apply.

(c) The usual or normal differential for type of container shall continue to apply.

[Sec. 15.2 amended by Am. 1, 8 F.R. 11508, effective 8-24-43.]

SEC. 15.3 *Maximum prices of distilled fatty acids.* The maximum prices of the following distilled fatty acids shall be the following prices:

	Cents per lb. delivered, tank cars	Cents per lb. delivered, carloads, in returnable drums or nonreturnable packages
Tallow:		
East.....	12	12 3/4
Texas and Oklahoma.....	12 1/2	13 1/4
West of Rockies.....	13	13 3/4
Cottonseed, single distilled:		
East.....	11 1/2	12
Texas and Oklahoma.....	11 1/4	12 1/2
West of Rockies.....	12 1/4	13
Cottonseed, double distilled:		
East.....	11 3/4	12 1/2
Texas and Oklahoma.....	12 1/4	13
West of Rockies.....	12 3/4	13 1/2
Coconut, undistilled, #2 grade.....	13 3/8	15 1/2
Coconut, distilled, #1 grade.....		15 1/2
Coconut, triple distilled, special light color.....		16 1/4
	Cents per lb. f. o. b. producer's plant, tank-cars	Cents per lb. f. o. b. producer's plant, carloads, in returnable drums or nonreturnable packages
Soya bean oil, from foots.....	11	11 1/4
Soya bean oil, from crude.....	15 1/4	16 1/2
Corn oil, from foots.....	11	11 1/4
Peanut oil, from foots.....	11 1/4	12

(a) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(b) The usual or normal differential for type of container shall continue to apply.

(c) The usual or normal differentials for grade above or below the listed grades shall continue to apply.

(d) The maximum prices of fractionated fatty acids shall be computed in accordance with the provisions of Article II of this Maximum Price Regulation No. 53.

SEC. 15.4 *Maximum prices of split fatty acids—(a) Tolling charge for splitting fats and oils.* The maximum toll which may be charged for splitting fats and oils shall be (in addition to the retention of the glycerin for the account of the splitter) 75c. per 100 pounds in tankcar lots for all material testing under 20 F. F. A. and \$1.00 per 100 pounds in tankcar lots for all material testing 20 F. F. A. and over. All freight shall be for the account of the owner. The normal premium for less than tankcar lots shall continue to apply.

(b) *Maximum prices for split fatty acids.* The maximum price of split fatty acids, tankcars, f. o. b. seller's plant, shall be the cost, on a tankcar basis, of the raw materials from which the split fatty acids are made, delivered the seller's plant, plus 75c. per 100 pounds for raw materials testing under 20 F. F. A., or plus \$1.00 per 100 pounds for raw materials testing 20 F. F. A. and over.

(1) When shipped in less than carload lots, the usual or normal premium for fatty acids so shipped shall continue to apply.

(2) When shipped in containers other than tankcars, the usual or normal differential for fatty acids when shipped in such other type of container shall continue to apply.

SEC. 15.5 *Maximum prices of stearic acid and oleic acid.* The maximum prices of the following stearic acids and oleic acids shall be the following prices:

	Cents per lb. del'd east of Rockies	Cents per lb. del'd Texas and Oklahoma	Cents per lb. del'd west of Rockies
Stearic acid, carloads, in bags:			
Single pressed.....	17 1/2	17 1/2	17 1/2
Double pressed.....	15 1/2	16 1/2	16 1/2
Triple pressed.....	16 1/2	16 1/2	16 1/2
Oleic acid:			
Tankcars.....	12 1/2	13	13 1/2
Carloads, in returnable drums or barrels.....	13 1/2	13 1/2	14 1/2
Double distilled oleic acid:			
Carloads, in returnable drums.....	13 1/2	13 1/2	14 1/2
Carloads, in special drums or barrels (packages included).....	16 1/2	17 1/2	17 1/2
Hydrogenated fish oil fatty acid, 22° titre, carloads, in bags.....	14 1/2	15 1/2	15 1/2

(a) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(b) The usual or normal differential for type of container shall continue to apply.

(c) The usual or normal differentials for grades above or below the listed grades shall continue to apply.

ARTICLE XVI—MARINE ANIMAL OILS

SEC. 16.1 *Maximum prices.* The maximum prices of the following oils shall be the following prices:

Marine animal oils—tank cars, all duties and taxes paid:

	Cents per pound
Whale oil, crude, No. 1, f. o. b. American ports.....	11.25
Sperm oil, crude, No. 1, f. o. b. American ports.....	7.75
Seal oil, No. 1, f. o. b. American ports.....	8.90
Menhaden, crude, f. o. b. producer's plant, Atlantic coast.....	8.90
Sardine oil, crude, f. o. b. producer's plant, Pacific coast.....	8.90
Sardine oil, hydrogenated 52°, f. o. b. producer's plant, Pacific coast.....	10.90
Light, cold pressed fish oil (Menhaden and Sardine), fair average quality, delivered.....	12.25
Herring oil, crude, f. o. b. Seattle.....	8.90

(a) The usual or normal differentials for grades, above or below those listed, shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

(c) No marine animal oil shall be sold at a premium because of its vitamin content, unless such oil is purchased for use because of its vitamin content and contains more than 75 vitamin D units per gram. If purchased for its vitamin content, it may command the usual and normal premium for such vitamin oil, which it commanded on October 1, or November 26, 1941: *Provided*, That this schedule shall not apply to any vitamin oil for which a maximum price has been or may be established by a Maximum Price Regulation.

(d) *Sales by FDA or FSCC.* On sales of any of the above oils by the Food Distribution Administration or Federal Surplus Commodities Corporation, which oils have actually been stored by the Food Distribution Administration or Federal Surplus Commodity Corporation, there may be added to the maximum prices specified in section 16.1 above, the following storage charges:

(1) On oil stored on the East Coast, .0735¢ per pound for the first month's, or fraction of a month's, storage, plus .0275¢ per pound for each additional month's, or fraction of a month's, storage.

(2) On oil stored on the West Coast, .0750¢ per pound for the first month's, or fraction of a month's, storage plus .0250¢ per pound for each additional month's, or fraction of a month's, storage.

In determining the length of time for which the particular oil being sold has been stored, the "first-in, first-out" method of inventory accounting shall be used.

[Paragraph (d) added by Am. 15, 9 F.R. 1574, effective 2-14-44.]

ARTICLE XVII—LINSEED OIL SHORTENING AND HYDROGENATED LINSEED MARGARINE OIL

SEC. 17.1 *Temporary exemption for linseed oil shortening and hydrogenated linseed margarine oil—(a) Linseed oil shortening.* Sales of shortening produced wholly from linseed oil, or from a blend of fats and oils containing 30% or more linseed oil, made to the Food Distribution Administration prior to the earlier of the following dates:

(1) The effective date on which maximum prices in terms of dollars and cents are fixed for such shortening, or

(2) December 1, 1943, are exempt from the provisions of this Maximum Price Regulation No. 53, and from the provisions of the General Maximum Price Regulation.

[Subparagraph (2) amended by Am. 7, 8 F.R. 12559, effective 9-11-43.]

(b) *Hydrogenated linseed margarine oil.* Sales of hydrogenated linseed margarine oil made to margarine manufacturers, for use in making linseed oil margarine for sale to the Food Distribution Administration, which sales to mar-

garine manufacturers are made prior to the earlier of the following dates:

(1) The effective date on which maximum prices in terms of dollars and cents are fixed for such hydrogenated linseed margarine oil, or

(2) December 1, 1943, are exempt from the provisions of this Maximum Price Regulation No. 53, and from the provisions of the General Maximum Price Regulation.

[Subparagraph (2) amended by Am. 7, 8 F.R. 12559, effective 9-11-43.]

Effective date. This regulation shall become effective August 14, 1943. [MPR 53 originally issued August 9, 1943.]

[Effective dates of amendments are shown in notes following the parts affected.]

NOTE: The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of April 1944.

CHESTER BOWLES,
— Administrator.

[F. R. Doc. 44-5513; Filed, April 18, 1944; 3:59 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 422,¹ Amdt. 15]

CEILING PRICES OF CERTAIN FOODS SOLD AT
RETAIL IN GROUP 3 AND GROUP 4 STORES

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. 422 is amended in the following respects:

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

(a) *What stores are covered.* Your store is covered by this regulation if it is a Group 3 or 4 store as defined below and if you are a retailer who buys and resells food products, generally without materially changing their form, for the most part to ultimate consumers who are not commercial, industrial or institutional users. The provisions of this regulation apply to "retail route sellers" only with respect to fresh fruits and vegetables. However, this regulation does not apply to "health food stores", or to automatic vending machines or farmers selling produce grown on their own farms.

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

(b) *Mark-up.* Turn to Table B to find the mark-up for the item given for your group of store. Table B lists all the "perishables" covered by this regulation by commodity groups. Note that some

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

¹ 8 F.R. 9395, 10569, 10987, 12443, 12611, 13294, 15251, 14853, 15586, 15607, 17369, 17370; 9 F.R. 95.

mark-ups are percentage mark-ups, while others are dollars-and-cents additions per "selling unit" which you make to your net cost.

3. Section 8 (c) is amended to read as follows:

(c) *Ceiling price.* — (1) *Percentage mark-ups.* If the item has been given a percentage mark-up in Table B, turn to Table C. Using the directions given there, you will get your ceiling price for the item.

(2) *Dollars-and-cents mark-ups.* If the item has been given a dollars-and-cents mark-up in Table B, instead of a percentage mark-up, do not use Table C to get your ceiling price. You will get your ceiling price for the item by adding the named dollars-and-cents mark-up in Table B to your "net cost". If your ceiling price so figured results in a fraction of a cent, you may, in making sales of the "selling unit", charge the next higher cent.

(3) *Sales in other quantities.* You may sell an item in a quantity other than the "selling unit" given in Table B. If you sell an item in a quantity other than the "selling unit" given in Table B, you must reduce or increase your ceiling price proportionately. If figuring a price for a quantity different from the "selling unit" results in a fraction of a cent, you may charge the next higher cent.

4. Section 20 (a) is amended to read as follows:

(a) *Fresh bananas bought from importers f. o. b. port of entry, or imported directly by retailers.* If you import bananas directly, or if you buy fresh bananas directly from an importer f. o. b. port of entry, figure your "net cost" by the following procedure.

First, increase the importer's maximum price per hundredweight f. o. b. port of entry (as fixed by Maximum Price Regulation No. 285²) by either \$1.25 or by 29 percent, whichever is greater. To the resulting figure add the cost of getting the bananas to your usual receiving point, which may include costs you have to pay for freight, icing, heating and messenger service, but which may not include costs for local trucking or local unloading (figure your freight costs at the lowest available common carrier rates, and if you import directly, these freight costs are to be figured from the United States port of entry). Divide this total by 100 and you will get your net cost per "selling unit" (1 pound). This is the net cost you will use in figuring your ceiling prices and to which you add the mark-up in Table B for your group of stores.

5. A new section 20 (k) is added to read as follows:

(k) *Coconuts imported by you.* If you import coconuts, your "net cost" per pound may not exceed the ceiling price per pound ex dock any United States

port of entry duty paid, as fixed by Maximum Price Regulation No. 505³ for sales by importers, plus transportation charges paid by you (except local trucking or local unloading) from the United States port of entry to your usual receiving point.

6. Section 22 is amended to read as follows:

SEC. 22. *Additions for delivery from your warehouse to your store.* If your store is located at a distance of 125 miles or more from your warehouse which is your usual receiving point, you may, in determining your ceiling price for an item delivered from the warehouse to your store, use whichever of the following provisions applies:

(a) *In the case of percentage mark-ups.* Where a percentage mark-up is given for the item:

(1) If the store is located at a distance of from 125 through 199 miles from such warehouse, you may add 1 to your mark-up figure. (Example: If your mark-up figure on sugar in Table A is 7 percent, you change it to 8 percent.)

(2) If the store is located at a distance of from 200 through 299 miles from such warehouse, you may add 2 to your mark-up figure.

(3) If the store is located at a distance of from 300 through 399 miles from such warehouse, you may add 3 to your mark-up figure.

(4) If the store is located at a distance of 400 miles or more from such warehouse, you may add 4 to your mark-up figure.

(b) *In the case of dollars-and-cents mark-ups.* Where a dollars-and-cents mark-up is given for the item:

(1) If the store is located at a distance of from 125 through 199 miles from such warehouse, you may add 1 percent to the cost of the delivery or deliveries on which your net cost per "selling unit" is based. You must then figure the "net cost" on the basis of the "selling unit", in accordance with the rules in section 8. (Example: If you are figuring your ceiling price for green peas and your largest delivery during the preceding week was of 5 bushel baskets at \$3.00 per basket, you may add 1 percent, that is, \$0.15, to the \$15.00 cost, and then reduce the resulting figure to the "net cost" of one pound, the "selling unit" for green peas.)

(2) If the store is located at a distance of from 200 through 299 miles from such warehouse, you may add 2 percent and figure your ceiling price in accordance with (1) above.

(3) If the store is located at a distance of from 300 through 399 miles from such warehouse, you may add 3 percent and figure your ceiling price in accordance with (1) above.

(4) If the store is located at a distance of 400 miles or more from such warehouse, you may add 4 percent and figure your ceiling price in accordance with (1) above.

² 8 F.R. 3050, 10659, 16629; 9 F.R. 219, 1121.

³ 9 F.R. 524, 1940.

7. In section 39 (a), Table B is amended to read as follows:

TABLE B—MARK-UPS OVER "NET COSTS" ALLOWED TO GROUP 3 AND GROUP 4 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

I. Food commodities	Allowed mark-ups over net cost		"Selling unit" in which ceiling price must be calculated
	Group 3. Retailer other than independent with annual volume under \$250,000	Group 4. Any retailer with annual volume of \$250,000 or more	
(1) Dairy products:			
Butter.....	8	8	1 pound.
Cheese.....	24	22	1 pound or 1 package.
Eggs, shell.....	14	12	1 dozen.
(2) Fresh fruits:			
Apples.....	33	33	2 pounds.
Bananas, bought on the stem.....	34	34	1 pound.
Bananas, bought in hands.....	25	25	1 pound.
Berries.....	34	34	1 quart, 1 pint or 1 pound.
Citrus fruits.....	26	26	1 dozen or 5 pound- (Grapefruit, 1 orange fruit or 1 pound).
Grapes.....	40	40	1 pound.
Red sour cherries.....	34	34	1 quart or 1 pound.
(3) Fresh vegetables:			
Cabbage.....	40	40	2 pounds.
Lettuce.....	40	40	1 head or 1 pound.
Onions, dry.....	40	35	3 pounds.
Potatoes, sweet.....	40	40	2 pounds.
Potatoes, white.....	39	23	5 pounds.
Tomatoes.....	40	40	1 pound or 1 package.
(4) Poultry:			
Poultry (except turkey) sold as purchased: Bought live and sold live, bought dressed and sold dressed, bought drawn and sold drawn, bought frozen and sold frozen, bought kosher-killed and sold kosher-killed, bought kosher dressed and plucked and sold kosher dressed and plucked, bought split or cut-up and sold split or cut-up (boxed and other pack).	50	50	1 pound.
Poultry (including turkey) bought live and sold dressed weight basis. (Multiply live cost per pound by applicable figure in table. This establishes selling price per pound, dressed weight.)	50	50	1 pound.
Turkey bought live and sold live.....	50	50	1 pound.
Turkey, bought dressed and sold dressed, bought kosher-killed and sold kosher-killed, bought kosher dressed and plucked and sold kosher dressed and plucked, bought drawn and sold drawn, bought frozen and sold frozen, bought split and sold split, bought cut-up and sold cut-up (boxed and other pack).	17	15	1 pound.
(5) Fish: Frozen fish and seafood.....	50	50	1 pound.

II. Food commodities	Allowed dollars and-cents mark-ups per "selling unit"		"Selling unit" in which ceiling price must be calculated.
	Group 3. Retailer other than independent with annual volume under \$250,000	Group 4. Any retailer with annual volume of \$250,000 or more	
(1) Dairy products:			
(2) Fresh fruits: Coconuts.....	\$0.01 1/2	\$0.01 1/2	1 pound.
(3) Fresh vegetables:			
Beans, green and wax.....	.040	.040	1 pound.
Carrots, bunched.....	.02 1/2	.02 1/2	1 bunch.
Carrots, other than bunched.....	.020	.020	1 pound.
Cucumbers, except hothouse cucumbers.....	.02 1/2	.02 1/2	1 pound.
Eggplant.....	.020	.020	1 pound.
Peas, green.....	.030	.030	1 pound.
Spinach.....	.030	.030	1 pound.
(4) Poultry:			
(5) Fish:			

8. Section 39 (b) (2) is amended to read as follows:

(2) *Fresh fruits.* "Fresh fruits" means all the fresh fruits listed, packed or in bulk, which have not been frozen, dried, canned or otherwise processed. Wrapping, dipping, washing, or crating, shall not be considered processing.

"Apples" means all varieties of fresh apples including, but not limited to, Baldwin, Delicious, Grimes Golden, Winesap, Northern Spy, York Imperial, McIntosh, and Rome Beauty. Each variety shall be considered a separate item and priced separately.

"Bananas." Bananas, from different countries of origin such as, but not limited to, Costa Rica, Honduras, Guatemala, and Mexico, shall be considered

different "kinds" of bananas, and must be priced separately. "Bananas, bought in hands", means those which have been sold after being cut away from the stem.

"Berries" means blackberries, boysenberries, gooseberries, loganberries, black raspberries, red raspberries, and youngberries. Each of these seven kinds of berries shall be treated as a separate item and priced separately. Whenever fresh berries are sold in quarts or pints, they must have a minimum net weight of 20 ounces per quart or 10 ounces per pint. If you purchase berries on the basis of a price per pound and sell them in pints or quarts, you must multiply your cost per pound by 2/10 to figure your "net cost" per quart, and by 1/10 to figure your "net cost" per pint.

"Citrus fruits" means all fresh citrus fruits including, but not limited to, oranges, lemons, limes, grapefruit and tangerines. Separate ceiling prices shall be figured for each variety, each size, and for fruit from different areas. Varieties shall be oranges, lemons, limes, temple oranges, tangerines (including tangelos), white seeded grapefruit, pink seeded grapefruit, white seedless grapefruit, pink seedless grapefruit, and ruby red grapefruit. Different areas are California, Arizona, Texas, Indian River Citrus Area of Florida, and the rest of the State of Florida.

"Coconuts" means all fresh whole coconuts, imported and domestic. Coconuts in husks and coconuts in shells shall be considered separate items and priced separately. Coconuts in husks means the fruit of the coco palm enclosed in thick, fibrous outer coats commonly called husks. Coconuts in shells means the fruit of the coco palm with the outer husks removed.

"Grapes" means all varieties of fresh grapes including, but not limited to, Alicante, Almeria, Concord, Emperor, Red Malaga, White Malaga, Ribier, Thompson Seedless, Tokay and Zinfandel. Each variety shall be considered a separate item and priced separately.

"Red sour cherries." All red sour cherries shall be considered one item. When you sell red sour cherries by the quart, they must have a minimum net weight of 20 ounces per quart. When you purchase red sour cherries on the basis of a price per pound and sell them in quarts, you must multiply your cost per pound by 20/16 to figure your "net cost" per quart.

9. Section 39 (b) (3) and (4) are redesignated section 39 (b) (4) and (5) respectively, and a new section 39 (b) (3) is added to read as follows:

(3) *Fresh vegetables.* "Fresh vegetables" means all the fresh vegetables listed, packed or in bulk, which have not been frozen, dried, canned or otherwise processed. Wrapping, dipping, washing, shelling, shall not be considered processing.

"Beans, green and wax" means all varieties of green and wax beans, but shall not include limas and English, Fava, and Italian broad beans. Green beans and wax beans shall be considered separate items and priced separately.

"Cabbage" means all solid headed cabbage, including Red and Savoy. Excluded are Chinese cabbage, collards, cauliflower, and brussels sprouts. Red cabbage shall be considered as a separate item and priced separately.

"Carrots, bunched" means all fresh carrots with tops, bought and sold in bunches weighing not less than one pound. California and similar quality bunched carrots shall be considered as a separate item.

"Carrots, other than bunched" means clipped carrots (carrots with tops not more than 4 inches long), topped carrots (carrots without tops), and all other carrots including bunches weighing less than one pound. Separate ceiling prices shall be figured for each kind. Kinds of "carrots, other than bunched" shall

be clipped carrots, topped carrots and all other carrots.

"Cucumbers" means all types and varieties of cucumbers. Field-grown cucumbers and gherkins shall be considered separate items and priced separately. Excluded are hothouse cucumbers.

"Eggplants" means all varieties of eggplants. All eggplants shall be considered a single item and priced as such.

"Lettuce" means all head or leaf lettuce, including, but not limited to Iceberg, Big Boston and Romaine. Excluded are escarole, chicory, and endive. Head lettuce and leaf lettuce shall be considered separate items and priced separately. California and similar quality Iceberg shall also be considered a separate item.

"Onions, dry" means all dry onions used for human consumption. Each grade and variety shall be considered separate items and priced separately.

"Peas, green" shall not include Chinese peas. California and similar quality peas shall be considered a separate item and shall be priced as such.

"Potatoes, sweet" means all varieties of sweet potatoes. All dry flesh sweet potatoes shall be considered one item, and moist flesh sweet potatoes shall be considered a separate item, and priced separately. Dry flesh sweet potatoes include varieties such as Big Stem Jersey, Little Stem Jersey, and Triumph. Moist flesh sweet potatoes (sometimes called yams) include varieties such as Porto Rico and Nancy Hall.

"Potatoes, white" means all white potatoes used for human consumption or for seed (except foundation stock, certified and war approved seed potatoes). Each grade and variety of white potatoes shall be considered a separate item and priced separately.

"Spinach" means all flat and curly leaf spinach, excluding New Zealand, or other greens. Separate items shall be "washed and packaged" spinach, and all other spinach, and must be priced separately.

"Tomatoes." Hothouse, field-run and packaged tomatoes shall be considered separate items and priced separately.

10. Section 40 (b) is amended to read as follows:

(b) *Instructions for use of Table A, Table B, and Table C.* Tables A and B contain the mark-ups for all commodities in this regulation. Note that some mark-ups are percentage mark-ups and some are dollars-and-cents mark-ups. Table C is included to assist you in determining ceiling prices without burdensome calculations, where the mark-up given is a percentage mark-up.

Table A lists by commodity groups the "dry groceries" covered by this regulation and the mark-ups to be used by Group 3 and Group 4 retailers in figuring their selling prices. Table B gives the same information for "perishables". However, in addition, Table B also lists the selling units, on the basis of which retailers must figure their net costs and ceiling prices for "perishables". For a detailed list of the items in each com-

modity group, see "Commodity definitions of dry groceries" printed immediately after Table A, and "Commodity definitions of perishables" printed immediately after Table B. After you have determined your "net cost" for an item in accordance with the method set up in this regulation, find your proper mark-up in the commodity group which includes the item you are pricing. Commodity groups are listed at the left of Table A and Table B. Directly opposite each commodity group you will find either a percentage mark-up or a dollars-and-cents mark-up for your group of retailers.

If a percentage mark-up is shown, you get your ceiling price for the item by turning to Table C, which shows the ceiling price for all items with per unit net costs ranging from $\frac{1}{2}$ ¢ to 50¢. Percentage mark-ups over net cost are listed in the column at the extreme left of Table C, and "net cost" across the top of the table. "Net cost per unit" means, in the case of dry groceries, the "net cost" of a single unit (one can, one jar, etc.). For perishables, it means the "net cost" of the selling unit listed in the last column of Table B.

To determine your ceiling price from Table C, find your net cost at the top of the table. Go down that column until you come to the figure (in that column) on the same line as your mark-up. The figure at that point is your ceiling price for the item.

If your net cost per unit is more than 50¢, you cannot use Table C to get your ceiling price. In those cases, you must (1) multiply your net cost by your percentage mark-up, (2) add the result to your net cost, and (3) round the sum to the nearest whole cent. For perishables, your net cost must be in terms of the selling unit specified in Table B.

If the mark-up specified for an item is a dollars-and-cents mark-up, you cannot use Table C to get your ceiling price. In those cases, you simply add the stated amount of mark-up to your "net cost". If your ceiling price so figured results in a fraction of a cent, you may, in making sales of the "selling unit", charge the next higher cent.

Example (1). A Group 3 retailer wishes to figure a new ceiling price for "xx" Brand, No. 2 can tomatoes, 1942 pack, which he must put into effect by August 5, 1943, in accordance with section 3. His most recent purchase of a customary quantity of this item from a customary type of supplier delivered to his usual receiving point was a carload purchased from a packer and delivered at a cost of \$2.00 a case (24 cans) on July 20, 1943. He must first figure, to the nearest half-cent, his "net cost" on a single unit basis (sec. 4 (a) (2)), that is, for a single can. He therefore divides the cost for the case, \$2.00, by the number of single units in the case, 24, and gets a result of \$0.0833, before rounding. Rounding to the nearest half-cent, this becomes \$0.085. (If the figure had been \$0.0821 before rounding, he would have rounded to \$0.080.) He then turns to Table A to find the mark-up to be applied to his net cost. Going down the column at the left of Table A he will find a listing of the commodity group which includes the item he is pricing. For canned tomatoes this group is "Corn, green and wax beans, peas, tomatoes, and tomato juice, canned". Going across the page on

that line, he will find his mark-up for the item in the column for Group 3 retailers. In this case, his mark-up is 21 percent. Having his mark-up and net cost, Table C will give him his ceiling price without further computations. Checking across the top of Table C, he will find a column headed by his net cost, \$0.085. Going down this \$0.085 column until he comes to the figure on the same line as his percentage mark-up of 21 percent listed in the column at the extreme left of Table C he will find his ceiling price for the item to be 10 cents per can.

Example (2). A Group 3 retailer wishes to figure a ceiling price for California yellow globe dry onions, U. S. #1, which he must use during the period, August 19, 1943, (Thursday) to August 26, 1943 (Wednesday), inclusive. He must first find the net cost of his selling unit based on his largest purchase during the seven days preceding Thursday, August 19. During the preceding week he made a purchase of 250 bags of 50 pounds each of California yellow globe dry onions, U. S. #1, at a delivered cost of \$2.98 per bag, a purchase of 150 bags of the same grade and variety of onions at a delivered cost of \$3.02 a bag, and another purchase of the same item of 200 bags at a delivered cost of \$2.97 a bag. His largest purchase, therefore, was the purchase of the 250 bags. He must figure his net cost on the basis of the selling unit listed in Table B, which for onions is 3 pounds. He divides his cost per 50-pound bag in his largest purchase, \$2.98, by 50, to get a result of \$0.0596, which would be his cost per pound. Multiplying this by 3 he gets, before rounding, a figure of \$0.1788, his cost for 3 pounds. Since net cost is to be figured to the nearest half-cent, he would then round this figure to \$0.180. Having his net cost and his mark-up (obtained from Table B) he finds his ceiling price in Table C in the same way as he did in Example (1) above. Going to Table C, he will find that 25 cents is the ceiling price for an item with a net cost of \$0.180 and a mark-up of 40 percent.

Example (3). A Group 3 retailer wishes to figure his ceiling price for California green peas for the period May 4th through May 10th. His largest purchase during the preceding week was a purchase of ten bushel baskets at \$4.05 per basket. His selling unit for green peas, given in Table B, is 1 pound. He therefore divides his cost per basket (\$4.05) in his largest purchase during the preceding week, by 28 (the minimum net weight of a bushel basket of green peas). This results in \$0.144, which is rounded to 14½ cents. He then looks in Table B for the mark-up for green peas, which is \$0.050. This mark-up, 5 cents, added to the net cost per selling unit of 1 pound, 14½ cents, gives him 19½ cents. Therefore his ceiling price per pound of California green peas for the period May 4th through May 10th is 19½ cents. In selling 1 pound, he may charge 20 cents. However, if he sells 2 pounds, he may charge no more than 39 cents (2 × 19½¢).

This amendment shall become effective April 27, 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 18th day of April 1944.

CHESTER-BOWLES,
Administrator.

Approved as to action contained herein with respect to agricultural commodities: April 11, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-5515; Filed, April 18, 1944; 3:59 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423, Amdt. 16]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 1 AND GROUP 2 STORES

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. 423 is amended in the following respects:

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

(a) *What stores are covered.* Your store is covered by this regulation if it is a Group 1 or 2 store as defined below and if you are a retailer who buys and resells food products, generally without materially changing their form, for the most part to ultimate consumers who are not commercial, industrial or institutional users. The provisions of this regulation apply to "retail route sellers" only with respect to fresh fruits and vegetables. However, this regulation does not apply to "health food stores", or to automatic vending machines or farmers selling produce grown on their own farms.

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

(b) *Mark-up.* Turn to Table B to find the mark-up for the item given for your group of store. Table B lists all the "perishables" covered by this regulation by commodity groups. Note that some mark-ups are percentage mark-ups, while others are dollars-and-cents additions per "selling unit" which you make to your net cost.

3. Section 8 (c) is amended to read as follows:

(c) *Ceiling price—(1) Percentage mark-ups.* If the item has been given a percentage mark-up in Table B, turn to Table C. Using the directions given there, you will get your ceiling price for the item.

(2) *Dollars-and-cents mark-ups.* If the item has been given a dollars-and-cents mark-up in Table B, instead of a percentage mark-up, do not use Table C to get your ceiling price. You will get your ceiling price for the item by adding the named dollars-and-cents mark-up in Table B to your "net cost". If your ceiling price so figured results in a fraction of a cent, you may, in making sales of the "selling unit", charge the next higher cent.

(3) *Sales in other quantities.* You may sell an item in a quantity other than the "selling unit" given in Table B. If you sell an item in a quantity other than the "selling unit" given in Table B, you must reduce or increase your ceiling price proportionately. (For example, if your ceiling price for an item of potatoes is 20 cents for 5 pounds, the "selling unit", and you make a sale of 3 pounds of these potatoes, take three-fifths of your ceiling price for 5 pounds, 20 cents, and the resulting figure of 12 cents would be your

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

18 F.R. 9407, 10570, 10988, 12443, 12611, 13294, 14854, 15587, 15608, 16031, 17371; 9 F.R. 95.

ceiling price for the 3-pound sale. If you make a sale of 10 pounds, multiply 20 cents by 2, and the resulting figure of 40 cents would be your ceiling price for the 10-pound sale.) If figuring a price for a quantity different from the "selling unit" results in a fraction of a cent, you may charge the next higher cent.

4. Section 13 (c) is amended to read as follows:

(c) Section 20 *How to figure your "net cost" in certain cases.* (Applies to you if you import fresh bananas or purchase fresh bananas from importers f. o. b. port

of entry or at auction; if you package and print butter; if you candle and grade eggs; if you sell "ungraded eggs"; if you purchase white potatoes or dry onions ungraded and unsacked; if you purchase ungraded, unsized and unpacked citrus fruits and you grade, size and pack such citrus fruits; if you buy poultry live or dressed, and you sell it drawn; if you buy poultry live, dressed or drawn and sell it cut-up or in parts; or if you import coconuts.)

5. In section 28 (a), Table B is amended to read as follows:

TABLE B—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 1 AND GROUP 2 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

I. Food commodities	Allowed mark-ups over net cost		"Selling unit" in which ceiling price must be calculated
	Independent retailers with annual volumes		
	Group 1. Under \$20,000	Group 2. \$20,000 but less than \$250,000	
(1) Dairy products:			
Butter.....	10	10	1 pound.
Cheese.....	27	27	1 pound or 1 package.
Eggs, shell.....	17	15	1 dozen.
(2) Fresh fruits:			
Apples.....	33	33	2 pounds.
Bananas, bought on the stem.....	43	43	1 pound.
Bananas, bought in hands.....	34	34	1 pound.
Berries.....	34	34	1 quart, 1 pint or 1 pound.
Citrus fruits.....	29	29	1 dozen or 5 pounds (grapefruit, 1 grapefruit or 1 pound).
Grapes.....	49	49	1 pound.
Red sour cherries.....	34	34	1 quart or 1 pound.
(3) Fresh vegetables:			
Cabbage.....	49	49	2 pounds.
Lettuce.....	49	49	1 head or 1 pound.
Onions, dry.....	49	49	3 pounds.
Potatoes, sweet.....	49	49	2 pounds.
Potatoes, white.....	33	29	5 pounds.
Tomatoes.....	49	49	1 pound or 1 package.
(4) Poultry:			
Poultry (except turkey) sold as purchased: Bought live and sold live, bought dressed and sold dressed, bought drawn and sold drawn, bought frozen and sold frozen, bought kosher-killed and sold kosher-killed, bought kosher dressed and plucked and sold kosher dressed and plucked, bought split or cut-up and sold split or cut-up (boxed and other pack).	21	21	1 pound.
Poultry (including turkey) bought live and sold dressed weight basis. (Multiply live cost per pound by applicable figure in table. This establishes selling price per pound, dressed weight.)	33	33	1 pound.
Turkey bought live and sold live.....	21	21	1 pound.
Turkey bought dressed and sold dressed, bought kosher-killed and sold kosher-killed, bought kosher dressed and plucked and sold kosher dressed and plucked, bought drawn and sold drawn, bought frozen and sold frozen, bought split and sold split, bought cut-up and sold cut-up (boxed and other pack).	17	17	1 pound.
(5) Fish: Frozen fish and seafood.....	23	23	1 pound.

II. Food commodities	Allowed dollars-and-cents mark-ups per "selling unit"		"Selling unit" in which ceiling price must be calculated
	Independent retailers with annual volumes		
	Group 1. Under \$20,000	Group 2. \$20,000 but less than \$250,000	
(1) Dairy products:			
(2) Fresh fruits: Coconuts.....	\$2.63	\$2.63	1 pound.
(3) Fresh vegetables:			
Beans, green and wax.....	\$2.04½	\$2.04½	1 pound.
Carrots, bunched.....	\$2.63½	\$2.63½	1 bunch.
Carrots, other than bunched.....	\$2.63	\$2.63	1 pound.
Cucumbers, except hothouse cucumbers.....	\$2.63½	\$2.63½	1 pound.
Eggplant.....	\$2.63½	\$2.63½	1 pound.
Peas, green.....	\$2.63½	\$2.63½	1 pound.
Spinach.....	\$2.63½	\$2.63½	1 pound.
(4) Poultry:			
(5) Fish:			

6. Section 28 (b) (2) is amended to read as follows:

(2) *Fresh fruits.* "Fresh fruits" means all the fresh fruits listed, packed or in bulk, which have not been frozen, dried, canned or otherwise processed. Wrapping, dipping, washing, or crating, shall not be considered processing.

"Apples" means all varieties of fresh apples including, but not limited to, Baldwin, Delicious, Grimes Golden, Winesap, Northern Spy, York Imperial, McIntosh, and Rome Beauty. Each variety shall be considered a separate item and priced separately.

"Bananas." Bananas, from different countries of origin such as, but not limited to, Costa Rica, Honduras, Guatemala, and Mexico, shall be considered different "kinds" of bananas, and must be priced separately. "Bananas, bought in hands," means those which have been sold after being cut away from the stem.

"Berries" means blackberries, boysenberries, gooseberries, loganberries, black raspberries, red raspberries, and youngberries. Each of these seven kinds of berries shall be treated as a separate item and priced separately. Whenever fresh berries are sold in quarts or pints, they must have a minimum net weight of 20 ounces per quart or 10 ounces per pint. If you purchase berries on the basis of a price per pound and sell them in pints or quarts, you must multiply your cost per pound by 20/16 to figure your "net cost" per quart, and by 10/16 to figure your "net cost" per pint.

"Citrus fruits" means all fresh citrus fruits including, but not limited to, oranges, lemons, limes, grapefruit and tangerines. Separate ceiling prices shall be figured for each variety, each size, and for fruit from different areas. Varieties shall be oranges, lemons, limes, temple oranges, tangerines (including tangelos), white seeded grapefruit, pink seeded grapefruit, white seedless grapefruit, pink seedless grapefruit, and ruby red grapefruit. Different areas are California, Arizona, Texas, Indian River Citrus Area of Florida, and the rest of the State of Florida.

"Coconuts" means all fresh whole coconuts, imported and domestic. Coconuts in husks and coconuts in shells shall be considered separate items and priced separately. "Coconuts in husks" mean the fruit of the coco palm enclosed in thick, fibrous outer coats commonly called husks. "Coconuts in shells" means the fruit of the coco palm with the outer husks removed.

"Grapes" means all varieties of fresh grapes including, but not limited to, Alicante, Almeria, Concord, Emperor, Red Malaga, White Malaga, Ribier, Thompson Seedless, Tokay and Zinfandel. Each variety shall be considered a separate item and priced separately.

"Red sour cherries." All red sour cherries shall be considered one item. When you sell red sour cherries by the quart, they must have a minimum net weight of 20 ounces per quart. When you purchase red sour cherries on the basis of a price per pound and sell them in quarts, you must multiply your cost per pound by $\frac{20}{16}$ to figure your "net cost" per quart.

7. Section 28 (b) (3) and (4) are redesignated section 28 (b) (4) and (5) respectively, and a new section 28 (b) (3) is added to read as follows:

(3) *Fresh vegetables.* "Fresh vegetables" means all the fresh vegetables listed, packed or in bulk, which have not been frozen, dried, canned or otherwise processed. Wrapping, dipping, washing, shelling, shall not be considered processing.

"Beans, green and wax" means all varieties of green and wax beans, but shall not include limas and English, Fava, and Italian broad beans. Green beans and wax beans shall be considered separate items and priced separately.

"Cabbage" means all solid headed cabbage, including Red and Savoy. Excluded are Chinese cabbage, collards, cauliflower, and brussels sprouts. Red cabbage shall be considered as a separate item and priced separately.

"Carrots, bunched" means all fresh carrots with tops, bought and sold in bunches weighing not less than one pound. California and similar quality bunched carrots shall be considered a separate item.

"Carrots, other than bunched" means clipped carrots (carrots with tops not more than 4 inches long), topped carrots (carrots without tops), and all other carrots including bunches weighing less than one pound. Separate ceiling prices shall be figured for each kind. Kinds of "carrots, other than bunched" shall be clipped carrots, topped carrots and all other carrots.

"Cucumbers" means all types and varieties of cucumbers. Field-grown cucumbers and gherkins shall be considered separate items and priced separately. Excluded are hothouse cucumbers.

"Eggplants" means all varieties of eggplants. All eggplants shall be considered a single item and priced as such.

"Lettuce" means all head or leaf lettuce, including, but not limited to, Iceberg, Big Boston and Romaine. Excluded are escarole, chicory, and endive. Head lettuce and leaf lettuce shall be considered separate items and priced separately. California and similar quality Iceberg shall also be considered a separate item.

"Onions, dry" means all dry onions used for human consumption. Each grade and variety shall be considered separate items and priced separately.

"Peas, green" shall not include Chinese peas. California and similar quality peas shall be considered a separate item and shall be priced as such.

"Potatoes, sweet" means all varieties of sweet potatoes. All dry flesh sweet potatoes shall be considered one item, and moist flesh sweet potatoes shall be considered a separate item, and priced separately. Dry flesh sweet potatoes include varieties such as Big Stem Jersey, Little Stem Jersey, and Triumph. Moist flesh sweet potatoes (sometimes called yams) include varieties such as Porto Rico and Nancy Hall.

"Potatoes, white" means all white potatoes used for human consumption or for seed (except foundation stock, certified and war approved seed potatoes).

Each grade and variety of white potatoes shall be considered a separate item and priced separately.

"Spinach" means all flat and curly leaf spinach, excluding New Zealand, or other greens. Separate items shall be "washed and packaged" spinach, and all other spinach, and must be priced separately.

"Tomatoes." Hothouse, field-run and packaged tomatoes shall be considered separate items and priced separately.

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

(b) *Instructions for use of Table A, Table B, and Table C.* Tables A and B contain the mark-ups for all commodities in this regulation. Note that some mark-ups are percentage mark-ups and some are dollars-and-cents mark-ups. Table C is included to assist you in determining ceiling prices without burdensome calculations, where the mark-up given is a percentage mark-up.

Table A lists by commodity groups the "dry groceries" covered by this regulation and the mark-ups to be used by Group 1 and Group 2 retailers in figuring their ceiling prices. Table B gives the same information for "perishables." However, in addition, Table B also lists the selling units, on the basis of which retailers must figure their net costs and ceiling prices for "perishables." For a detailed list of the items in each commodity group, see "Commodity definitions of dry groceries" printed immediately after Table A, and "Commodity definitions of perishables" printed immediately after Table B. After you have determined your "net cost" for an item in accordance with the method set up in this regulation, find your proper mark-up in the commodity group which includes the item you are pricing. Commodity groups are listed at the left of Table A and Table B. Directly opposite each commodity group you will find either a percentage mark-up or a dollars-and-cents mark-up for your group of retailers.

If a percentage mark-up is shown, you get your ceiling price for the item by turning to Table C, which shows the ceiling price for all items with per unit net costs ranging from $\frac{1}{2}$ ¢ to 50¢. Percentage mark-ups over net costs are listed in the column at the extreme left of Table C, and "net cost" across the top of the table. "Net cost per unit" means, in the case of dry groceries, the "net cost" of a single unit (one can, one jar, etc.). For perishables, it means the "net cost" of the selling unit listed in the last column of Table B.

To determine your ceiling price from Table C, find your net cost at the top of the table. Go down that column until you come to the figure (in that column) on the same line as your mark-up. The figure at that point is your ceiling price for the item.

If your net cost per unit is more than 50¢, you cannot use Table C to get your ceiling price. In those cases, you must (1) multiply your net cost by your percentage mark-up, (2) add the result to your net cost, and (3) round the sum to the nearest whole cent. For perishables,

your net cost must be in terms of the selling unit specified in Table B.

If the mark-up specified for an item is a dollars-and-cents mark-up, you cannot use Table C to get your ceiling price. In those cases, you simply add the stated amount of mark-up to your "net cost". If your ceiling price so figured results in a fraction of a cent, you may, in making sales of the "selling unit", charge the next higher cent.

Example 1. A Group 1 retailer wishes to figure a new ceiling price for "xx" Brand, No. 2 can, golden bantam cream style corn, 1942 pack. Section 3 requires a Group 1 or 2 retailer to keep his present ceiling price for a "dry grocery" item until he puts into effect a new ceiling price for the item based on the first delivery of the item to him after August 5, 1943. This new ceiling price must be put into effect not later than 5 days after receiving such delivery. In figuring this new ceiling price, his "net cost" must be based on a purchase of a customary quantity from a customary type of supplier delivered to his "usual receiving point" by a customary means of delivery. Therefore, if on August 7, 1943, a Group 1 retailer receives at his usual receiving point 5 cases of "xx" Brand, No. 2 can, golden bantam cream style corn, 1942 pack, which he has purchased from a wholesaler (his customary type of supplier), at a delivered cost of \$2.37 a case (24 cans) he must under Sections 3 and 4 figure and put into effect a new ceiling price for the item by August 12, 1943. This is the first delivery of a customary quantity of the item he has received since August 5, 1943 (from his customary type of supplier delivered to his usual receiving point by a customary means of delivery). He must first figure, to the nearest half-cent, his "net cost" on a single unit basis, Sec. 4 (b) (2), that is, for a single can. He therefore divides the cost for the case, \$2.37, by the number of single units in the case, 24, and gets a result of \$0.0987, before rounding. Rounding to the nearest half-cent, this becomes \$0.10. (If the figure had been \$0.0967 before rounding, he would have rounded to \$0.095.)

He then turns to Table A to find the mark-up to be applied to his net cost. Going down the column at the left of Table A he will find a listing of the commodity group which includes the item he is pricing. For canned corn, this group is "Corn, green and wax beans, peas, tomatoes, and tomato juice, canned". Going across the page on that line, he will find his mark-up for the item in the column for Group 1 retailers. In this case his mark-up is 25%. Having his mark-up and net cost, Table C will give him his ceiling price without further computations. Checking across the top of Table C, he will find a column headed by his net cost, \$0.10. Going down this \$0.10 column until he comes to the figure on the same line as the 25% mark-up listed in the column at the extreme left of Table C, he will find his ceiling price for the item to be 13¢ per can.

Example 2. A Group 1 retailer wishes to figure a ceiling price for round white potatoes to use during the period August 19, 1943, (Thursday) to August 26, 1943, (Wednesday) inclusive. He must first find the net cost of his selling unit based on his largest purchase during the seven days preceding Thursday, August 19. During the preceding week he made a purchase of 3 bags of 100 pounds each of white round U. S. No. 1 potatoes at a delivered cost of \$4.12 per bag, and another purchase of the same item of 1 bag at a delivered cost of \$4.33 per bag. His largest purchase, therefore, was the purchase of the 3 bags. He must figure his net cost on the basis of the selling unit listed in Table B, which for potatoes is 5 pounds. He divides his net cost per 100 pound bag

in his largest purchase, \$4.12, by 100 to get a result of \$0.0412, which would be his net cost per pound. Multiplying this by 5 he gets, before rounding, a figure of \$0.2060, his cost for 5 pounds. Since net cost is to be figured to the nearest half-cent, he would then round this figure to \$0.205. Having his net cost and his mark-up (obtained from Table B) he finds his ceiling price in Table C the same way as he did in example (1) above. Going to Table C, he will find that 27 cents is the ceiling price for an item with a net cost of \$0.205 and a mark-up of 33 percent.

Example 3. A Group 1 retailer wishes to figure his ceiling price for California green peas for the period May 4th through May 10th. His largest purchase during the preceding week was a purchase of ten bushel baskets at \$4.45 per basket. His selling unit for peas, given in Table B, is 1 pound. He therefore divides his cost per basket (\$4.45) in his largest purchase during the preceding week, by 28 (the minimum net weight of a bushel basket of green peas). This results in \$0.158, which is rounded to 16 cents. He then looks in Table B for the mark-up for green peas, which is 0.05½. This mark-up, 5½ cents, added to the net cost per selling unit of 1 pound, 16 cents, gives him 21½ cents. Therefore, his ceiling price per pound of California green peas for the period May 4th through May 10th is 21½ cents. In selling 1 pound, he may charge 22 cents. However, if he sells 2 pounds, he may charge no more than 43 cents (2 x 21½¢).

This amendment shall become effective April 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9323, 8 F.R. 4681)

Issued this 18th day of April 1944.

CHESTER BOWLES,
Administrator.

Approved: April 11, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-5516; Filed, April 18, 1944; 4:00 p. m.]

PART 1340—FUEL
[MPR 120; Amdt. 95]

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 respects:

1. Section 1340.214 (b) (1) is amended to read as follows:

(1) Maximum prices for coals produced at mines with the following designated price classifications. These prices are for shipment to all destinations, by all methods of transportation, except by truck or wagon, and for all uses.

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

*8 F.R. 14500, 15255, 15455, 16419, 16733, 16933; 9 F.R. 336, 573, 633, 724, 1181, 1395, 1454, 1721, 1905, 2003, 2127.

Price classifications	Prices and size group numbers				
	1	2	3	4	5
Lump and dem-bushel coals bottom size larger than 2"					
Lump and dem-bushel coals bottom size 2" and smaller					
Mine Run and run-of-mine coals larger than 2" x 0					
Screenings top size over 2" x 0 but not exceeding 2" x 0					
Screenings top size 1 1/2" and smaller					
A.....	235	245	255	310	310
D and E.....	235	235	270	275	270
F.....	275	275	270	270	270
G.....	275	275	270	270	275
H.....	275	270	270	270	270
J.....	270	270	270	275	270
All mines in Preston County, West Virginia, except as stated hereinafter	270	270	270	275	275

*If a mine is classified "DF" in any size group, the "D" classification shall apply to all coals from such mine having a sulphur content of 1.5% or under, irrespective of the use for which they are sold. If the sulphur content of the coals in any size group from such a mine is in excess of 1.5%, the "F" classification indicated in the applicable minimum price schedule for that particular size group shall apply.

Exceptions: (Letters appearing in this table instead of prices designate price classifications; in these instances, the maximum prices are those set forth in subparagraph (1) above for the classification stated.)

Mine index	Producer	Prices, classifications and size group numbers					
		Mine name	1	2	3	4	5
126	Bethlehem-Fairmont Coal Co.	Scott No. 2.....	235	250	270	270	270
2	Buckhannon River Coal Co.	Adrian.....	235	235	275	275	275
247-1378	Clark Coal Co.	Juniper Nos. 4 and 7.....	270	270	270	270	270
82	Juniper, John T.	Juniper.....	J	J	H	H	H
63	Jones, Doy M.	Miller.....	275	270	275	275	270
123	McCartney Coal Co.	Men-Ark.....	F	F	F	F	F
43	Miller Todd Coal Co.	Ella.....	F	F	F	F	F
5	Pardoe & Curfin Lumber Co.	Arthur No. 1.....	250	250	270	270	270
119	Purglove Coal Mining Co.	No. 15.....	235	235	275	275	275
133	Rosa Valley Coal Co.	Reemant.....	270	270	275	270	270
49	Simpson Creek Colliery Co.	Galloway No. 2.....	270	270	275	275	245
55	Virginia & Pittsburgh Coal & Coke Co.	Kingmont.....	275	270	275	270	270
103	Virginia & Pittsburgh Coal & Coke Co.	Morgan.....	275	275	270	275	275
48	Weddell Fuel Co.	Delmar No. 1.....	275	275	275	275	275
112	West Virginia Coal and Coke Corporation.	Nerton.....	J	J	H	H	H

*The exception for Mine Index No. 103 shall be void on and after July 1, 1944. Maximum prices for price classification E for Size Groups 1, 2, and 3 and classification F for Size Groups 4 and 5 will govern thereafter.

*The exception for Mine Index No. 119 shall be void on and after October 1, 1944. Maximum prices for price classification F will govern thereafter.

Exceptions for Sewall Seam mines in price classification A in West Virginia.

Mine Index No.	Producer	Mine name	Prices and size group numbers				
			1	2	3	4	5
435	Alpena Coal Co.	Alpena No. 1	420	380	360	345	345
1276-1277	Bowden Coal Co.	Big Knob Nos. 1 and 2	420	380	360	345	345
137	Green, W. H. (Green Smokeless Coal Co.)	Shaver	420	380	360	345	345
180	Harnick, Jesse	Faulkner	420	380	360	345	345
723	Hiner, R. M. (Alpena Coal Co.)	Alpena	420	380	360	345	345
795	Martin Sewell Coal Co.	Martin No. 1	420	380	360	345	345
780	Reda Coal Co.	Reda No. 2	420	380	360	345	345
945	Shavers Mountain Coal Co.	Coberly	420	380	360	345	345
19	Walker Coal Mining Co.	Big Sewell No. 1	420	380	360	345	345
1272	Walker Coal Mining Co.	Big Sewell No. 2	420	380	360	345	345
795	Roaring Creek Coal Co.	Hart No. 1	410	370	350	335	335
91	Lilly Coal Co.	Lilly	485	445	425	410	410

Exceptions for No. 5 Block seam mines in Nicholas County, West Virginia, price classification D.

Mine Index No.	Producer	Mine name	Prices and size group numbers				
			1	2	3	4	5
173	Tloga Coal Corporation	Tloga No. 1	310	290	290	275	275
1326-207	R. O. Catlette	Brown No. 2 Catlette	310	290	290	275	275
290	Nicholas-Webster Coal Corporation	Tloga No. 5	310	290	290	275	275

Exceptions for mines in Preston County, West Virginia.

Mine Index No.	Producer	Mine name	Prices and size group numbers				
			1	2	3	4	5
188	Albright Coal Co.	Vivian	325	325	325	325	325
608	George-Kefover Coal Co.	Kefover No. 1	300	300	310	285	285
1101	Hartman Coal Co.	Maplewood	300	300	295	285	285
105	Marrara, Domenick	Miller No. 3	310	305	305	285	285
204	Marrara, Domenick	Marrara	335	330	330	285	285
83-72-1235	Preston County Coke Co.	Cascade Hawley No. 1 Bull Run	300	300	300	290	285
1338	Princess Pat Coal Co.	Princess Pat	335	335	335	335	335
47-1333-1334	Ruthbell Coal Co.	Deep Hollow Nos. 1, 2 and 3	305	305	305	305	305
169-206-213	Shay Coal Co.	Shay Nos. 2, 4 and 5	300	300	300	300	300
10-11	Stanley Coal Co.	Banner Nos. 1 and 2	300	300	300	300	285

2. In § 1340.214 (b), subparagraph (3) is revoked; subparagraph (2) is redesignated subparagraph (3) and new subparagraph (2) is added to read as follows:

(2) Adjustments computed on Form OPA No. 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation, and all orders of adjustment issued prior to April 24, 1944, shall be void as of April 24, 1944, insofar as such adjustments and orders affect maximum prices for rail shipments of coals for all uses.

This amendment shall become effective April 24, 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 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5514; Filed, April 18, 1944; 8:59 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Rev. Restaurant MPR 5-4]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN DALLAS DISTRICT

In the judgment of the District Director of the Dallas District Office, the prices of food and beverages sold for immediate consumption in the counties of Anderson, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Limestone, Marion, Morris, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Smith, Titus, Upshur, Van Zandt and Wood, Texas, have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the District Director, the maximum prices established by this regulation are generally fair and

equitable and are necessary to check inflation and to effectuate the purposes of the act. So far as practicable, the District Director of the Dallas District gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, as amended, the District Director of the Dallas District Office hereby redesignates and amends Restaurant Maximum Price Regulation No. 5-4 as Revised Restaurant Maximum Price Regulation 504, which revised regulation, as amended, establishes maximum prices for food and drink sold for immediate consumption in the counties mentioned above.

§ 1448.404 *Maximum prices for food and drink sold for immediate consumption.* Under the authority vested in the District Director of the Dallas District Office by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, Executive Order No. 9328, and General Order No. 50 issued by the Office of Price Administration, Revised Restaurant Maximum Price Regulation No. 5-4 (Food and Drink Sold for Immediate Consumption) which is annexed hereto and made part hereof, is issued.

AUTHORITY: § 1448.404 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; Gen. Order 50, 8 F.R. 4808.

REVISED RESTAURANT MAXIMUM PRICE REGULATION No. 5-4—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

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SECTION 1. Sales at higher than ceiling prices prohibited. If you own or operate a restaurant, hotel, cafe, bar, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food items" (including any beverage) or "meal" at a price higher than the ceiling price which you figure according to the directions in the next two sections (sections 2 and 3). You may, of course, sell at lower than ceiling prices.

SEC. 2. How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943 to April 10, 1943. Your ceiling price for any food item or meal which you offered in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943, is the highest price at which you offered the same food item or meal in that seven-day period.

SEC. 3. How you figure ceiling prices for food items and meals you did not offer in the seven-day period. You must figure your ceiling price for a food item or meal which you did not offer during the seven-day period as follows:

(a) If you offered the same food item or meal at any time during the four weeks from March 7 to April 3, 1943, inclusive, and if you have adequate records of the prices you then charged, take as your ceiling price the highest price at which you offered that food item or meal during that four-week period.

(b) If you did not offer the food item or meal during the five-week period from March 7 to April 10, 1943, inclusive, or if you do not have adequate records of prices charged prior to the seven-day period you must proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established ceiling prices, choose a food item or meal which currently has a raw food cost equal to or less than the raw food cost of the new food item or meal.

(3) Take as your ceiling price for the new food item or meal your ceiling price for the food item or meal chosen for comparison. The food item or meal chosen for such comparison should be of the same class as the new food item or meal. If, however, you can find no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal.

"Currently" as used herein means current on the day you figure your price.

(c) Once your ceiling price for a food item or meal has been fixed, it may not be changed except as provided in section 4.

SEC. 4. How you figure your prices for seasonal items. First, determine your ceiling price for a "seasonal food item" (defined in section 20 (e)) in accordance with the appropriate rule of sections 2 and 3 of this regulation. Thereafter, this price must be varied in proportion to any seasonal change in the raw food cost of the item: *Provided*, That in no event shall the price be higher than the ceiling price as originally determined. If in the past it has been your practice to maintain one price throughout the season, you need not vary your ceiling price according to this rule provided the ceiling price was based upon estimated average raw food cost of the item for the entire season.

SEC. 5. No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period. Under no circumstances are you permitted to charge a higher price for a food item or meal than:

(a) Your highest ceiling price for food items or meals of the same class offered in the seven-day period; or

(b) The highest price at which you offered the same food item or meal prior to April 4, 1943, provided you first file with the appropriate War Price and Rationing Board a menu or certified copy of a record showing the last price charged.

The provisions of this section shall not apply to seasonal dessert specialties specified in section 21A Class 24a.

Example 1. If your highest ceiling price for any soup offered by you during the seven-day period is 15 cents, you may not offer any other soup at a higher price than 15 cents.

Example 2. You served sirloin steak in March at \$1.50. You did not serve sirloin steak during the base period. The highest price at which you can now serve sirloin steak is \$1.50.

SEC. 6. Substitution of food items in meals. If you have already determined your ceiling price for a meal, you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without re-figuring your ceiling price provided the new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by section 3.

SEC. 7. Prohibition against manipulation of meal offering. You must not manipulate your meal offerings in a manner which will force your customers to pay more than they did during the seven-day period. Among other things you must not:

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class without making a corresponding reduction in the number of meals offered at prices above that middle price. By

"middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class.

(b) Cease to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day you select in the seven-day period, as you did on that day.

Example: If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each at 90¢, \$1.00, \$1.10, \$1.15, you must continue to offer two week-day dinners at 85¢. Note that Sunday meals and week-day meals are meals of a different class.

SEC. 8. Evasion. (a) You must not evade or avoid the provisions of this regulation by an scheme or device whatsoever. Some, but not all practices which will be regarded as evasive are:

(1) Dropping food items from meals, deteriorating quality or reducing quantity without making sufficient reduction in price;

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period except that a cover charge or minimum charge in effect during the base period may be increased in accordance with customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve month period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals when such condition was not in effect during the base period, except that you may refuse to sell coffee unless a customer also purchases another food item;

(5) Reducing the selection of meals offered at table d'hote prices when the food items which you customarily offered in such meals are being offered at a la carte prices which when added together total more than the table d'hote price for the complete meal or give your customers less value for their money.

Example 1. If you customarily offered fish on table d'hote dinners at \$1.10, you may not now offer fish a la carte and refuse to offer it on a table d'hote dinner priced at \$1.10.

Example 2. If you offered table d'hote dinners during the base period at 85¢ to \$1.25 which included dessert and beverage, you may now offer the same food item excluding dessert and beverage at 65¢ to \$1.05, providing you also offer dessert and beverage to be served with the meals at prices which do not total more than 20¢.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one cup of coffee per meal.

(2) You may limit your customers to one pat of butter per meal.

(3) You may reduce the quantity, or eliminate altogether, condiments (such as catchup, chili sauce, etc.) which you may have customarily placed at the disposal of your customers and which now are, or may hereafter be, subject to any rationing order or rationing regulation of the Office of Price Administration.

(4) You may reduce the amount of sugar served with each cup of coffee or tea, or each bowl of cereal, fruit, or other similar food items with which sugar is served, to, but not less than, one teaspoonful except that less may be given if required by your available supply.

You may not however, make the curtailment authorized in the foregoing subparagraphs and furnish these curtailed items at an additional charge. For example, if during the seven-day period you furnished catchup, you may not now discontinue furnishing this item free, and at the same time offer to furnish it for an additional charge.

Sec. 9. Rules for new proprietors. (a) If you acquire another's business subsequent to the seven-day period and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor would have been had he continued to operate the business.

(1) If your acquisition was subsequent to the seven-day period but prior to the effective date of this regulation, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section. You may not, however, make such application after April 15, 1944.

(2) Prior to acquiring another's business after the effective date of this regulation, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section.

If you are granted permission to price under paragraph (b) of this section, it will be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If the ceiling prices so fixed as too high and threaten to have an inflationary effect on the price of food and drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 12 and the posting requirements of section 13 immediately upon the opening of your place.

Sec. 10. Seasonal eating and drinking places—(a) Exempt places. If you are the proprietor of a seasonal eating or drinking place that:

(1) Was not open during the base period from April 4 to 10, 1943;

(2) Receives 90 per cent or more of its total annual revenue during four calendar months of the year;

(3) Is located in an area for which no maximum rent regulation has been issued;

the prices for food items and meals offered by you in that place are exempt from control.

You must not regard this exemption as relieving you from the obligations imposed upon you by General Order No. 50, and you are still subject to the provisions of section 22 of this regulation. Pursuant to this latter section the District Director will by special order establish maximum prices for any seasonal eating or drinking place which takes undue advantage of the exemption.

(b) *Non-exempt places.* If you are the proprietor of a seasonal eating or drinking place which is not exempt under the terms of paragraph (a), you must figure your ceiling prices as follows:

(1) If the place was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in sections 2, 3, and 4.

(2) If the place was not in operation during the base period from April 4 to 10, 1943, but another place of the same type and within a reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the terms of section 9 (b).

(3) If you cannot price under subparagraphs (1) or (2) above, you must apply for a price to the Office of Price Administration District Office for the area in which your place is located. Your application must be filed ten days prior to the date you plan to commence operations and present the following information:

(i) Your name and address.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the coming season.

(iv) The date when you plan to commence operations.

(v) The names of two establishments similar to yours. You may charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. That Office may at any time, after proper investigation and hearing, establish such maximum prices for your business as it deems proper.

Sec. 11. Taxes. If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or prices of items or meals.

Sec. 12. Records. (a) You must observe all the record-keeping and filing requirements of General Order No. 50 which are hereby made a part of this regulation by reference.

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You

must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period. If you did not use menus, you must make available for such examination a list of the highest prices you charged in the seven-day period.

(d) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly-opened places) shall file menus or a price list in accordance with paragraph (a), (of General Order No. 50) except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943, and (2) the filing shall be made within three weeks of such first Sunday.

(e) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus you must prepare in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control may keep the records required by this paragraph for those places at a central office or the principal place of business within the city.

Sec. 13. Posting. (a) Beginning September 25, 1943, each menu must have clearly written on or attached to it the following statement:

All prices listed are our ceiling prices or below.

By Office of Price Administration Order, our ceiling prices are based on our highest prices from April 4, 1943 to April 10, 1943. Records of these prices are available for your inspection.

(b) If you made menus available in the seven-day period, you shall continue to make them available.

(c) In addition to the requirements in (a) and (b), you must post in a conspicuous place, preferably at or near the cash register, a sign or poster when furnished by the Office of Price Administration. You must enter after each meal or food item on this list your ceiling price for such meal or food item.

Sec. 14. Operation of several places. If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

Sec. 15. Relation to other maximum price regulations. Except as to Maximum Price Regulation No. 259, Domestic Malt Beverages, the provisions of this regulation shall not supersede other regulations, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration, insofar as they establish maximum

prices for meals and food items sold by eating and drinking places.

SEC. 16. Geographical application. This Revised Restaurant Maximum Price Regulation No. 5-4 applies to the counties of Anderson, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Limestone, Marion, Morris, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Titus, Smith, Upshur, Van Zandt and Wood, Texas.

SEC. 17. Enforcement. Persons violating any provisions 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. 18. Exempt sales. Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation.

(a) Eating and drinking places located on church premises and operated in connection with special church, Sunday school and other religious occasions.

(b) Hospitals, except for food items and meals served to persons other than the patients when a separate charge is made for such food items and meals.

(c) Eating and drinking places located on board common carriers (when operated as such), including railroad dining cars, club, bar and buffet cars, peddlers aboard railroad cars traveling from station to station, and newstand located on the premises of a railroad station.

(d) Bona fide private clubs insofar as such clubs sell only to members and bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating and drinking place within the meaning of this regulation. No club shall be considered to be exempt as a private club within the meaning of this paragraph unless its members pay dues (more than merely nominal in amount) are elected to membership by a governing board, membership committee or other body, and otherwise is operated as a private club.

No club organized after the effective date of this regulation shall be exempt unless and until it has filed a request for exemption with the nearest State or District Office of the Office of Price Administration, furnishing such information as may be required, and has received communications from such office authorizing exemption as a private club.

(e) Eating and drinking places operated by any school, college or university which is a non-profit institution, that is, where no part of the net earnings inures to the benefit of any private individual, which sells food items or meals on a non-profit or cost basis or as near thereto as reasonable accounting methods will permit, and substantially all sales of which are made to students, faculty members and employees of such institutions. For the purpose of this section, persons receiving instruction on the premises of such institution by arrangement with the War Department or De-

partment of the Navy shall be considered as students.

SEC. 19. Adjustments. (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment is operating under such hardship as to cause a substantial threat to the continuance of its operation.

(2) It is determined with reasonable certainty that such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant services or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to your Office of Price Administration District Office a statement setting forth:

(1) Your name and address.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.) classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period, and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your income tax (last) return if one was filed separately for your restaurant business.

(7) Any other information requested by the Dallas District Office.

Applications for adjustment under this section shall be acted upon by the District Director of the Dallas District Office.

SEC. 20. Definitions and explanations. (a) "Person" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and include the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Ex-

¹In counting the number of persons served, any one who was served more than once is to be counted separately for each occasion he was served.

amples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Seasonal food item" means a food item (including beverage) not generally offered for sale throughout the year and normally available in quantity only during certain seasonal production periods of each year. Examples are: certain shell-fish such as oysters; certain fresh fish such as salmon, trout and shad; certain vegetables such as summer squash; and certain fruits such as berries and melons.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 21. Classes of food items and meals. (See definition of "food item" and "meal" contained in section 20):

(a) *The classes of food items.*

BREAKFAST ITEMS.

1. Fruits, fruit juices and vegetable juices.
2. Cereals.
3. Entrees: egg and combination egg dishes served at breakfast.
4. Entrees: meat and meat combination dishes served at breakfast.
5. Entrees: all other dishes served at breakfast.
6. Breads, rolls, buns, Danish-pastries, etc., served at breakfast.
7. All other breakfast dishes including jams, jellies, and preserves.

OTHER ITEMS

8. Appetizers, except alcoholic cocktails.
9. Soups, including soups in jelly.
10. Beef; steaks and roasts.
11. Veal; steaks, chops and roasts.
12. Pork; loin, chops, steaks and roasts.
13. Lamb or mutton; chops, roasts.
14. Poultry and fowl.
15. Fish and shell-fish.
16. Game.
17. Miscellaneous and variety meats, including liver and kidneys.
18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.
19. Egg and cheese dishes and combinations thereof.
20. All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
21. Vegetables, including potatoes.
22. Salads (except as served as a main course or appetizer course in a meal).
23. Desserts; cakes, cookies, pies, pastries and other baked goods.

24. Desserts: ice creams, sherbets, water ices, including combinations with syrups, creams, fruits and nuts.
- 24a. Desserts: seasonal dessert specialties such as water melon and cantaloupe.
25. Desserts: all others, including fruits, puddings and cheese.
26. Cold sandwiches, including garnishings, salads and vegetables.
27. All other food items served in a meal including mints and preserves.
28. Beverage foods, including coffee, cocoa, chocolate, tea and milk.

BEVERAGES

29. Non-alcoholic beverages, including sparkling and mineral waters.
30. Alcoholic malt beverages, including beer and ale.
31. Wines, including sparkling wines.
32. Liquors, including whiskeys, gins and brandies.
33. Cordials, including fruit liquors.
34. All other alcoholic beverages.

(b) *The classes of meals.* For the purpose of this regulation there shall be thirteen classes of meals, namely, breakfast, lunch, tea, dinner and supper during week days, and breakfast, lunch, tea, dinner and supper on Sundays, children's breakfast, lunch and dinner.

Sec. 22. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the establishment or reduction of the maximum price of any food item or items or meal or meals sold or offered by any seller or sellers when, in the judgment of the District Director, such action is necessary or desirable to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328.

Sec. 23. *Licensing.* The provisions of Licensing Order No. 1, 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.

Sec. 24. *Revocation and amendment.*
(a) This regulation may be revoked, amended or corrected at any time.
(b) You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order 28) by proceeding in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with and acted upon by the District Director.

NOTE: The 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.

This regulation shall become effective at 12:01 a. m. central war time, April 1, 1944.

Issued this 29th day of March 1944.
GUS W. THOMASSON,
District Director.

[F. R. Doc. 44-5517; Filed, April 18, 1944, 4:01 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 305,¹ Corr. to Amdt 9]

CORN MEAL, CORN FLOUR, CORN GRITS, HOMINY, HOMINY GRITS, BREWERS GRITS AND OTHER PRODUCTS MADE BY A DRY CORN MILLING PROCESS

Section 1351.1754 is corrected to read as follows:

§ 1351.1754 *Maximum base point prices for yellow and white corn products.* (a) The maximum base point price for yellow corn products shall be \$2.77 per hundredweight at the basing point of Kansas City, Missouri.

(b) The maximum base point price for white corn products shall be \$3.21 per hundredweight at the basing point of Kansas City, Missouri.

(c) The maximum base point price for degerminated corn meal and corn grits which have been enriched by the addition of at least 1.2 milligrams of thiamine, 14 milligrams of niacin and 11 milligrams of iron per pound of such degerminated corn meal and corn grits shall be the foregoing maximum base point price for yellow corn products or white corn products as the case may be, plus an increase at the rate of 13 and 18 cents per 100 pounds, respectively: *Provided*, That such enriched degerminated corn meal and corn grits are placed in 100 pound cotton sacks or containers other than 100 pound cotton sacks and each such sack or container bears a tag or label stating that its contents have been enriched as above described. Any 100 pound cotton sack or container other than a 100 pound cotton sack of enriched corn meal or corn grits which does not bear said tag or label shall be priced under paragraph (a) or (b) of this section.

This correction shall become effective April 22, 1944.

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

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5450; Filed, April 17, 1944; 11:57 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 319,² Correction]

CERTAIN BAKERY PRODUCTS

Revised Maximum Price Regulation No. 319 is corrected in the following respect:

The reference, in the first sentence of section 9, thereof, to "section 15" is corrected to read "section 13."

This correction shall become effective on April 22, 1944.

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

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5449; Filed April 17, 1944; 11:56 a. m.]

¹ 8 F.R. 1063, 2501, 3178, 3705, 5316, 6177, 6440, 7567, 16297, 16790.

² 9 F.R. 3705.

PART 1499—COMMODITIES AND SERVICES

[Order 108 Under 3 (b), Amdt. 4]

HIGH WINES PRODUCED FROM POTATOES

For the reasons set forth in an opinion issued simultaneously herewith, the first paragraph of § 1499.972 (a) is amended by changing the colon after the word "thereof" to a period and adding the following sentence after such period:

Such authorization shall also apply to sales to the United States Government or any agency thereof of high wines produced in whole or in part from potatoes all or part of whose cost is borne by the United States Government or its agencies.

This amendment shall become effective April 24, 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 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5497; Filed, April 18, 1944; 11:47 a. m.]

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

[RO 1A,¹ Amdt. 74]

TIRES, TUBES, RECAPPING AND CAMELBACK

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

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

1. Section 1315.201 (a) (11) is amended to read as follows:

(i) "Grade I", as applied to tires, means a new passenger-type tire other than one included within the definition of a Grade III tire.

2. Section 1315.201 (a) (13) is amended to read as follows:

(13) "Grade III", as applied to tires, means:

(i) A used passenger-type tire;
(ii) A new passenger-type tire manufactured principally from reclaimed rubber as specified by the War Production Board; or

(iii) A new passenger-type tire which the manufacturer has found to be imperfect in his final inspection and upon which he has placed a special identifying mark or from which he has removed the brand name.

3. Sections 1315.508 and 1315.602 (d) are revoked.

4. Section 1315.804 (c) (3) is amended by deleting the phrase "subparagraphs (1) and (9)" and inserting in lieu thereof the phrase "subparagraph (1)."

5. Section 1315.806 (p) (1) is amended to read as follows:

¹ 8 F.R. 9752, 1079, 10985, 10264, 10430, 10733, 11480, 11481, 11952, 11846, 12013, 12711, 13247, 13293, 13372, 13846, 13395, 14049, 14737, 15523, 16246, 16695, 16894, 17326; 9 F.R. 89, 692, 1317, 1396, 1710, 1817, 2476, 2790, 3340.

(1) Any person may, without certificate or authorization, transfer, acquire, mount, use, or change the physical location of the following tires and tubes:

- (i) New or used solid tires;
- (ii) Used implement tires;
- (iii) Used tractor tires;
- (iv) Used tubes;

(v) New passenger tubes which the manufacturer has found to be imperfect in his final inspection and upon which he has placed a special identifying mark or from which he has removed the brand name.

This amendment shall become effective April 17, 1944.

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

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5440; Filed, April 17, 1944; 11:58 a. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 164; Amdt. 8]

RED CEDAR SHINGLES

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. 164 is amended in the following respects:

1. In § 1381.9 (a), subparagraphs (2), (4) and (5) are amended and subparagraphs (6), (7) and (8) are added, to read as follows:

(2) "Red cedar shingles" means all types of shingles and accessory items made from Western red cedar (*Thuja plicata*). For purposes of this regulation, the term includes all products (other than wastes) resulting from further refinement or processing of red cedar shingles. Thus, all red cedar shingles, shakes, hip and ridge units, et cetera, are covered whether or not those products are stained, grooved, or otherwise specially processed.

(4) "Mill" means a manufacturing plant which produces red cedar shingles directly from logs or bolts, by sawing or other methods.

(5) "Distribution yard" means a wholesale or retail lumber yard which gets lumber and shingles 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 shingles and many different items of lumber; and which has been located at its particular site in order to be near a lumber and shingle consuming area.

(6) "Jobber" means any seller at wholesale who is not a "mill" nor a "distribution yard" and who continuously since March 1942 has maintained a stock of red cedar shingles and other building materials, and been engaged in selling less-than-carload quantities of red cedar shingles from stock to distribution yards or other retail outlets.

(7) "Manufacturing jobber" means one whose operation is confined to the further processing of red cedar shingles.

(8) "Direct-mill retail sale" means a sale by a mill of 35 squares or less directly to a buyer who purchases for his own use and not for resale in any form, and which is loaded on trucks at the mill for delivery direct to job-site.

2. In § 1381.11, paragraphs (f), (g), (h), and (j) are added, to read as follows:

(f) *Jobbers' sales.* The jobber's maximum price f. o. b. his yard on less-than-carload sales of red cedar shingles is (1) the price set out in paragraph (a), or approved under this regulation, plus (2) transportation additions figured on the Seattle, Washington carload freight rate to jobber's yard, at estimated weights given in, or approved under, this regulation, plus (3) a mark-up of 10 percent on the total of (1) and (2). Sales in carload quantities carry no mark-up.

(g) *Manufacturing jobbers' sales.* The manufacturing jobber's maximum price f. o. b. his plant on less-than-carload sales of "red cedar shingles" processed by him is the carload price approved for him by the Office of Price Administration plus 10 percent.

(h) *Weights.* The following estimated weights may be used in figuring permitted transportation additions:

	Pounds
Stained shingles, carton or bundle pack:	
5/2-16" per square of 5" exposure.....	152
5/2-18" per square of 5 1/2" exposure.....	152
5/2 1/4-18" per square of 5 1/2" exposure.....	163
4/2-24" per square of 7 1/2" exposure.....	200
Stained machine processed shakes:	
5/2 1/4-18" per square of 14" exposure.....	60
Unstained machine processed shakes:	
5/2 1/4-18" per square of 14" exposure.....	60
Hip and ridge units:	
Dry per bundle of 40 units.....	15
Green per bundle of 40 units.....	22

(j) *Direct-mill retail sales.* On direct retail sales [See § 1381.9 (a) (8)], a mark-up of 15 percent over the prices set out in paragraph (a) is permitted, but only if the buyer, at the time of loading-out at the mill, furnishes the seller a written statement, in duplicate, that the shingles are for the buyer's use and not for resale and showing also (1) the date, (2) the quantity of shingles, and (3) the location and nature of the job or use for which the shingles are intended.

The mill may make up its own form of this statement so long as it contains the information required.

The mill must keep one copy of each such statement, and it must send the duplicates to the Portland, Oregon, office of the Office of Price Administration.

Unless the mill complies with these requirements it may not charge or receive more than the prices set out in paragraph (a) even though the sale may be a "direct-mill retail sale".

This amendment shall become effective April 22 1944.

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

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5441; Filed, April 17, 1944; 11:53 a. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 393; Amdt. 4]

PACKAGED COSMETICS

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

Maximum Price Regulation No. 393 is amended in the following respect:

Section 24 is amended to read as follows:

Sec. 24. *Gift sets*—(a) *Definitions.* When used in this section the term:

(1) "Gift set" means a package containing one or more packaged cosmetics, with or without one or more accessories, in a container such as is customarily used for gift merchandise; which is to be sold under the brand name of the manufacturer of one or more of the packaged cosmetics contained therein; and for which the sum of the retail prices of the packaged cosmetics contained therein is at least equal to 80 per cent of the sum of the packager's acquisition costs for the accessories and gift set container. A package containing only a single packaged cosmetic and no accessories will not, however, be considered a gift set unless the gift set container is of a type which has an independent and substantial use of its own and the packager continues to give purchasers an opportunity to buy the packaged cosmetic separately at prices at or below the maximum prices established therefor according to the applicable one of sections 5 through 10 of this regulation.

(2) "Gift set container" means the container or packaging used to enclose the contents of a gift set.

(3) "Packager" means a person who markets a gift set under his brand name and is the manufacturer of one or more of the packaged cosmetics contained therein.

(4) "Acquisition cost" means the net delivered cost to the packager of an accessory or gift set container, but not in excess of its maximum price delivered to him. Where the gift set consists only of a single packaged cosmetic, the acquisition cost of the gift container means

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

⁷ 8 F.R. 6268, 12478, 12561; 9 F.R. 2440.

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

⁷ 7 F.R. 4541, 8384, 8948, 8 F.R. 2876, 2992, 4514, 12296, 14762, 15368.

its net delivered cost to the packager less the net delivered cost to him of any containers, closures, cartons, or other packing customarily used by him for such packaged cosmetic and which is not used in preparing the gift set.

(5) "Accessory" means any merchandise other than packaged cosmetics included in a gift set, such as scissors, nail file, comb, mirror, powder puff, face tissues, and the like.

(6) "The retail price for a packaged cosmetic" means:

(i) The uniform maximum retail price established under Maximum Price Regulation No. 393 or, if none,

(ii) The manufacturer's suggested retail price in effect on May 12, 1943, or, if none,

(iii) The retail price generally charged.

(7) "The price for sales of a packaged cosmetic by wholesalers to retailers in the smallest quantity" means:

(i) The uniform maximum price for such sales established under Maximum Price Regulation No. 393 or, if none,

(ii) The manufacturer's suggested price for such sales in effect on May 12, 1943, or, if none,

(iii) The price generally charged by wholesalers on such sales.

(8) Unless the context otherwise requires, the definitions set forth in section 1 of this regulation shall apply to other terms used in this section.

(b) *Old gift sets.* (1) Where a packager, prior to April 22, 1944, has established maximum prices for a gift set including uniform maximum prices for sales by resellers, under the provisions of this regulation, the packager's maximum prices shall be those so established, and resellers' maximum prices shall be determined under paragraph (d) using the uniform maximum prices for resellers established by the packager.

(2) Where a packager, prior to April 22, 1944, has established maximum prices for his own sales of a gift set, but has not established uniform maximum prices for resellers under this regulation, all sellers' maximum prices for the gift set shall be determined under the maximum price regulation which would be applicable in the absence of this section 24.

(c) *New gift sets.* The maximum prices for a gift set which is not identical with one sold under the same name as a gift set for which the packager established maximum prices prior to April 22, 1944 shall be established as follows:

(1) *Maximum retail price.* The packager of such a gift set shall determine a uniform maximum retail price therefor, subject to the approval of the Office of Price Administration, Washington, D. C. Such uniform maximum retail price shall be determined as follows:

(i) Multiply the cost of the accessories by 1.33.

(ii) Add thereto the cost of the gift container and the direct labor cost of assembling the gift set.

(iii) Multiply the resulting sum by a mark-up factor computed as follows:

(a) Determine the trade discount the manufacturer would have applied to the retail prices of the packaged cosmetics

of his manufacture contained in the gift set to arrive at his maximum prices therefor to that class of purchasers to whom he gives the largest trade discount. If different trade discounts are applicable on sales to a purchaser of that class for the different packaged cosmetics of his manufacture contained in the gift set, the average of such discounts, weighted by the retail price of the packaged cosmetics to which they apply, shall be used as the trade discount applicable to a purchaser of that class.

(b) Subtract that trade discount from 100 and divide into 100,

$$\text{Mark-up factor} = \frac{100}{100 - \text{trade discount}}$$

Example: trade discount is 40%

$$\text{Mark-up factor} = \frac{100}{100 - 40} = 1.667$$

(iv) Add to the resulting product the sum of the retail prices of the packaged cosmetics contained in the gift set. The resulting sum, or any lower figure which the packager may select, is the uniform maximum retail price.

(2) *Wholesalers' maximum price for sales to retailers.* The packager of such a gift set shall determine, subject to the approval of the Office of Price Administration, Washington, D. C., a uniform maximum price for sales thereof by wholesalers to retailers where the gift set is to be distributed through wholesalers. Such maximum price shall be the price obtained by applying to the uniform maximum retail price determined under subparagraph (1) the same trade discount as the packager would apply to the retail prices for the packaged cosmetics of his manufacture contained in the gift set to arrive at the prices for sales of such packaged cosmetics by wholesalers to retailers in the smallest quantity. If different trade discounts are applicable to the different packaged cosmetics of his manufacture contained in the gift set, the average of such trade discounts, weighted by the retail price of the packaged cosmetics to which they apply, shall be used.

(3) *Packager's maximum prices.* The maximum prices for sales of such a gift set by the packager to any class of purchasers shall be the price obtained by applying the same trade discount to the uniform maximum retail price determined in subparagraph (1) above as he would apply to the retail prices for the packaged cosmetics of his manufacture contained therein to arrive at his maximum prices for sales thereof to a purchaser of the same class, or any lower price selected by the packager. If different trade discounts are applicable on sales to a purchaser of the same class for the different packaged cosmetics of his manufacture contained in the gift set, the average of such discounts, weighted by the retail price of the packaged cosmetics to which they apply, shall be used as the trade discount applicable to a purchaser of that class.

The above maximum prices shall be subject to the customary discounts other than trade discounts, allowances and trade practices which the packager ap-

plied on his sales of gift sets to a purchaser of the same class during November 1943.

(4) *Packager's adjustment to lower maximum prices.* The packager of a gift set for which a uniform maximum retail price has been established under paragraph (c) (1) may at any time establish a lower uniform maximum retail price if at the same time proportionately lower maximum prices are established for all prior sellers in the chain of distribution. The new maximum prices shall apply to all sales by resellers of gift sets marked with the new uniform maximum retail price and to the packagers' sales after mailing the report required by paragraph (g) (2).

(d) *Resellers' maximum prices for new gift sets—(1) Wholesalers.* The maximum price for sales by a wholesaler to any class of purchasers of a gift set for which a uniform maximum price for sales by wholesalers to retailers has been established under paragraph (c) above shall be the price obtained by applying to such uniform maximum price for sales by wholesalers to retailers the customary discounts, allowances and trade practices which the wholesaler applied on his sales of gift sets to a purchaser of the same class during November 1943.

(2) *Retailers.* The maximum price for sales by a retailer to any class of purchasers of a gift set for which a uniform maximum retail price has been established under paragraph (c) above shall be such uniform maximum retail price.

(e) *Notification.* (1) The packager of a gift set for which a uniform maximum retail price has been established under the provisions of paragraphs (c) (1) or (c) (4) and which is to be distributed through wholesalers shall, with or prior to the first delivery of any such gift set to a wholesaler, furnish such wholesaler with a notice containing the following information:

(i) The packager's maximum price for sales to the wholesaler.

(ii) Wholesalers' uniform maximum price to retailers.

(iii) Uniform maximum retail price.

(iv) A statement that the wholesaler's uniform maximum price to retailers is subject to the customary discounts, allowances and trade practices in effect on the seller's sales of gift sets to a purchaser of the same class during November 1943.

(v) A statement that the Office of Price Administration requires the notice of the maximum prices for sales by the purchaser to be kept for inspection by any buyer during ordinary business hours.

(2) The provisions of section 13 (b) and (c) shall apply to gift sets.

(f) *Marking.* The packager of a gift set for which a uniform maximum retail price has been established under paragraph (c) above shall mark such uniform maximum retail price on the package in accordance with the provisions of section 14.

(g) *Reports.* (1) A packager of a gift set who has determined maximum prices therefor under subparagraphs (1), (2) and (3) of paragraph (c) above shall, before offering the gift set for sale or making any delivery thereof, submit by

registered mail to the Office of Price Administration in Washington, D. C., a report required by OPA Form No. 692-419.

The packager may offer such gift set for sale at prices not in excess of those proposed in the report subsequent to mailing the report to the Office of Price Administration. If at the expiration of twenty days from the date of mailing the report, the packager has not received from the Office of Price Administration written disapproval of the proposed maximum prices, the proposed maximum prices may be considered as approved. No deliveries of the gift set may be made prior to the expiration of said twenty days unless the packager earlier receives specific notice from the Office of Price Administration that he may consider the proposed prices as approved.

(2) A packager of a gift set who has determined maximum prices therefor under paragraph (c) (4) shall submit by registered mail to the Office of Price Administration in Washington, D. C., a report showing the original and lower maximum prices for sales by all sellers of such gift set.

If, at the expiration of twenty days from the date of mailing the report, the packager has not received from the Office of Price Administration written disapproval of the proposed maximum prices, the proposed maximum prices shall be considered as approved.

(3) The Price Administrator may by letter or otherwise adjust (but not retroactively) any such reported prices which he finds are not in conformity with the provisions of this regulation or which he determines to be excessively high. Unless a written disapproval of the reported prices is mailed to the packager not more than twenty days after the mailing of the report by him, any such adjustment may only be made after giving the packager notice and a reasonable opportunity to present additional evidence.

(h) *Applicability of other sections of this regulation.* The provisions of Maximum Price Regulation No. 393 (other than the pricing provisions of sections 5 through 10, and 15; the reporting provisions of sections 11 and 23, and the notification provision of section 13 (a)) shall apply to gift sets, and for the purposes of such provisions the gift set shall be considered a packaged cosmetic and the packager the manufacturer.

This amendment shall become effective April 22, 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 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5438; Filed, April 17, 1944; 11:57 a. m.]

PART 1381—SOFTWOOD LUMBER

[RMPE 26; Amdt. 7]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

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

In section 5, a new paragraph (c) is added, to read as follows:

(c) *Temporary adjustments in maximum prices on construction grades.* (1) On and after April 18, 1944, and until July 18, 1944, regardless of other provisions of this regulation, the maximum prices for certain specifications of lumber sold under Tables 1, 2, 3 and 4 are adjusted as follows:

TABLE 1—BOARDS AND SHIPLAP

Increase base prices in table.....	\$4.50 per M
Increase addition for dry.....	1.00 per M
Footnote 1, No. 3 green, change deduction to.....	5.50 per M
Footnote 1, No. 3 dry, change deduction to.....	8.50 per M
Footnote 4, Paragraph 285, change addition to.....	5.50 per M
Footnote 4A, Paragraph 269, change addition to.....	15.50 per M
Footnote 10, No. 3 5/4 and 6/4 change deduction to.....	4.50 per M
Footnote 2, No. 4 rough or surfaced green or dry increase price to.....	21.50 per M

Table additions for Select Merchantable and paragraph 185 apply unchanged to amended base prices.

All other footnotes are unchanged.

TABLE 2—DIMENSION

Increase base prices in table.....	\$1.00
Footnote 5, No. 3, 2 x 2 to 2 x 8 green, change deduction to.....	0.00
Footnote 6, No. 3, 2 x 10 and 2 x 12 green, change deduction to.....	7.00
Footnote 8, No. 3, 2 x 2 to 2 x 8 dry change deduction to.....	8.00
Footnote 9, No. 3, 2 x 10 and 2 x 12 dry change deduction to.....	9.00
Footnote 11, No. 4 dry or green, rough or surfaced, increase price to.....	18.00

Table additions and all other footnotes are unchanged.

NOTE: Increase hemlock to same price as fir.

TABLE 3—PLANK AND SMALL TIMBERS

All sizes, all grades (including No. 4) reduce \$1.00

TABLE 4—TIMBERS

6 x 6", 6 x 8": All lengths, all grades (incl. No. 4) reduce \$1.00
All other sizes: All lengths, all grades (incl. No. 4) reduce \$2.00

(2) This section shall be effective only until July 18, 1944; and it shall be automatically revoked on that date unless, on or before July 3, 1944, it shall have been continued in effect by express amendment.

This amendment shall become effective April 18, 1944.

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

*8 F.R. 7570, 9519, 11608, 12315, 12406, 16249; 9 F.R. 1016, 3513.

(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 April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5511; Filed, April 18, 1944; 3:53 p. m.]

PART 1425—LUMBER DISTRIBUTION

[2d Rev. MPE 215; Amdt. 4]

DISTRIBUTION YARD SALES OF SOFTWOOD

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 13 is amended by deleting the last phrase "except as provided in paragraph (e) of this section" from paragraph (a) and by deleting paragraph (e) in its entirety.

This amendment shall become effective May 3, 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 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5510; Filed, April 18, 1944; 3:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPE 165, Supp. Service Reg. 27]

CUSTOM MILLING AND KILN DRYING OF WESTERN SOFTWOODS

A statement of the considerations involved in the issuance of this Supplementary Service Regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in that statement, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Supplementary Service Regulation No. 27 is hereby issued.

§ 1499.2253 *Custom milling of Western softwood lumber.* On and after May 3, 1944, all sales of "custom milling services" performed by "custom mills" on western softwood lumber shall be subject exclusively to the provisions of this Supplementary Service Regulation 27; and neither Maximum Price Regulation 165, nor any other maximum price regulation shall apply to these services.

AUTHORITY: § 1499.2253 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.

*8 F.R. 14145; 9 F.R. 221, 2553, 2943.

**SUPPLEMENTARY SERVICE REGULATION NO. 27--
CUSTOM MILLING AND KILN DRYING OF
WESTERN SOFTWOODS**

CONTENTS

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2. What is "custom milling service".
3. What is a custom mill.
4. Invoicing and records.
5. Services not listed.
6. No quantity limitations.
7. Transportation and demurrage charges.
8. Enforcement.
9. Licensing.
10. Geographical applicability.
11. Maximum prices.

SEC. 1. What is Western softwood lumber. "Western softwood lumber" under this regulation means any lumber which on sales by the sawmill is subject to RMPR 26¹ (Douglas Fir and other West Coast Lumber), MPR 94² (Western Pine and Associated Species of Lumber), MPR 253³ (Redwood Lumber), MPR 290⁴ (Sitka Spruce Lumber), or MPR 402⁵ (Western Red Cedar Lumber).

SEC. 2. What is "custom milling service." Under this regulation "custom milling" means only the operations specifically included under section 11 performed, as a service for others, upon lumber in which the person performing these services has no financial interest.

SEC. 3. What is a custom mill. Even though the services you perform may meet the definition of "custom milling" above, this regulation does not apply to you unless you qualify as a custom mill under this section.

(a) **General.** A custom mill is one which performs custom milling services upon lumber subject at mill level to RMPR 26, MPR 94, MPR 253, MPR 290, or MPR 402, and which:

(1) Does not operate as a "mill" under the definitions contained in RMPR 26, MPR 94, MPR 253, MPR 290, or MPR 402.

(2) Does not own or control, is not owned or controlled by and is not under common control with a "mill" producing the species covered by RMPR 26, MPR 94, MPR 253, MPR 290, or MPR 402, wherever located.

(b) **Operation not qualifying under paragraph (a) may get special permission.** If you do not qualify as a "custom mill" under paragraph (a) above, you may under certain special conditions get authority to operate under this regulation. The rules covering this are as follows:

(1) An application must be filed with the (OA) Regional Office nearest the operation. This application must show:

(i) The location of the plant, with a description of the physical lay-out of operations in relation to any other activities relating to forest products carried on by the applicant wherever located.

¹ 9 F.R. 1016, 3513.
² 7 F.R. 10848; 8 F.R. 859, 1138, 4118, 7352, 8009, 8766, 11040, 12136, 12296, 12878, 16199; 9 F.R. 206, 789, 1182.

³ 7 F.R. 9230, 10848; 8 F.R. 1139, 4136, 4720, 7197, 11479.

⁴ 8 F.R. 19, 2270, 6959.

⁵ 8 F.R. 7662.

(ii) The extent of ownership or control of or by any other operations relating to forest products, or of common ownership or control, giving name, location, and nature of the other operations.

(iii) Applicant's milling facilities, and the capacity thereof in MBM per day, together with a statement of total footage in rough boards and dimension and rough or surfaced plank and timbers, and green or partially dry lumber in these sizes, sold during the 30 day period preceding date of application.

(iv) Any other information the applicant may wish to submit.

(2) Special authorization under this paragraph (b) will be granted only where the application enables the Regional Office to make findings that the authorization:

(i) Will result in a greater production of surfaced boards or dimension or kiln dried lumber.

(ii) Will not encourage producing sawmills having remanufacturing and kiln drying facilities to ship their lumber green, partially dry, rough, or in thicknesses over 2".

(iii) Will provide necessary milling services which cannot reasonably be supplied by producing mills, or by custom mills qualifying under paragraph (a).

(iv) Will not result in unnecessarily increasing the cost of finished lumber to the ultimate consumer.

In granting the authority, the Regional Office may make such limitations and conditions as to duration of the authority, quantity or lumber to be milled, etc., as may be appropriate and consistent with the above findings. The authorization may be granted, or the application denied, by letter or telegram.

(c) Unless the operation qualifies, or is specially authorized, as a "custom mill" under paragraphs (a) or (b) above, its maximum prices for custom milling of western softwood lumber are the charges set forth as additions for workings in the appropriate lumber price regulation.

SEC. 4. Invoicing and records. Invoices must show the species, size, con-

dition, and workings of the lumber before and after milling, with a detailed description of all services performed thereon for which a charge is made. Copies of invoices, or similar records, must be kept at the place where the custom milling is performed, available for examination by the Office of Price Administration. These records must be kept for two years.

SEC. 5. Services not listed. If a custom mill is required to perform a service for which prices are not specifically provided, these services are still under Maximum Price Regulation 165.

SEC. 6. No quantity limitations. The maximum prices set forth in this regulation apply to all transactions regardless of the quantity of lumber involved.

SEC. 7. Transportation and demurrage charges. No charge may be made by a custom mill for demurrage on railroad cars at its plant, nor for the arrangement of transportation of lumber or advancement of freight charges thereon.

SEC. 8. 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 by the Emergency Price Control Act of 1942, as amended.

SEC. 9. Licensing. The provisions of Licensing Order No. 1, 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. 10. Geographical applicability. This supplementary service regulation applies in the 48 states and the District of Columbia.

SEC. 11. Maximum prices. The maximum prices per one thousand feet board measure for "custom milling" of lumber which on mill sales is subject to RMPR 26, MPR 94, MPR 253, MPR 290, or MPR 402 shall be as follows:

TABLE 1

CUSTOM MILLING BOARDS AND DIMENSION

	1x2	1x3	1x4	1x6	1x8	1x10	1x12	2x2	2x3	2x4	2x6	2x8	2x10	2x12
Resawing—1 line.....	\$7.50	\$6.50	\$5.00	\$4.00	\$3.00	\$3.00	\$2.50	\$5.00	\$4.00	\$3.00	\$2.50	\$2.00	\$2.00	\$2.00
Add for each additional line.....	2.00	2.00	1.50	1.50	1.50	1.50	1.00	1.50	1.50	1.50	1.00	1.00	1.00	1.00
Ripping—1 line.....	7.50	6.50	5.00	4.00	3.00	3.00	2.50	5.00	4.00	3.00	2.50	2.00	2.00	2.00
Ripping each additional line.....	2.00	2.00	1.50	1.50	1.50	1.50	1.00	1.50	1.50	1.50	1.00	1.00	1.00	1.00
S1E, S2E, S1S or S2S.....	7.50	6.50	5.00	4.00	3.00	3.00	2.50	5.00	4.00	3.00	2.50	2.00	2.00	2.00
S1S1E, S1S2E, S2S1E, S4S or S1L.....	10.50	9.50	6.50	4.00	3.00	3.00	2.50	5.00	4.00	3.00	2.50	2.00	2.00	2.00
D. and M., rustic & siding (all patterns) add to S4S.....	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50	.50
5/4 & 6/4 same prices as set up for 3/4" Grooved for splines add to S4S.....	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Bundling, add.....	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Grading, marking and tallying (applicable only when all three services performed) add.....	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Unloading, handling and reloading, *add.....	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00

*May not be added more than once on any order.

TABLE 2
CUSTOM MILLING—PLANE AND TRIDDERS

	3x4	3x6	3x8	3x10	3x12	4x4	4x6	4x8	4x10	4x12	6x6	6x8 and larger
Resawing—1 line	\$3.00	\$3.00	\$2.50	\$2.50	\$2.50	\$3.00	\$3.00	\$2.50	\$2.50	\$2.50	\$2.50	\$2.00
Add for each additional line	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ripping—Line	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.00
Add for each additional line	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
S1E, S2E, S1S or S2S	3.00	3.00	2.50	2.50	2.50	3.00	3.00	2.50	2.50	2.50	2.50	2.00
S1S1E, S1S2E, S2S1E or S4S	3.00	3.00	2.50	2.50	2.50	3.00	3.00	2.50	2.50	2.50	2.50	2.00
D & M or S/L add to S4S	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Grooved for Splines add to S4S	1.00	1.00	1.00	2.00	2.00	1.00	1.00	2.00	2.00	2.00	3.00	3.00
Grading, marking and tallying (applicable only when all three services performed) add	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Unloading, handling and re-loading, add	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00

¹ May not be added more than once on any order.

TABLE 3

Custom kiln drying. Kiln drying including all handling (unloading from cars, handling through kilns and reloading cars, etc.)

Thinner than 10/4..... \$10.00
10/4 & 12/4 inc..... \$12.00

General notes. 1. Charges for additional lines of both resawing and ripping are based on original size of piece ripped or resawn.

2. Where surfacing is done following resawing and/or ripping, surfacing charges shall be based on size or sizes of stock resulting from the resawing and/or ripping operation.

3. Fractional or odd thickness: price at next thinner even size. Compute on actual rough measure.

4. Fractional or odd widths not listed: price at next even width, either wider or narrower, whichever is cheaper, compute on actual rough measure.

5. For quantities of less than 1,000' of any size, or operation, minimum charge of 1,000' applies.

6. Services not specifically covered are to be priced under maximum price regulation 165.

Effective date. This regulation shall become effective May 3, 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 April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5512; Filed, April 18, 1944; 3:58 p. m.]

PART 1301—MACHINE TOOLS
[MPR 1, Amdt. 4]

SECOND-HAND MACHINE TOOLS

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.²

Maximum Price Regulation 1 is amended in the following respects:

- In section 1 (a) the second sentence thereof is revoked.
- In section 3 (a) a sentence is added to the text preceding the table to read

¹ Copies may be obtained from the Office of Price Administration.
² 8 F.R. 10116.

as follows: "Where the seller can demonstrate that a second-hand machine tool or extra was purchased new after March 1, 1941, the price at which the machine tool or extra was purchased new may be substituted for the March 1, 1941, price of that machine tool or extra."

3. Section 6 is amended to read as follows:

Sec. 6. Maximum prices for rentals and leases—(a) Price. The maximum price for the lease or rental of any new machine tool, attachment or extra shall be determined as follows:

(1) **Annual rental.** The maximum annual rental shall be determined by multiplying the maximum price established by this regulation, as of the date of the rental contract, for the sale of the second-hand machine tool, attachment or extra by the applicable percentage rate set forth below:

	8-hour day	16-hour day	24-hour day
General use.....	Percent 25	Percent 39	Percent 35
Outdoor use of tools designed for indoor use.....	35	45	45

(2) **Monthly, weekly and daily rental.** The maximum rental shall be the amount determined by multiplying the maximum annual rental by the applicable factor set forth below:

Period of time:	Factor
Month.....	0.10
Week.....	.025
Day or fractional part thereof.....	.005

However, where the machine tool or attachment is rented for a specific period of time which results in a maximum total rental of less than \$5.00, the maximum total rental for that period of time shall be \$5.00.

(b) **Rates most favorable to the lessee.** Notwithstanding the provisions of paragraph (a) of this section, the maximum price for any lease or rental shall be computed on the basis of that period of time which will yield the lowest total rental. For example, if the machine tool is rented on a daily basis but the maximum rental figured on a weekly basis is lower than the maximum rental computed on any other basis, the maximum rental must be computed on a weekly basis.

(c) **Additional charges.** Charges for installation, dismantling, loading, trans-

portation, maintenance and power supplied by the lessor may be made in addition to the maximum rental but must be invoiced separately. Such charges must not exceed any maximum price established therefor.

4. In section 9 (c) (1) a sentence is added to read as follows: "Selling prices need be reported only on the forms that are filed with the Office of Price Administration."

5. In section 10 the definition of "portable machine tool" is amended to read as follows:

"Portable machine tool" means a machine tool which in normal use is held or guided by hand and not customarily attached to a permanent support.

6. In the list of trade names appearing in Appendix A the manufacturer of the Index Mills machine is changed from "Blank and Buxton Machinery Co., Jackson, Mich.," to "Index Machine and Tool Co., Jackson, Mich."

7. In Appendix A the following companies are added to the list of companies appearing under the heading "Equivalents": The Heald Machine Co., Baker Bros., Inc., and Lucas Machine Tool Co.

8. In Appendix A under the heading "Automatics" the name "Gridley (single spindle)" appearing under the heading "Obsolete Machines" is amended to read "Gridley (single spindle), model J only".

9. In Appendix A the material appearing under the heading "Boring mill (vertical)" is amended to read as follows:

BORING MILLS (VERTICAL) SINGLE HEAD¹

All plain or turret type machines with or without side head to be compared to the Rogers, base price \$4,850, except—

Bullard Rapid Production vert. turret lathe.....	Must be compared to Bullard Standard Type
Bullard New Era Type vert. turret lathe.....	

BORING MILLS (VERTICAL) RAIL TYPE²

For all 36" mills use base price \$7,000.
For 42" (including Bullard Rapid Production) use base price \$8,500.
On Mills ranging between 48" and 73" use base prices of General—
Over 73" and up to 120", use base prices of King.
Over 120" add \$10,000 for each additional 10" of table.

¹ Prices or equivalents shown above do not include electrical equipment.
² For Bullard Maximil use Bullard Standard.

10. In Appendix A the material appearing under the heading "Drills (Upright)" is amended to read "Drills (Standard) Upright", and the material appearing thereunder is amended to read as follows:

DRILLS (STANDARD) UPRIGHT

Additional listings are shown herein under DRILLS (SENSITIVE), DRILLS (HEAVY DUTY BOX COLUMN), and DRILLS (HORIZONTAL).

American.....	Use Cincinnati-Bickford Machine Tool Co., up to and including 23" sizes.
Aurora.....	
Hamilton.....	
Kokomo.....	
Frentice.....	
Snyder.....	
Superior.....	
Welgel.....	

For standard upright drills shown as equivalent to Cincinnati-Bickford in sizes 30" and larger use base prices given below:

30"-----	Use base price of \$2,850.
32"-----	Use base price of \$3,100.
34"-----	Use base price of \$3,350.
36"-----	Use base price of \$3,600.
40"-----	Use base price of \$4,100.

Barnes, W. F. & J.-----	Use Sibley Machine & Foundry Corporation up to and including 30" sizes.
Cleveland-----	
Garvin-----	
Hoefler-----	
Kern-----	
Lindgren-----	
Lodge & Davis-----	
Mechanics-----	
Milwaukee-----	
New Haven-----	
Pratt & Whitney-----	
Rockford-----	
Silver-----	

For standard upright drills shown as equivalent to Sibley in sizes 32" and larger use base prices given below:

32"-----	Use base price of \$1,000.
34"-----	Use base price of \$1,200.
36"-----	Use base price of \$1,500.
40"-----	Use base price of \$2,000.
42"-----	Use base price of \$2,500.

DRILLS (SENSITIVE)

Albany-----	Allen.
Barr-----	
Burke-----	
Cincinnati-----	
Dwight Slate-----	
Kern-----	
Pierle-----	
Washburn-----	
Woodward & Rogers-----	
Sipp (Obsolete)-----		Foote-Burt.

DRILLS (HORIZONTAL)

Garvin Duplex (all sizes)-----	to Frew.
Detroit (5 spindles)-----	\$1,200.
Acme (6 spindle)-----	\$1,500.

DRILLS (HEAVY DUTY BOX COLUMN)

Colburn D2-----	to price set \$2,138.
Colburn D3-----	to price set \$2,869.
Colburn D5-----	to price set \$3,240.
Defiance-----	to Baker.
Hoosier-----	to Barnes.
Minster-----	to Barnes.

11. In Appendix A under the heading "Drills (Mult.)", the equivalents for Boley (drill press) and Buhr are amended to read "Use base price of \$1,164."

12. In Appendix A under the heading "Grinders (Cylindrical)" the listing for Greenfield #1-5x12 is amended to read as follows:

Greenfield # 1 (5x12) mechanical-----	Use base price \$1,250
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13. In Appendix A under the heading "Grinders (Cylindrical)" a new item is added as follows:

Greenfield #1 (5x12) hydraulic-----	Use base price \$1,750
-------------------------------------	------------------------

14. In Appendix A under the heading "Grinders (Internal)" the equivalent for Greenfield Hydroll #51 is amended to read "Use base price \$3,200."

15. In Appendix A under the heading "Grinders (Internal)" an item is added to read as follows:

Bright-----	Base price set \$2,500
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16. In Appendix A under the heading "Grinders (Surface)" an item is added to read as follows:

Wilmarth & Morman #78 Automatic (3x22)-----	Base price \$3,500
---	--------------------

17. In Appendix A under the heading "Iron Workers" the item Pels is revoked and the following items are added:

Pels #10-----	Use base price of \$1,750
Pels #13-----	Use base price of \$2,800
Pels #16-----	Use base price of \$3,750
Pels #20-----	Use base price of \$4,750

18. In Appendix A under the heading "Lathes (Engine)" the item "Pittsburgh" is revoked and the equivalent for "Simplex Cone" is amended to read as follows:

Simplex Cone—To and including 14 1/2"-----	South Bend
Simplex Cone—To and including 16" and over-----	Nebel

19. In Appendix A the following items are added under the heading "Lathes (Engine)":

Berkeley flywheel, vertical-----	\$1,500.
Carroll, A. V. up to and incl.-----	
14"-----	South Bend.
16" and over-----	Nebel.
Cleveland Simplex-----	Nebel.
Crawford-----	Nebel.
Dalton-----	See price list 1 below.
Davis & Egan-----	Nebel.
Filmsmith-----	D & M (if cone deduct 20%).
Fosdick, Q. C.-----	Nebel.
Harrington-----	Nebel.
McCabe double spindle 24" x 48" x 10'-----	\$5,000, plus \$150 for each 2' of bed over 10'.
Miami up to 14"-----	South Bend.
14" and over-----	Nebel.
Monarch 9" x 11"-----	Sheldon.
Mulle Gap Lathe-----	Nebel.
Perkins-----	South Bend.
Porter-Cable-----	W. C. Lipe.
Prentice (geared)-----	Reed-Prentice (8 speed head).
Sheppard-----	See price list 2 below.
South Bend over 16"-----	Nebel.
Hendey 24" x 10' (Q. C. G.) Cone-----	\$3,750.

Berkeley flywheel, vertical \$1,500.
Carroll, A. V. up to and incl.:

14"-----	South Bend.
16" and over-----	Nebel.
Cleveland Simplex-----	Nebel.
Crawford-----	Nebel.
Dalton-----	See price list 1 below.
Davis & Egan-----	Nebel.
Filmsmith-----	D & M (if cone deduct 20%).

Fosdick, Q. C.-----	Nebel.
Harrington-----	Nebel.
McCabe double spindle 24" x 48" x 10'-----	\$5,000, plus \$150 for each 2' of bed over 10'.
Miami up to 14"-----	South Bend.
14" and over-----	Nebel.
Monarch 9" x 11"-----	Sheldon.
Mulle Gap Lathe-----	Nebel.
Perkins-----	South Bend.
Porter-Cable-----	W. C. Lipe.
Prentice (geared)-----	Reed-Prentice (8 speed head).
Sheppard-----	See price list 2 below.
South Bend over 16"-----	Nebel.
Hendey 24" x 10' (Q. C. G.) Cone-----	\$3,750.

PRICE LIST 1. Dalton engine lathes:

Bench type:	
7" — 30" bed-----	\$296
7" — 36" bed-----	324
8" — 3' bed-----	440
9" — 3' bed-----	520
9" — 4' bed-----	570
Mounted with plain floor legs and chip pan:	
7" — 30" bed-----	\$340
7" — 36" bed-----	370
8" — 3' bed-----	488
9" — 3' bed-----	568
9" — 4' bed-----	620
Taper turning attachment:	
7' Lathe-----	74
8' Lathe-----	76
9' Lathe-----	80

PRICE LIST 2. Sheppard screw cutting engine lathes:

	4'3"	6'3"	6'3"	8'
10" B. G.—Quick change				
Cone head-----	\$588	\$610		
Cone—arr. m/d (less motor)-----	693	721		
All steel gr. hd. single pulley dr-----	871	903		
All steel gr. hd. m/d on hd-----	924	953		
All steel gr. hd. m/d on leg-----	924	953		
12" B. G.—Quick change				
Cone head-----	714	745	\$777	
Cone—arr. m/d-----	840	871	903	
All steel gr. hd. single pulley dr-----	997	1,029	1,060	
All steel gr. hd. m/d on hd-----	1,050	1,081	1,113	
All steel gr. hd. m/d on leg-----	1,050	1,081	1,113	
14" B. G.—Quick change				
Cone head-----		924	955	\$1,018
Cone head arr. m/d-----		1,050	1,081	1,144
All steel gr. hd. single pulley dr-----		1,207	1,239	1,302
All steel gr. hd. m/d on hd-----		1,250	1,291	1,354
All steel gr. hd. m/d on leg-----		1,250	1,291	1,354

Note: Prices on motor driven lathes do not include motor. Friction clutch on drive pulley geared head lathes furnished as standard. If not desired, deduct \$25. Prices on cone head lathe include double friction countershaft. Hollow spindle, large and small face plates, feed reversing lever in headstock, quick change attachment, steady rest, power feeds, wrenches, etc.

Extras and attachments:	Price
Taper attachment-----	\$147
Milling attachment-----	115
Turret on carriage-----	126
Turret on bed-----	330
Draw-in attachment-----	52
Collets, each-----	6
Weights of lathes:	Pounds
10" x 4'3"-----	500
12" x 5'3"-----	775
14" x 5'3"-----	1200

20. In Appendix A the following item is added under the heading "Lathes (Turret)":

Welles #2 Hand Screw To #2 Bardons & Machine.-----	Oliver.
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21. In Appendix A the following items are added under the heading "Mills (Horizontal)":

Cincinnati #1 plain or universal mill.-----	Compared to Cincinnati L. Type Model E. L. No. 2
Cincinnati #1 1/2 plain or universal mill.-----	Compared to Cincinnati M. H. Type Model E. D. No. 2

22. In Appendix A under the heading "Mills (Hand)" the items Steptoe, Fox #1 and #2 and Fox #3, and Garvin #1 and #2 and Garvin #3 are revoked and the following items are added:

Fox #1—24" long feed, cone dr., incl. power feed-----	\$875
Fox #1A as above, incl. back gears-----	950
Fox #1B—18" long feed, cone dr. & power feed-----	600
Fox #1C as above, incl. back gears-----	675
Fox 3 1/2"—24" long feed, cone dr. & power feed-----	875
Fox 3 1/2" as above, incl. back gears-----	950

Note: If Fox Mill is not equipped with power feed, deduct \$150.

Garvin #1..... To Standard #1.
 Garvin #2..... To Standard #1½.
 Garvin #3..... To Frew.
 Steptoe #0—with hand lever feed—to
 Standard #1..... \$550
 Steptoe #0—with screw elevation &
 longitudinal feeds—to Standard #2... 750

23. In Appendix A under the heading
 "Mills (Horizontal)" the item "Fox" is
 revoked.

24. In Appendix A under the heading
 "Becker Vertical Mills" the following
 items are amended to read as follows:

Model	Drive	3/1/41 Price	Weight	Feeds		Work. surf. of table	P. power
				Long	Cross		
SD.....	Gear box.....	\$16,500	Pounds 17,800	44"	20 3/4"	40" dia.....	Rotary 40" dia. table (inc.).
BL.....	Cone.....	6,000	6,200	44"	14"	50" x 12"	With rotary table (inc.).
C.....	Gear box.....	8,000	8,400	43"	15 1/2"	53" x 14"	Rotary 2 1/2" dia. table (inc.).
CS.....	Gear box.....	8,400	8,800	42"	10"	25" dia.....	With rotary table (inc.).
5B.....	Gear box.....	5,000	4,960			42" x 14"	

25. In Appendix A the instructions under
 the heading "Planers" are amended to
 read as follows:

For double housing type use prices of Cin-
 cinnati Planer Co. and for open-side type
 use prices of Cleveland Planer Co. in order
 to arrive at the base price, with the excep-
 tion of those planers shown on the list below
 which have an asterisk * placed before them.

The base price of planers (shown with an
 asterisk *, as well as any others of obsolete
 type not listed here) is determined by taking
 50% of the sum obtained in using the equiv-
 alent given above. For example, an American
 24 x 24 x 6 double housing planer would have
 as a base price \$3,770, while the base price
 of an Ames of similar size would be \$1,885.

On obsolete double housing planers, the
 dimensions of which are smaller than 24 x

24 x 6, the following base prices are to be
 used:

Up to and including 14"..... \$1,000
 15" to 17", inclusive..... 1,600
 18" to 23", inclusive..... 2,000

On obsolete open-side planers, the dimen-
 sions of which are smaller than 26 x 26 x 6,
 50% of the base price of the Cleveland 26 x
 26 x 6 open-side planer is to be used (regard-
 less of whether an asterisk * is shown or not).

26. In Appendix A under the heading
 "Slotters" the equivalents for Garvin
 and Hanson-Whitney are amended to
 read "to Stevens base price \$2,400."

27. In Appendix A the serial numbers
 of the Landis Tool Co. for the years 1929
 and 1935 are amended to read 16000 and
 17000, respectively, and serial numbers
 are added for the following companies:

AMERICAN CHAIN & CABLE CO., INC., BRIDGEPORT, CONN.

1919	1929	1935
		#30 Machine Serial No. 125.
		#32 Machine Serial No. 151.
		#32 Machine Serial No. 163.
		#32 Machine Serial No. 193.
		#1 Hinderkut Serial No. 62.
		#30 Machine Serial No. 162.
		#0 Nibbler Serial No. 230.
		#1 Nibbler Serial No. 753.
		#1A Nibbler Serial No. 237.
		#1B Nibbler Serial No. 429.
		#2 Nibbler Serial No. 412.
		#0 Nibbler Serial No. 214.
		#1 Nibbler Serial No. 704.
		#1A Nibbler Serial No. 210.
		#1B Nibbler Serial No. 305.
		#2 Nibbler Serial No. 378.

AUTOMETRIC MACHINE TOOL CO., BERKELEY, CALIF.

No machines manufactured prior to 1939.

BAIRD MACHINE CO., STRATFORD, CONN.

Last serial number for year:
 1919..... None.
 1929..... #158 (7" 6-spindle horiz.
 auto. lathe).
 1935..... #250.

BAKSWELL MANUFACTURING CO., LOS ANGELES, CALIF.

Not in business prior to 1935.

BARBER-STOCKWELL CO., CAMBRIDGE, MASS.

Last serial number for year:
 1919..... 19121—1688
 1929..... 12922—1824
 1935..... 13505—1834

Beaudry Champlon—Dupont
 Beaudry Utility

*The first two numbers indicate the year
 of manufacture, while those numbers follow-
 ing the first two indicate the number of the
 machine in that particular year.

†Numbered consecutively with #1 many
 years ago.

CHARLES H. BESLY & CO., CHICAGO, ILL.—CON.

Machine	1919	1929	1935
#131 Vertical spindle grinder		131-621	
#140 Roller bearing grinder			140-613
#141 Roller bearing grinder		141-645	141-655
#151 Roller bearing grinder		151-613	151-627
#152 Vertical spindle grinder		152-610	152-613
#202 Spec. duplex vertical spindle grinder			202-650
#215 Single spindle grinder			215-50-52-611
#218 Double spindle grinder			218-634-50
#225 Double spindle grinder			225-623
#229 Vertical spindle grinder		209-622	
#233 Double spindle grinder			233-72-610
#312 Vertical spindle grinder		612-610	

BERTSCH & CO., CAMBRIDGE CITY, IND.

Last serial number for the year:

1919..... 4810
 1929..... 6078
 1935..... 6341

BROWN & SHARPE MANUFACTURING CO.

MILLING MACHINES

	Serial numbers		
	1919	1929	1935
#0 Omniversal milling machine			12
#1 1/2 Universal milling machine	1793		
#1A Universal milling machine standard type		2599	3045
#2 Universal milling machine power feed	4223		
#2 Universal milling machine light type			6222
#2A Universal milling machine power type	4453		
#2A Universal milling machine standard type		5555	6131
#2A Universal milling machine special			5771
#3 Universal milling machine	1625		
#3A Universal milling machine	1675	2141	
#3A Universal milling machine standard type		2170	2191
#3A Universal milling machine high speed			2267
#3A Universal milling machine heavy	1703		
#4A Universal milling machine	833	1006	
#4A Universal milling machine standard type			1011 1019
#50 Plain milling machine	535	635	
#0 Plain milling machine	2370	2384	3243
#0Y Plain milling machine	2459	3166	3303
#0B Plain milling machine			3326
#0YB Plain milling machine	2557		
#1YB Plain milling machine		2647	
#1 Plain milling machine	1674		
#1B Plain milling machine		3017	
#1B Plain milling machine stand- ard type		3234	2161
#1Y Plain milling machine	1749	2042	
#2Y Plain milling machine		3950	4181
#2YB Plain milling machine			4141
#2 Plain milling machine power feed		3225	
#2 Plain milling machine light type			4232
#2 Plain milling machine		4372	
#2B Plain milling machine hand feed		3,270	
#2B Plain milling machine standard type			4,044 4,023
#2B Plain milling machine special			4,100
#2B Plain milling machine high speed			4,217
#3 Plain milling machine hand feed	1,347	1,548	
#3B Plain milling machine hand feed	1,233	1,617	1,672
#3B Plain milling machine		1,731	1,709
#3B Plain milling machine high speed			1,778
#3B Plain milling machine heavy		1,637	
#4B Plain milling machine	813	935	977
#5B Plain milling machine heavy	424	427	
#12 Plain milling machine	2,336	2,661	
#13 Plain milling machine			519
#21 Plain milling machine			215
#22 Plain milling machine			30
#33 Plain milling machine		82	
#45 Plain milling machine		10	
#1 Vertical spindle milling machine	850	1,078	1,125
#2 Vertical spindle milling machine std. type	773	979	1,023
#2 Vertical spindle milling machine high speed			1,023
#3 Vertical spindle milling machine	575	705	

CHARLES H. BESLY & CO., CHICAGO, ILL.

Machine	1919	1929	1935
#1 Ring oiling grinder	1514	1522	
#5 Motor driven ball bear- ing grinder		5-22	5-73
#6 Double spindle ring oil- ing grinder	6362	6476	
#3 Ring oiling grinder	8187		
#10 Ring oiling grinder	10-234	10-1291	
#12 Grease lubricated grinder	12034		
#14 Ring oiling grinder	14219	14523	
#15 Patternmakers' grinder	150131	150134	
#16 Ring oiling grinder	16044		
#17 Single spindle grinder	17123	17161	
#19 Horizontal grinder	19153	19161	
#21 Ring oiling grinder	21027	21033	
#23 Double head grinder	23029	23037	
#29 Horizontal grinder	29016	29049	23030
#39 Vertical spindle grinder	39017		
#40 Motor driven grinder		40025	
#41 Motor driven grinder	41031	41039	
#43 Vertical spindle grinder		43025	43034
#43 Motor driven grinder		43012	
#51 Motor driven grinder	51024	51031	
#55 Double spindle grinder		55-016	
#60 Motor driven grinder		60011	
#61 Motor driven grinder		61019	
#79 Vertical spindle grinder		79-011	
#89 Vertical spindle grinder		89-011	
#103 Single spindle grinder		103-015	
#110 Roller bearing grinder		110-015	
#114 Roller bearing grinder		114-022	14-031

BROWN & SHARPE MANUFACTURING Co.—CON.
MILLING MACHINES—CON.

	Serial numbers		
	1919	1929	1935
#3 Vertical spindle milling machine std. type		716	750
#5 Vertical spindle milling machine	1,703		
#1 Universal grinding machine	2,775	3,385	3,627
#2 Universal grinding machine	2,461	3,156	3,292
#3 Universal grinding machine	2,039	2,417	2,480
#4 Universal grinding machine	1,297	1,395	1,432
#30 Automatic thread grinding machine		5	
#10 Plain grinding machine	881		
#11 Plain grinding machine	1,776	2,150	2,241
#12 Plain grinding machine	410		
#14 Plain grinding machine	411		
#16 Plain grinding machine	294		
#30 Plain grinding machine	40		
#30A Plain grinding machine	32	58	
#30B Plain grinding machine	28		
#32 Plain grinding machine	18		
#32A Plain grinding machine	20		
#33 Plain grinding machine	11		
#35 Plain grinding machine	5		
#2 Disc grinding machine	84		
#1 Surface grinding machine	44		
#2 Surface grinding machine power feed	5698	9124	10067
#2B Surface grinding machine, hand feed			10049
#5 Surface grinding machine			11
#0 Tool grinding machine	1847	2347	
#1 Tool grinding machine	1254	1470	
#2 Cutter grinding machine	1119	1270	
#3 Universal cutter and reamer grinding machine	1973	2236	2269
#3 Universal cutter and reamer grinding machine, belt drive			2275
13 Univ. & tool grinding machine	1499	2376	2736
3 Auto. gear cutting machine	1623	1813	
3 Auto. gear cutting machine heavy	1636		
4 Auto. gear cutting machine	752	823	
5 Auto. gear cutting machine		253	
6 Auto. gear cutting machine	200		
13 Auto. gear cutting machine	903	1046	
13 Auto. gear cutting machine heavy	763	1052	
34 Spur gear hobbing machine		85	
44 Spur gear hobbing machine		91	101
#0 Wire feed screw machine	1021	1437	1540
1 Wire feed screw machine	1185	1648	1732
2 Wire feed screw machine	1593	2069	2203
2F Wire feed screw machine		2084	
4 Wire feed screw machine	593	1002	
6 Wire feed screw machine		794	
OO High speed automatic screw machine	6996	11345	12774
OOG High speed automatic screw machine	6897	11369	12702
O High speed automatic screw machine	4564	7214	7757
OG High speed automatic screw machine	4464	7135	7820
2 High speed automatic screw machine	4433	6441	6889
2G High speed automatic screw machine	4355	6426	6876
4 High speed automatic screw machine		2	124
6 High speed automatic screw machine			221

BOYAR-SCHULTZ CORP., CHICAGO, ILL.

Not manufactured until 1938.

BRIDGEPORT MACHINES, INC., BRIDGEPORT, CONN.

Turret Mill placed on market in 1938.

C. C. BRADLEY CO., SYRACUSE, N. Y.

Last serial numbers of Power Hammers manufactured:

Kind	1919	1929	1935
Compact	520	641	653
Upright	1,816	2,087	2,113
Cushioncd Helve	3,052	3,284	3,294
Beaudry	327		

BURKE MACHINE TOOL Co., CONNEAUT, OHIO

Year of manufacture cannot be determined prior to 1939. After that—numbers assigned as follows:

#4-400-39—the 4. means size.
400 means serial number.
39 means year of manufacture.

BUFFALO FORGE Co., BUFFALO, N. Y.

Last serial number for the year:

1919	55837-Z
1929	Z-23308
1935	35-Y-17409

CHEISHOLM-RYDER Co., NIAGARA FALLS, N. Y.

Did not manufacture any machines during 1919, 1929, and 1935.

CINCINNATI PLANNER Co., CINCINNATI, OHIO

Last serial number for the year:

1919	4242
1929	5139
1935	5230

CLEEREMAN MACHINE TOOL Co., GREEN BAY, WIS.

Not in business prior to 1935.

JAMES COULTER MACHINE Co., BRIDGEPORT, CONN.

Serial numbers start in 1938.

CLEVELAND CRANE & ENGINEERING Co., WICKLIFFE, OHIO

1935 M-130 (not manufactured in 1929, 1919)

THE CROSS Co., DETROIT, MICH.

Last serial number manufactured in the year:

1919	138
1929	484
1935	554

D. & M. MACHINE WORKS, TORRANCE, CALIF.

Started in business in 1941.

DOUGLAS MACHINERY Co., INC., NEW YORK, N. Y.

No machine tools manufactured prior to 1936. Started in 1939.

DALTON TOOL CORP., NEW YORK, N. Y.

Went out of business in 1926 or 1927—LATHES.

FOX ENGINEERING Co., ROCKFORD, MICH.

Drilling machine, 1919—616
Multi. machine, 1929—2059
Drilling machine, 1935—2199

FITCHBURG ENGINEERING CORP., FITCHBURG, MASS.

Began business in January, 1920—Serial number #1
Last December 1935—Serial number #61

FRAY MACHINE TOOL Co., GLENDALE, CALIF.

Were not manufacturing machine tools prior to 1938.

GENERAL MANUFACTURING Co., DETROIT, MICH.

First press, serial #501, mfg. and shipped—1920
Last press, serial #1571—1929
Last press, serial #1777—1935

E. O. GRABO MACHINE WORKS, NEW YORK, N. Y.

No serial numbers.

S. S. HEPWORTH Co., NEW YORK, N. Y.

Last machine manufactured in:
1929—#4099
1935—#5082

HEALD MACHINE Co.

Machine No.	Last serial Nos. for years—			Machine discontinued—	
	1919	1929	1935	Year	Serial No.
70A	2723	3930	5465	1942	15727
75A	774	3682	4606	1943	22960
60	2048	2297		1921	
65	316	591		1927	
260	199	207		1921	
255	266			1919	
210	995			1919	
200	890			1920	893
20	57	3617		1929	
80		3762	3763	1931	
85	8	3686	4656	1932	
55		3903	4932	1942	15667

HILL-ACME Co., ACME MACHINERY DIVISION, CLEVELAND, OHIO

Last serial number for the year:

1919	M-13025
1929	M-16090
1935	M-16488

HISEY-WOLF MACHINE Co., CINCINNATI, OHIO

Write direct to manufacturer.

JACKSON MACHINE & TOOL Co., JACKSON, MICH.

No machine tools manufactured prior to 1936.

JEFFERSON MACHINE TOOL Co., CINCINNATI, OHIO

No milling machines manufactured prior to 1940.

LE MAIRE TOOL & MANUFACTURING Co., DEARBORN, MICH.

Serial numbers start in 1938.

LOCOMOTIVE FINISHED MATERIAL Co., ATCHISON, KANS.

No machine tools manufactured prior to 1936.

MODERN MACHINE TOOL Co., JACKSON, MICH.

Serial numbers before 1919 destroyed. Between 1920 and 1936 only four or five machines a year were built. In 1936 numbers were assigned:

2B—for #2 machine, cap. 2 1/8"

3B—for #3 machine, cap. 3 1/8"

4B—for #4 machine, cap. 4 1/8"

(Machines shipped before August, 1922, had no roller feed nor automatic stock stop. Between 1922 and 1935 all machines were built with this feed).

MIDWAY MACHINE Co., ST. PAUL, MINN.

No machine tools manufactured prior to 1936.

NATIONAL AUTOMATIC TOOL Co., RICHMOND, IND.

Has no consecutive serial number record.

W. H. NICHOLS & SONS, WALTHAM, MASS.

Hand mill production started in 1935, 1-A-8.

RANSOM GRINDING MACHINE Co., OSHKOSH, WIS.

Last serial number for year 1919:

Direct current	21389
Alternating current	1502040

Last serial number for year 1929:

Direct connected	123
HS and RW types	121

Last serial number for year 1935:

Direct connected	226
HS and RW types	149

RASMUSSIN MACHINE Co., RACINE, WIS.

No machine tools manufactured prior to 1935.

REID BROTHERS Co., INC., BEVERLY, MASS.

Serial of first machine built in 1936 was #1558. All previous records destroyed by fire.

SOMERFELD MACHINE Co., BRADDOCK, PENN.

Last machine built in year: Serial No.

1919	689
1929	711
1935	711

No lathes manufactured between 1929 and 1935.

U. S. TOOL Co., INC., AMPERE, N. J.

All milling machines manufactured after December 31, 1935.

Multi-slide machine manufactured since December 31, 1929.

The sizes #28 and #44 have been manufactured since December 31, 1935.

Manufactured in 1935:

MS-22	#103
MS-25	#23
MS-23	#17

UNIVERSAL BORING MACHINE CO., HUDSON, MAZ

#3-A, #3 1/2	3" heavy duty	3" light and heavy duty	4" and 4 1/2"	5"
1919	571			T-405
1929	642	T-3034	T-2493	T-503
1935		T-3069	T-24116	T-4021

No floor type machines manufactured.

28. In Appendix A the following items are added under the heading "Baker Bros., Inc.—Toledo, Ohio":

OBSELETE MACHINES

Drills, No.:	Base price
125	\$2,500
220	3,500
310	2,000
315	3,550
413	3,195
416	3,195
417	4,600
425	5,070
525	6,160
513	3,750
Keyseaters, No.:	
00	1,000
5	5,900
3 1/2	6,100

29. In Appendix A under the heading "Bardons & Oliver, Incorporated, Cleveland, Ohio" the following items are added under the heading "Compare old style machines as shown below":

#1	Price set \$1,830.
4 1/2" hollow hex	Price set \$8,750.
4 1/2" hand screw	to Bardons & Oliver #5.
#8	to Bardons & Oliver #7.

30. In Appendix A the heading "Blank & Buxton Machinery Company, Jackson, Michigan" is amended to read "Index Machine & Tool Company, Jackson, Michigan".

31. In Appendix A under the heading "The Bradford Machine Tool Company, Cincinnati, Ohio" a note is added to read as follows:

Any obsolete lathes over 16" are to be compared to Springfield (standard quick change gear).

32. In Appendix A under the heading "Brown & Sharpe Manufacturing Co., Providence, R. I." the following items are amended to read as follows:

Plain mills:	
#2 Light	\$3,245
#2 Light, with power fast travel	3,410
Universal mills:	
#2 Light	3,900
#2 Light, with power fast travel	4,070
Vertical mills:	
#2 Light	4,015
#2 Light with high speed spindle	4,265
#2 Light with power fast travel	4,180
#2 Light with power fast travel and high speed spindle	4,430
Automatic turret forming machines:	
#00 Geared for motor drive	2,845
#0 Geared for motor drive	3,500
#G Geared for motor drive	3,960
#00 Countershaft	2,200
#0 Countershaft	2,880
#G Countershaft	3,385
Automatic cut-off machines:	
#00 Geared for motor drive	\$2,710
#0 Geared for motor drive	3,355
#G Geared for motor drive	3,810
#00 Countershaft	2,060
#0 Countershaft	2,725
#G Countershaft	3,235

Note: The letter "G" appearing after the various model numbers of automatic screw machines, turret forming and cut-off machines, denotes geared head machines and prices shown under the column "geared for motor drive" are to be used.

Automatic screw machines:

#1 to Brown & Sharpe #2	\$3,695
#19 to Brown & Sharpe #00	2,420

Grinders (cylindrical):

#14 Plain to Brown & Sharpe #22	7,510
#30A Plain to Brown & Sharpe #20A	6,642

Mills (plain):

#00 to Standard #1	550
#1 1/2 to Brown & Sharpe #2 light	3,245
#0	865

Mills (universal):

#1A to Brown & Sharpe #2 Univ. light type	3,800
#1 1/2 to Brown & Sharpe #3 Univ. light type	3,900

Mills (vertical):

#1 to Brown & Sharpe #2 light	4,015
#2 to Brown & Sharpe #2 light	4,015
#3 to Brown & Sharpe #2 standard	6,540

33. In Appendix A under the heading "Brown & Sharpe Manufacturing Co., Providence, R. I." the following items are added to read as follows:

Grinders (tool and cutter):	
#3 Cutter and Reamer to Gallmeyer & Livingston #2 (pl.)	\$622.50
#12 Universal to Gallmeyer & Livingston #4 (univ.)	1,675.00
Mills (vertical):	
#5 to Cincinnati #4 vert. dial type, medium speed	9,160.00

34. In Appendix A under the heading "Chisholm-Ryder Co., Inc., Niagara Falls, N. Y." the item "3" bar horizontal boring and milling machine" is amended to read as follows:

4" bar horizontal boring and milling machine	\$12,500
3" bar optional. This price is for the base machine only.	

35. In Appendix A under the heading "Cincinnati-Gilbert Machine Tool Co., Cincinnati, Ohio" the price for floor type

bed plates more than 60 square feet is amended to read \$30.

36. In Appendix A under the heading "Fellow Gear Shaper Co., Springfield, Vt." the price for #6M Involute Measuring Machine with recording device is amended to read "\$3,500."

37. In Appendix A under the heading "General Machinery Corporation, Hamilton, Ohio" the headings "A. C. Equipment" and "D. C. Equipment" are amended to read "A. C. Drive" and "D. C. Drive", respectively, and the following items are added under the heading "Radial Drills":

4' plain	Use base price \$5,000
5'-6' plain	Now appears in book

Note: For 4' Universal add \$900. For 5'-6' Universal add \$1000. None of the prices listed include electrical equipment.

38. In Appendix A under the heading "The Heald Machine Co., Worcester, Mass." the following items are added under the heading "Internal Grinding Machines":

#70	Compared to #70A.
#75	Compared to #75A.
#80	Use base price of \$4,000.
#85	Use base price of \$1,500.
#200	Use base price of \$1,700.
#210	Use base price of \$1,875.
#260	Use base price of \$5,000.

39. In Appendix A under the heading "International Machine Tool Corporation, Foster Div., Elkhart, Ind." the heading "Automatic chuck and bar feed when purchased separately" is amended to read "Automatic chuck when purchased separately".

40. In Appendix A under the heading "W. B. Knight Machinery Co., St. Louis, Mo." the prices for #20 and #40 machines are amended to read "\$3,520." and "\$5,170.", respectively.

41. In Appendix A under the heading "R. K. Leblond Machine Tool Co., Cincinnati, Ohio" the following items are added:

HEAVY DUTY RAPID PRODUCTION LATHES

Size	11"(1)	11"(2)	11"(3)	11"(4)	11"(5)	11"(6)	11"(7)
Base	15"	12 1/2"	15 1/2"	15 1/2"	15 1/2"	16"	23"
Bed length	4'	4'	5'	5'	5'	5'	5'
Swings over ways	14 1/2"	14 1/2"	14 1/2"	14 1/2"	14 1/2"	17 1/2"	20 1/2"
Swing over pl. block rest	8 1/4"	8 1/4"	8 1/4"	8 1/4"	8 1/4"	10 1/2"	11 1/2"
Base price includes lathes as listed above and standard equipment (screw operated tailstock, lever operated type optional-small face plate, plain block rest, No. 1 tool post, centers and wrenches)	\$1,124	\$1,020	\$1,020	\$1,835	\$1,835	\$2,269	\$3,000

- 11" Lathes sets single automatic length stop to carriage, 10" No. 2 tool post instead of No. 1.
 - (1) 6-speed Timken headstock, multiple vee belt motor drive with motor on hinged plate in headstock cabinet leg.
 - (2) 6-speed Timken three bearing spindle headstock with ground gears vee belt motor drives motor in cabinet leg.
 - (3) Single speed motor head lathes, either vee cams as four speed. Any speed up to 2500 r. p. m.
 - (4) 2-speed motor head lathes, with motor, speed selector, control switches and dynamic brake control. 450 & 600-60 & 120-1500 & 2500 or any combination between 450 & 2500 r. p. m.
 - (5) 4-speed motor head lathes, with motor, speed selector, control switches, and dynamic brake control. 600-1200-1800-2500 or any other desired combination under 2500 r. p. m.
 - (6) 6-speed Timken headstock, feed changes in headstock, multiple vee belt motor drive, motor on hinged plate in cabinet leg.
 - (7) 6-speed Timken headstock, feed changes in headstock, multiple vee belt motor drive, motor on hinged plate in cabinet leg.
- Domestic shipping weight: 11", 2,125 lbs., 16", 3,650 lbs., 16", 4,200 lbs.

42. In Appendix A the following items are added under the heading "Lucas Machine Tool Co., Cleveland, Ohio":

OBSELETE MACHINES	
#31-3" cap	Compared to #41
#32-3 1/2" cap	Compared to #42
#33-4 1/2" cap	Use as base price \$15,000
#43-5" cap	Use as base price \$18,500

43. In Appendix A under the heading "The National Acme Co., Cleveland, Ohio" the following items are added under the heading "Obsolete Machines":

#51	Use base price \$2,500
#54	Use base price \$4,600

In addition, base prices are given below (according to size) on obsolete 4-spindle Gridleys regardless of whether they are designated as models E-F-G-GA-or-R.

9 1/2"	\$3,325	2 1/2"	\$11,975
10"	6,950	2 3/4"	12,775
11"	7,575	3"	12,950
1 1/2"	8,700	3 1/2"	13,300
1 3/4"	10,075	3 3/4"	14,000
2"	10,625	4"	14,350

FOOT SQUARING SHEARS

The model C 5-spindle machines are to be compared to the National Acme Model RA 5-spindle of corresponding size.

44. In Appendix A the heading "Pope Machinery Co., Haverhill, Mass." is amended to read "Pope Machine Co., Seattle, Wash."

45. In Appendix A under the heading "Pratt & Whitney, West Hartford, Conn." the prices for #2 and #3 die sinkers are amended to read \$1,500. and \$2,000., respectively, the item #2-5/8" turret lathe is amended to read #2-(5/8" cap.), and the following items are added:

#3" x 36" hollow hex. Base price \$6,501
Full automatic lathe Base price \$4,650
1" x 18" Base price \$1,260
1/2" precision lathe Base price \$1,260

46. In Appendix A under the heading "Niagara Machine & Tool Co., Buffalo, N. Y." the price for the No. 612D double gear double crank press is amended to read \$8579., and the following items are added:

ALL WEIGHTS NET. ALL FOR MATERIAL DOMESTIC ORATE 125 LBS. ADD FOR OCEAN SHIPMENTS 240 LBS.

No.	Description	Net weight (pounds)	Price
No. 1	Standard hand milling machine, complete with countershaft—crated.	900	\$650.00
No. 1	Standard hand milling machine, complete with oil pump equipment and countershaft—crated.	965	610.00
No. 1	Standard hand milling machine, complete with countershaft and longitudinal power feed to table—crated.	987	775.00
No. 1	Standard hand milling machine, complete with countershaft, oil pump equipment and longitudinal power feed to table—crated.	1,032	835.00
No. 1 1/2	Standard hand milling machine, complete with countershaft and oil pump equipment—crated.	1,000	575.00
No. 1 1/2	Standard hand milling machine, complete with countershaft and oil pump equipment—crated.	1,065	635.00
No. 1 1/2	Standard hand milling machine, complete with countershaft and power longitudinal feed to table—crated.	1,087	800.00
No. 1 1/2	Standard hand milling machine, complete with oil pump equipment, longitudinal and countershaft—crated.	1,152	860.00
No. 2	Standard hand milling machine, complete with oil pump equipment and countershaft—crated.	1,165	730.00
No. 2	Standard hand milling machine, complete with longitudinal power feed, attachment and countershaft—crated.	1,245	810.00
No. 2	Standard hand milling machine, complete with countershaft, oil pump, equipment and longitudinal power feed to table—crated.	1,315	1,050.00
No. 2	Standard hand milling machine, complete with countershaft, oil pump, equipment and motor—crated.	1,395	1,110.00
No. 2	Standard hand milling machine, arranged for motor—crated.	1,203	840.00
No. 2	Standard hand milling machine, and longitudinal power feed to table, arranged for motor—crated.	1,355	1,100.00
No. 2	Standard hand milling machine with oil pump equipment, arranged for motor—crated.	1,285	850.00
No. 2	Standard hand milling machine with oil pump equipment and longitudinal power feed arranged for motor—crated.	1,435	1,160.00
No. 2	Power feed attachment only.	65	60.00
No. 2	Oil pump equipment only for No. 1, No. 1 1/2, No. 2 Millers.	59	30.00
No. 2	Horizontal V vise without chip-pans.	62	224.00
No. 2	Horizontal V vise with chip-pans.	62	35.00
No. 2	Flat vise with steel cranks handle, width of jaws 1 1/2"; vise opens 2 1/2".	43	20.00
No. 2	Arbors for milling cutters with 1/2" hole, No. 9 B. & S. taper.	3	14.50
No. 2	Arbors for milling cutters with 3/8" hole, No. 9 B. & S. taper.	3	14.50
No. 2	Springs collect for holding straight shank cutters; 3/8" diameter, No. 9 B. & S. taper.	1 1/2	10.00
No. 2	Motor drive arrangement only for No. 1, No. 1 1/2 Millers.	125	75.00
No. 2	Motor drive arrangement only.	40	50.00
No. 2	Universal vertical milling attachment.	35	230.00
No. 2	Micrometer dials for knee and carriage for No. 1 Millers. (Regular equipment with No. 1 1/2 and No. 2 Millers)	1	10.00

48. In Appendix A under the heading "The Warner & Swasey Co., Cleveland, Ohio" the following information is added to the various models listed below:

Model	Capacity	Speeds
#1—electric.	Inches 1 1/4	4
#2—all geared head.	Inches 2	6
#3—universal.	Inches 2 1/4	6
#4—universal.	Inches 3 1/4	12
#5A.	Inches 4	12
#6A.	Inches 5	12
#7A.	Inches 6	12
#8A.	Inches 8	12
#9A.	Inches 10	12
#10A.	Inches 12	12
#11A.	Inches 14	12
#12A.	Inches 16	12
#13A.	Inches 18	12
#14A.	Inches 20	12
#15A.	Inches 24	12
#16A.	Inches 30	12
#17A.	Inches 36	12
#18A.	Inches 42	12
#19A.	Inches 48	12
#20A.	Inches 54	12
#21A.	Inches 60	12
#22A.	Inches 72	12
#23A.	Inches 84	12
#24A.	Inches 96	12
#25A.	Inches 108	12
#26A.	Inches 120	12
#27A.	Inches 144	12
#28A.	Inches 168	12
#29A.	Inches 192	12
#30A.	Inches 216	12
#31A.	Inches 240	12
#32A.	Inches 270	12
#33A.	Inches 300	12
#34A.	Inches 360	12
#35A.	Inches 420	12
#36A.	Inches 480	12
#37A.	Inches 540	12
#38A.	Inches 600	12
#39A.	Inches 720	12
#40A.	Inches 840	12
#41A.	Inches 960	12
#42A.	Inches 1080	12
#43A.	Inches 1200	12
#44A.	Inches 1440	12
#45A.	Inches 1680	12
#46A.	Inches 1920	12
#47A.	Inches 2160	12
#48A.	Inches 2400	12
#49A.	Inches 2700	12
#50A.	Inches 3000	12
#51A.	Inches 3600	12
#52A.	Inches 4200	12
#53A.	Inches 4800	12
#54A.	Inches 5400	12
#55A.	Inches 6000	12
#56A.	Inches 7200	12
#57A.	Inches 8400	12
#58A.	Inches 9600	12
#59A.	Inches 10800	12
#60A.	Inches 12000	12
#61A.	Inches 14400	12
#62A.	Inches 16800	12
#63A.	Inches 19200	12
#64A.	Inches 21600	12
#65A.	Inches 24000	12
#66A.	Inches 27000	12
#67A.	Inches 30000	12
#68A.	Inches 36000	12
#69A.	Inches 42000	12
#70A.	Inches 48000	12
#71A.	Inches 54000	12
#72A.	Inches 60000	12
#73A.	Inches 72000	12
#74A.	Inches 84000	12
#75A.	Inches 96000	12
#76A.	Inches 108000	12
#77A.	Inches 120000	12
#78A.	Inches 144000	12
#79A.	Inches 168000	12
#80A.	Inches 192000	12
#81A.	Inches 216000	12
#82A.	Inches 240000	12
#83A.	Inches 270000	12
#84A.	Inches 300000	12
#85A.	Inches 360000	12
#86A.	Inches 420000	12
#87A.	Inches 480000	12
#88A.	Inches 540000	12
#89A.	Inches 600000	12
#90A.	Inches 720000	12
#91A.	Inches 840000	12
#92A.	Inches 960000	12
#93A.	Inches 1080000	12
#94A.	Inches 1200000	12
#95A.	Inches 1440000	12
#96A.	Inches 1680000	12
#97A.	Inches 1920000	12
#98A.	Inches 2160000	12
#99A.	Inches 2400000	12
#100A.	Inches 2700000	12
#101A.	Inches 3000000	12
#102A.	Inches 3600000	12
#103A.	Inches 4200000	12
#104A.	Inches 4800000	12
#105A.	Inches 5400000	12
#106A.	Inches 6000000	12
#107A.	Inches 7200000	12
#108A.	Inches 8400000	12
#109A.	Inches 9600000	12
#110A.	Inches 10800000	12
#111A.	Inches 12000000	12
#112A.	Inches 14400000	12
#113A.	Inches 16800000	12
#114A.	Inches 19200000	12
#115A.	Inches 21600000	12
#116A.	Inches 24000000	12
#117A.	Inches 27000000	12
#118A.	Inches 30000000	12
#119A.	Inches 36000000	12
#120A.	Inches 42000000	12
#121A.	Inches 48000000	12
#122A.	Inches 54000000	12
#123A.	Inches 60000000	12
#124A.	Inches 72000000	12
#125A.	Inches 84000000	12
#126A.	Inches 96000000	12
#127A.	Inches 108000000	12
#128A.	Inches 120000000	12
#129A.	Inches 144000000	12
#130A.	Inches 168000000	12
#131A.	Inches 192000000	12
#132A.	Inches 216000000	12
#133A.	Inches 240000000	12
#134A.	Inches 270000000	12
#135A.	Inches 300000000	12
#136A.	Inches 360000000	12
#137A.	Inches 420000000	12
#138A.	Inches 480000000	12
#139A.	Inches 540000000	12
#140A.	Inches 600000000	12
#141A.	Inches 720000000	12
#142A.	Inches 840000000	12
#143A.	Inches 960000000	12
#144A.	Inches 1080000000	12
#145A.	Inches 1200000000	12
#146A.	Inches 1440000000	12
#147A.	Inches 1680000000	12
#148A.	Inches 1920000000	12
#149A.	Inches 2160000000	12
#150A.	Inches 2400000000	12
#151A.	Inches 2700000000	12
#152A.	Inches 3000000000	12
#153A.	Inches 3600000000	12
#154A.	Inches 4200000000	12
#155A.	Inches 4800000000	12
#156A.	Inches 5400000000	12
#157A.	Inches 6000000000	12
#158A.	Inches 7200000000	12
#159A.	Inches 8400000000	12
#160A.	Inches 9600000000	12
#161A.	Inches 10800000000	12
#162A.	Inches 12000000000	12
#163A.	Inches 14400000000	12
#164A.	Inches 16800000000	12
#165A.	Inches 19200000000	12
#166A.	Inches 21600000000	12
#167A.	Inches 24000000000	12
#168A.	Inches 27000000000	12
#169A.	Inches 30000000000	12
#170A.	Inches 36000000000	12
#171A.	Inches 42000000000	12
#172A.	Inches 48000000000	12
#173A.	Inches 54000000000	12
#174A.	Inches 60000000000	12
#175A.	Inches 72000000000	12
#176A.	Inches 84000000000	12
#177A.	Inches 96000000000	12
#178A.	Inches 108000000000	12
#179A.	Inches 120000000000	12
#180A.	Inches 144000000000	12
#181A.	Inches 168000000000	12
#182A.	Inches 192000000000	12
#183A.	Inches 216000000000	12
#184A.	Inches 240000000000	12
#185A.	Inches 270000000000	12
#186A.	Inches 300000000000	12
#187A.	Inches 360000000000	12
#188A.	Inches 420000000000	12
#189A.	Inches 480000000000	12
#190A.	Inches 540000000000	12
#191A.	Inches 600000000000	12
#192A.	Inches 720000000000	12
#193A.	Inches 840000000000	12
#194A.	Inches 960000000000	12
#195A.	Inches 1080000000000	12
#196A.	Inches 1200000000000	12
#197A.	Inches 1440000000000	12
#198A.	Inches 1680000000000	12
#199A.	Inches 1920000000000	12
#200A.	Inches 2160000000000	12

Note: Prices now shown in book are for machines with equipment as detailed below. For other equipment, consult manufacturer or Office of Price Administration, National Office.

#1—Electric includes complete electrical equipment, automatic chuck and bar feed and lever cut-off.
#2—All geared head includes automatic chuck, bar feed, lever feed cut-off and power feed to turret.
#3-4-5 Universal machines include automatic chuck, bar feed, universal cross slide with power feed and power feed to turret.
#1A-2A-3A-4A Machines include power feed to universal cross slide, power feed to turret.

49. In Appendix A under the heading "The Warner & Swasey Co., Cleveland, Ohio" the material appearing under the heading "Machines No Longer Manufactured" is amended to read as follows:

COMPARISONS FOR OBSOLETE MACHINE TOOLS

Note: The machines listed below represent discontinued models and the base prices shown less deductions (where noted) are to be used as equivalents in arriving at ceiling prices.

Model	Description	Price
#1	Plain head 5/8" (cone drive)	\$2,100
#1	Electric head 5/8"	2,180
#2	Plain head 1" (cone drive)	3,100
#2	Geared friction head 1" (cone drive)	3,335
#3	All geared head 1"	3,335
#3	Electric 1"	2,895
#4	Plain head 1 1/2" (cone drive)	3,100
#4	Plain head 1 1/2" (cone drive)	3,500
#4	Friction geared head 1 1/2" (cone drive)	3,100
#4	Geared friction head 1 1/2" (cone drive)	3,500
#4	Universal geared head 1 1/2"	4,030
#4	Universal 6 speed all geared head 1 1/2"	4,030
#4	Universal 12 speed all geared head 1 1/2"	4,030
#3	Universal 6 speed all geared head 1 1/2"	4,030
#4	Universal 12 speed all geared head 1 1/2"	4,030
#4	head 1 1/2"	4,030

Number (series F)	Capacity	Size	Weight	Price
126-F	Gallons 16	Inches 36	Pounds 900	\$259
142-F	16	42	36	283
162-F	10	62	1,000	345
162-F	10	62	1,150	377
172-F	16	72	1,300	449
172-F	16	96	1,500	784
106-F	16	96	3,100	1,057
1120-F	120	220	3,945	1,087
Queen City	18	32	305	155
Queen City	18	36	500	173
Queen City	18	42	780	225
Queen City	18	48	1,000	283

ATLAS MACHINE SHOP EQUIPMENT

ATLAS PRESS CO.

F-Series Atlas lathes with vertical countershaft

Order number	Length of bed	Between collets	Over-all length	Boxed weight less motor	Code word	Price less motor
	In.	In.	In.	Lb.		
V36	36	18	40	249	YEKJ	\$107
V42	42	24	46	261	YEKKO	114
V48	48	30	52	269	YEKMY	123
V54	54	36	58	274	YEKOK	132

F-Series Atlas lathes with horizontal countershaft

Order number	Length of bed	Between collets	Over-all length	Boxed weight less motor	Code word	Price less motor
	In.	In.	In.	Lb.		
H36	36	18	40	259	YEKUL	\$112
H42	42	24	46	271	YELAH	119
H48	48	30	52	279	YELHA	123
H54	54	36	58	284	YELIK	137

Atlas Timken-equipped F-Series 10" lathes with vertical countershaft

Order number	Length of bed	Between collets	Over-all length	Boxed weight less motor	Code word	Price less motor
	In.	In.	In.	Lb.		
TV36	36	18	40	249	YENON	\$124
TV42	42	24	46	261	YENUP	131
TV48	48	30	52	269	YEOXY	140
TV54	54	36	58	274	YEPAL	149

Atlas Timken-equipped F-Series 10" lathes with horizontal countershaft

Order number	Length of bed	Between collets	Over-all length	Boxed weight less motor	Code word	Price less motor
	In.	In.	In.	Lb.		
TH36	36	18	40	250	YEPEM	\$129
TH42	42	24	46	271	YEPLA	136
TH48	48	30	52	279	YEPME	145
TH54	54	36	58	284	YEPOP	154

No. 2480 1/2 H. P. 1740 R. P. M. single phase motor—110 volt, 60 cycle, has ball bearing double-end shaft (1/2" diameter), Code word WYJL, weight 28 lbs., \$14.25.

10 ft. SJ approved extension cord and plug. No. 2490 1/2 H. P. 1740 R. P. M. single phase motor—110 volt, 60 cycle, has ball bearing double-end shaft (1/2" diameter), Code word WYJLN, weight 35 lbs., \$17.50.

10 ft. SJ approved extension cord and plug. No. 10-420 Reversing Switch with mounting bracket, cable connections, and installation diagram (see page 26). Code word YELJE, weight 3 1/2 lbs., \$4.50.

Milling machines

No. MI-G New Atlas Milling Machine, complete with safety belt guards and hand-operated table controls, less motor. Code word ZEVNE, net weight 179 lbs., shipping weight 229 lbs., \$216.50.

No. ME-G New Atlas Milling Machine, complete with safety belt guards and rapid-production lever controls, less motor. Code word ZEVUR, net weight 183 lbs., shipping weight 243 lbs., \$221.50.

No. MF-G New Atlas Milling Machine, complete with safety belt guards and "Change-O-Matic" power feeds, less motor. Code word ZEVSX, net weight 190 lbs., shipping weight 240 lbs., \$236.50.

NOTE: belt guard not furnished, deduct \$11.

Shapers

No. 7B New Atlas Shaper complete as shown including safety guards, less motor. Shipping weight, 360 lbs., net weight 260 lbs. Code word ZEIBT, \$265.

No. 7AB New Atlas Shaper as shown but without safety guards and less motor. Shipping weight, 355 lbs., net weight 255 lbs. Code word ZEIFY, \$250.

Furnished with Atlas Shaper: Vise, Countershaft, Complete V-belt drive, Crank Handle and Extension, Wrenches, Instruction Booklet.

No. S7-442C floor stand for New Atlas Shaper (Page 48). Weight 135 lbs. Code word ZEBEZ, \$20.

BERTCH & Co., CAMBRIDGE CITY, IND.

#3 STYLE DEEP GAP SPLITTING SHEARS WITH 15" GAP IN FRAME

#14 Ga.		#10 Ga.		3/8" Cap.		1/2" Cap.	
	Price		Price		Price		Price
5'	\$1,185	4'	\$1,425	4'	\$1,675	4'	\$2,410
6'	1,339	5'	1,575	5'	1,815	5'	2,670
8'	1,910	6'	1,825	6'	1,990	6'	2,965
10'	2,039	8'	2,425	8'	2,635	8'	3,575
		10'	2,620	10'	3,175	10'	3,825
		12'	3,115	12'	3,725	12'	4,435

#4 STYLE SHALLOW GAP SQUARING SHEARS

#14 Ga.		#10 Ga.		3/8" Cap.		1/2" Cap.	
	Price		Price		Price		Price
4'	\$355	4'	\$1,325	4'	\$1,545	4'	\$2,175
5'	1,079	5'	1,410	5'	1,630	5'	2,420
6'	1,203	6'	1,525	6'	1,705	6'	2,620
8'	1,785	8'	2,310	8'	2,605	8'	3,335
10'	1,910	10'	2,425	10'	2,625	10'	3,575
		12'	2,920	12'	3,625	12'	4,155

JARECKI MACHINE & TOOL Co., GRAND RAPIDS, MICH.

SCREW PRESSES (4-POST)

Type AA, with capacity of 25 tons----- \$395

Area of bed—F. to B. 13"—R. to L 25".

Space between standards 18 1/4".

Area of ram—F. to B. 9 1/4"—R. to L. 16 3/4".

Diameter of punch shank 1 1/2" x 2 1/2".

Max. height from bed to ram 13 1/4".

Diameter of screw 2".

Diameter of hand wheel 15".

Net weight 690 lbs.

Type BB, 26" between uprights, cap. 80 tons----- 725

Area of bed—F. to B. 20"—R. to L. 36".

Space between standards 26".

Area of ram—F. to B. 12 3/4"—R. to L. 24".

Diameter of punch shank 1 1/2" to 3".

Max. height from bed to ram 18".

Diameter of screw 3".

Diameter of hand wheel 23".

Net weight 2,270 lbs.

Special BB, 36" between uprights—cap. 80 tons----- 925

Area of bed—F. to B. 20"—R. to L. 46".

Space between standards 36".

Area of ram—F. to B. 13"—R. to L. 34".

Diameter of punch shank 1 1/2" to 3".

Max. height from bed to ram 18".

Diameter of screw 3 1/2".

Diameter of hand wheel 32 1/2".

Net weight 2,450 lbs.

LOGAN ENGINEERING Co., CHICAGO, ILL.

Back geared screw cutting lathes, with countershaft assembly less motors

#210—10" x 24" Bench Model, shipping weight 390 lbs.----- \$200

#200—10" x 24" Floor Model, shipping weight 520 lbs.----- \$225

* Equipment included: 1-6" face plate, 2-60" centers, 17 change gears, 1 threading dial, 1 threading chart, 1-#3, #2 Morse Taper

Adaptor, 1 tool post holder and wrench, 1 tallstock wrench, 1 motor control, reversing switch and cord.

Extras:

6" 4-jaw Independent Chuck----- \$17.50

5" 3-jaw Universal Chuck----- 21.95

Draw-in collet chuck attachment----- 21.00

Split holding collet (each)----- 3.75

MOREY MACHINERY COMPANY, INC., NEW YORK, N. Y.

TURRET LATHES

[Geared head, ram type, back geared, wire feed, and automatic chuck]

Machine	Net weight (pounds)	Price arr. m/d less motors, controls
#20 Plain—1"	2,250	\$2,350
#3 Plain—1 1/2" power feed to turret	3,000	3,250
#3 Universal—1 1/2"	4,000	3,725

VERTICAL SHAPERS

Stroke of ram	Diameter of rotary table	Weight	Price
8"	20"	6,450	\$5,100
12"	22"	10,450	6,700
14"	25"	10,950	7,750

MOREY SHIELDS THREAD MILLERS (EXTERNAL)

Holes through spindle 1/16".

Machine	Price		Net weight standard	Net weight heavy
	Standard model	Heavy duty		
12 x 20"	\$7,500	\$9,000	6,500	7,900
12 x 22"	7,500	9,300	7,500	8,900
12 x 24"	8,100	9,600	8,500	9,900
12 x 26"	8,400	9,900	9,000	11,000
12 x 28"	8,900	10,900	11,000	12,400
Internal attachment	335	475		

MOREY SHIELDS THREAD MILLERS (INTERNAL) (LESS TALLSTOCKS)

12 x 20"	\$7,510	\$9,310	6,200	7,000
12 x 22"	7,510	9,610	7,200	8,000

MOREY MACHINE COMPANY, INC., NEW YORK, N. Y.—Continued

VERTICAL PROFILERS AND MILLING MACHINES

Machine	Spindles	Net weight (pounds)	Price arr. m/d less motors, controls
#12-M.....	single.....	3,350	\$3,150
#12-M.....	two.....	3,900	3,275

SEMI-AUTOMATIC LATHES (HYDRAULIC FEED)

Machine	Spindles	Net weight (pounds)	Price arr. m/d less motors, controls
#27-SD.....	single geared.....	16,000	\$11,500
#27-SG.....	back geared.....	16,000	12,100
#27-G2.....	two-speeds.....	16,000	12,600

MOREY MATTHEWS TURNING LATHE (SEMI-AUTOMATIC HYDRAULIC FEED)

Model A.....	Max. diameter 8", max. length 120"	30,500	\$24,150
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DEEP HOLE DRILLING MACHINES (HYDRAULIC FEED)

Machine	Spindles	Cap. bore	Drill length	Pounds	Price as above
#1 1/4 D.....	single.....	3"	76	11,600	\$10,750
#1 1/2 DS.....	single.....	3"	120	12,750	12,000
#1 1/4 D.....	duplex.....	1 5/8"	76	12,150	11,500
#1 1/2 DS.....	duplex.....	1 5/8"	120	13,150	12,750

POPE MACHINE CORP., HAVERHILL, MASS.

Pope Milling Machine with high speed universal head—base price..... \$2,885

Specifications

Longitudinal table travel.....	20"
Cross feed travel.....	10"
Spindle travel.....	4"
Vertical travel of column.....	15"
Maximum distance spindle to column.....	18"
Maximum distance spindle to table.....	19"
Size of table.....	10" x 32"
Thickness of table.....	4 1/2"
Spindle capacity.....	#9 B. & S.

Hand wheel and lever feed

Weight complete, approximately 2,750 lbs. Two speed ranges are available: 250 to 3,000 R. P. M., and 375 to 4,500 R. P. M.

This amendment shall become effective April 25, 1944.

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

Issued this 19th day of April 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-5570; Filed, April 19, 1944; 11:44 a. m.]

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

[RO 1A, Amdt. 75]

TIRES, TUBES, RECAPPING AND CAMELBACK

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

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

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

¹ 8 F.R. 9752, 10079, 10085, 10264, 10430, 11480, 11481, 11952, 11846, 12013, 12711, 13241, 13247, 13293, 13372, 13845, 13706, 13895, 14049, 14737, 15523, 16246, 16695, 16894, 17326; 9 F.R. 89, 692, 1317, 1396, 1710, 2476, 2790, 3340.

1. Section 1315.502 (b) is amended to read as follows:

(b) *Tire inspection record.* That he has a tire inspection record for the automobile and that either the serial numbers of the tires mounted on the automobile have been entered upon the record or he has Parts D of certificates authorizing acquisition of such tires for the automobile. The provisions of this paragraph shall not apply to motorcycles, passenger automobiles operating only on special rations, passenger automobiles not propelled by gasoline, passenger automobiles not registered for use on the highway or passenger automobiles operating on official rations.

2. Section 1315.601 (c) is amended to read as follows:

(c) *Presentation of tire inspection record.* Any applicant for a tire who is required to have a tire inspection record under Ration Order No. 5C shall present it to the Board at the time of filing his application. If the serial number of any tire listed in the OPA Inspector's Report on OPA Form R-1 is different from that entered on the record, the applicant shall produce the Part D of a certificate authorizing the acquisition of such tire. However, the presentation of a tire inspection record is not required of applicants for tires for motorcycles, passenger automobiles not registered for use on the highway or passenger automobiles operating on official rations.

3. The proviso in § 1315.603 (a) (1) is amended to read as follows:

Provided, however, That if an application is made for a tire for a passenger automobile, other than a passenger automobile operating on a non-highway ration, all the tires mounted on the automobile shall be inspected and their condition certified to by an authorized inspector.

4. Preceding § 1315.701 the undesignated headnote "Inspection of Passenger Automobile Tires" is deleted.

5. Sections 1315.701, 1315.702, 1315.703, 1315.704 and 1315.705 are revoked.

6. Section 1315.801 (b) is amended to read as follows:

(b) *Removal of tires by automobile dealer.* (1) No automobile dealer shall remove a tire or new tube mounted on a passenger automobile which he holds for sale, except for repair or recapping or unless it is being removed:

(i) As part of the process of scrapping the passenger automobile; or

(ii) Pursuant to a certificate issued under § 1315.516 or an authorization granted under § 1315.802 (a) (4); or

(iii) From a passenger automobile which he has contracted to sell without tires.

(2) A tire or new tube which an automobile dealer has removed for repair or recapping from a passenger automobile which he holds for sale must be remounted on such automobile.

7. Section 1315.802 (a) (6) is amended to read as follows:

(6) A person mounting a tire upon a passenger automobile under subparagraph (3) or (4) must surrender the tire inspection record issued for the passenger automobile to the Board having juris-

isdiction over it, except in the case of motorcycles, passenger automobiles not registered for use on the highway or passenger automobiles operating on official rations. The Board shall issue a new tire inspection record for the passenger automobile upon being satisfied that the conditions of subparagraphs (3) or (4) have been complied with.

8. Section 1315.901 (h) is amended to read as follows:

(h) *Inspection of tires on commercial motor vehicles.* No person shall use or permit the use of tires or tubes on a commercial motor vehicle unless he has had the tires mounted on the vehicle inspected, and has kept records of such inspections as required by the Office of Defense Transportation.

9. Section 1315.1101 is amended by deleting the phrase "§ 1315.704" and substituting for it the phrase "§ 1315.802 (a) (3) or (4)".

This amendment shall become effective April 20, 1944.

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

Issued this 19th day of April 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-5564; Filed, April 19, 1944; 11:47 a. m.]

PART 1340—FUEL

[MPR 88, Amdt. 5]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

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. 88 is amended in the following respects:

1. Sections 2.6 (b) (2), 2.6 (e) (2) and 2.6 (f) (2) are revoked.

2. Section 2.6 (g) is added to read as follows:

(g) In the State of Connecticut within the areas designated and described below or in the townships and cities listed below, maximum prices for Nos. 2 and 3 fuel oil shall be as follows:

[Cents per gallon]

(1) Areas	Loaded into transport trucks or tank cars	Loaded into tank wagons
Danbury.....	7.2	7.8
Bridgeport.....	7.2	7.1
Derby.....	7.1	7.3
Hartford.....	7.3	7.5
Essex.....	7.3	7.5
Middletown.....	7.3	7.5
Rockville.....	7.2	7.8
New London-Norwich.....	7.2	7.4
Putnam.....	7.1	7.0
New Haven.....	7.1	7.4
Greenwich-Norwalk.....	7.1	7.3

¹ This 7.4 price applies only in Cities of New London and Norwich.

² At tanker and barge terminal operators' yards deduct 0.1.

The Danbury area comprises the townships and cities of: Bethel, Brookfield, Danbury, New Fairfield, Newtown, Redding, Ridgefield, and Danbury City.

The Bridgeport area comprises the townships and cities of: Bridgeport City, Easton, Fairfield, Monroe, Stratford, Weston, Westport, and Trumbull.

The Derby area comprises the township of Derby.

The Hartford area comprises the townships and cities of: Weathersfield, Windsor, Windsor Locks, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, West Hartford, Avon, Bloomfield, Bolton, Canton, East Granby, East Hartford, East Windsor, Glastonbury and Hartford City.

The Essex area comprises the townships and cities of: Chester, Clinton, Essex, Killingsworth, Lyme, Madison, Old Lyme, Old Saybrook, Saybrook, Westbrook.

The Middletown area comprises the townships and cities of: Marlboro, Middlefield, Middletown City, Portland, Salem, Colchester, Cromwell, Durham, East Haddam, East Hampton, Haddam, and Hebron.

The Rockville area comprises the townships and cities of: Ashford, Ellington, Tolland, Vernon, Rockville City and Willington.

The New London-Norwich area comprises the townships and cities of: East Lyme, Waterford, New London City, Groton, Stonington, North Stonington, Ledyard, Montville, Norwich City, Norwich, Preston, Bozrah, Franklin, Sprague, Lisbon, Griswold and Voluntown.

The Putnam area comprises the townships and cities of: Woodstock, Pomfret, Putnam, Thompson, Eastford and Putnam City.

The New Haven area comprises the townships and cities of: Bethany, Branford, Cheshire, East Haven, Gullford, Hamden, Milford, New Haven, North Branford, North Haven, Orange, Prospect, Wallingford, West Haven and Woodbridge.

The Norwalk-Greenwich area comprises the townships and cities of: Stamford, Greenwich, Stamford City, New Canaan, Darien, Norwalk City and Wilton.

(2) For tank wagon deliveries—(i) For single lot deliveries of 100 gallons or more:

	Cents per gallon
Andover	9.2
Ansonia	9.1
Ashford	9.3
Avon	9.2
Barkhamsted	9.6
Beacon Falls	9.1
Berlin	9.4
Bethany	9.0
Bethel	9.1
Bethlehem	9.3
Bloomfield	9.2
Bolton	9.2
Bozrah	9.1
Branford	9.0
Bridgeport	9.0
Bridgewater	9.2
Bristol	9.4
Brookfield	9.1
Brooklyn	9.1
Burlington	9.4
Canaan	9.3
Canterbury	9.1
Canton	9.2
Chaplin	9.2
Cheshire	9.0
Chester	9.2
Clinton	9.2
Colchester	9.2
Colbrook	9.6
Columbia	9.2
Cornwall	9.3
Coventry	9.2
Cromwell	9.2
Danbury	9.1
Darien	9.0

	Cents per gallon
Derby	9.1
Durham	9.2
East Granby	9.2
East Haddam	9.2
East Hampton	9.2
East Hartford	9.2
East Haven	9.0
East Lyme	9.1
East Windsor	9.2
Eastford	9.3
Easton	9.0
Ellington	9.3
Enfield	9.3
Essex	9.2
Fairfield	9.0
Farmington	9.4
Franklin	9.1
Glastonbury	9.2
Goshen	9.6
Granby	9.3
Greenwich	9.0
Griswold	9.1
Groton	9.1
Gullford	9.0
Haddam	9.2
Hamden	9.0
Hampton	9.2
Hartford	9.2
Hartland	9.3
Harwinton	9.6
Hebron	9.2
Kent	9.2
Killingly	9.1
Killingworth	9.2
Lebanon	9.2
Ledyard	9.1
Lisbon	9.1
Litchfield	9.0
Lyme	9.2
Madison	9.2
Manchester	9.2
Mansfield	9.2
Marlboro	9.2
Meriden	9.4
Middlebury	9.3
Middlefield	9.2
Middletown	9.2
Milford	9.0
Monroe	9.0
Montville	9.1
Morris	9.6
Naugatuck	9.3
New Britain	9.4
New Canaan	9.0
New Fairfield	9.1
New Hartford	9.6
New Haven	9.0
New London	9.1
New Milford	9.2
Newington	9.2
Newtown	9.1
Norfolk	9.3
North Branford	9.0
North Canaan	9.3
North Haven	9.0
North Stonington	9.1
Norwalk	9.0
Norwich	9.1
Old Lyme	9.2
Old Saybrook	9.2
Orange	9.0
Oxford	9.1
Plainfield	9.1
Plainville	9.4
Plymouth	9.3
Pomfret	9.3
Portland	9.2
Preston	9.1
Prospect	9.0
Putnam	9.3
Redding	9.1
Ridgefield	9.1
Rocky Hill	9.2
Roxbury	9.2
Salem	9.2
Salisbury	9.3
Saybrook	9.2
Scotland	9.2

	Cents per gallon
Seymour	9.1
Sharon	9.3
Shelton	9.1
Sherman	9.2
Simsbury	9.2
Somers	9.3
South Windsor	9.2
Southbury	9.1
Southington	9.4
Sprague	9.1
Stafford	9.4
Stamford	9.0
Sterling	9.1
Stonington	9.1
Stratford	9.0
Suffield	9.3
Thomaston	9.3
Thompson	9.3
Tolland	9.3
Torrington	9.6
Trumbull	9.0
Union	9.4
Vernon	9.3
Voluntown	9.1
Wallingford	9.0
Warren	9.2
Washington	9.2
Waterbury	9.3
Waterford	9.1
Watertown	9.3
West Hartford	9.2
West Haven	9.0
Westbrook	9.2
Weston	9.0
Westport	9.0
Weathersfield	9.2
Willington	9.3
Wilton	9.0
Winchester	9.6
Windham	9.2
Windsor	9.2
Windsor Locks	9.2
Wolcott	9.3
Woodbridge	9.0
Woodbury	9.2
Woodstock	9.3

(ii) For single-lot deliveries of less than 100 gallons the maximum price at each point stated in subdivision (i) above shall be increased by .5¢ per gallon.

This amendment shall become effective April 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 April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5576; Filed, April 19, 1944; 11:46 a. m.]

PART 1340—FUEL
[MPR 436; Amdt. 12]

CRUDE PETROLEUM AND PETROLEUM AND NATURAL GAS

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. 436 is amended in the following respects:

*Copies may be obtained from the Office of Price Administration.
*8 F.R. 11369, 12177, 13706, 17327, 9 F.R. 347, 845, 1532, 1822, 2346, 3851.

1. Section 8 (a) (5) is added to read as follows:

(5) *Stephens Field.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Stephens Field in Nevada, Ouachita and Columbia Counties, Arkansas, shall be \$1.18 per barrel with the customary differentials for lower gravity crudes.

2. Section 8 (b) (2) is amended by adding "Beverly Hills" to Item 19 after the word "Wilmington".

3. Section 8 (e) (9) is added to read as follows:

(9) *Anse La Butte Field.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Anse La Butte Field in St. Martin Parish, Louisiana, shall be \$1.30 per barrel with the customary differentials for lower gravity crudes.

4. Section 8 (g) (1) is amended by adding a sentence at the end of the paragraph to read as follows:

Such maximum price is effective as of May 22, 1943 except that where a buyer agreed that prices for deliveries made during the pendency of his petition for amendment should be determined in accordance with the disposition of such petition he may pay and the seller may charge a price in accordance with such agreement.

5. Section 8 (m) (2) is amended to read as follows:

(2) *Lance Creek Field, Salt Creek Field, Iron Creek Field and G. P. Lease.* The maximum price at the receiving tank for crude petroleum produced in the Lance Creek Field, Niobrara County, Salt Creek Field, Natrona County, Iron Creek Field, Natrona County, and G. P. Lease, Carbon County, all in the State of Wyoming except crude petroleum produced from the Tensleep Sand shall be as follows:

API gravity:	Dollars per 42 barrels
Below 21°	\$0.85
21-21.9	.87
22-22.9	.89
23-23.9	.91
24-24.9	.93
25-25.9	.95
26-26.9	.97
27-27.9	.99
28-28.9	1.01
29-29.9	1.03
30-30.9	1.05
31-31.9	1.07
32-32.9	1.09
33-33.9	1.11
34-34.9	1.13
35-35.9	1.15
36-36.9	1.17
37-37.9	1.19
38-38.9	1.21
39-39.9	1.23
40 and above	1.25

This amendment shall become effective April 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 April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5572; Filed, April 19, 1944; 11:45 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 490, Amdt. 4]

EDIBLE TREE NUTS

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 490 is amended in the following respects:

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

(a) This regulation establishes maximum prices for sales of all edible tree nuts. Fruit pits and coconuts are not edible tree nuts for the purposes of this regulation.

2. In section 2, paragraph (b) is redesignated (c) and a new paragraph (b) is added to read as follows:

(b) No grower, country dealer, packer, processor, or sheller shall be classified in any other category because he purchases, or has purchased, some of the particular kind of nuts being priced and resells them in the same condition in which he purchased them. For example, suppose you are a sheller of pecans and you also buy shelled pecans from another. You are a sheller of all the shelled pecans you sell, including those you purchased already shelled.

3. Section 8 (b) is amended in the following respects:

a. The headnote and text preceding Table 1 are amended to read as follows:

(b) *Maximum prices for certain sales.* (All figures are cents per pound. All packaging and processing allowances are to be applied to net weight.)

b. The headnote to subparagraph (1) of Tables 1, 2, 3, and 4 is amended to read as follows:

(1) *Maximum prices for sales by growers, country dealers, packers, processors, and shellers to all persons except ultimate consumers.* (See exception in section 1 (b)).

c. In subparagraph (1) of Table 3, the table under the heading "Shelled," is amended to read as follows:

SHELLED		
Grade A—Whole almonds graded: (Count to the ounce; lower figure included, higher figure excluded)		
16-18	86	88
18-20	84	86
20-22	83	85
22-24	82	84
24-26	81	83
26-28	82	84
28-30	85	87
30 and more	86	88
Grade B—Sheller run	80	82
Grade C—Whole and broken	79	81
Grade D—Pieces	78	80

*Copies may be obtained from the Office of Price Administration.
18 F.R. 14979, 15259; 9 F.R. 304.

d. In subparagraph (2), of Table 3, the table under the heading "Shelled," is amended to read as follows:

SHELLED		
Grade A—Whole almonds graded: (Count to the ounce; lower figure included, higher figure excluded)		
16-18	95	97
18-20	93	95
20-22	92	94
22-24	90½	92½
24-26	89½	91½
26-28	90½	92½
28-30	94	96
30 and more	95	97
Grade B—Sheller run	88	90
Grade C—Whole and broken		
broken	87	89
Grade D—Pieces	86	88

e. In subparagraph (4) of Table 3, the list of items is amended to read as follows:

Roasted and roasted salted	3
Diced or ground roasted	4
Diced or halved natural	2
Blanched	11
Sliced natural	½

f. Subparagraph (6) of Table 3 is amended to read as follows:

(6) The term "grade" as used above applies only to shelled almonds as follows:

(i) "Grade A—Whole almonds, graded" means whole meats assorted to size, containing not more than 15 percent meats, the skins of which have been nicked in the course of shelling.

(ii) "Grade B—Sheller run" means meats graded or ungraded as to size, containing in either case not more than 15 percent, by weight, broken or split meats.

(iii) "Grade C—Whole and broken" means meats ungraded as to size, containing whole meats with not more than 30 percent, by weight, broken or split meats.

(iv) "Grade D—Pieces" means meats not otherwise graded or classified.

g. In subparagraph (1) of Table 4, the tables are amended to read as follows:

IN-SHELL		
Grades	Column 1	Column 2
(See explanation in section 8 (a))		
U. S. No. 1:		
Oversize	30½	33
Extra large	32½	37
Large	32½	34
Medium	20½	23
Small	20	21½
Commercial:		
Oversize	33½	35
Extra large	32½	34
Large	20½	31
Medium	23½	25
Small	20	21½
Orchard run:		
Improved	27	23½
Seedlings	20	21½
Improved, cleaned and culled but not graded as to size		
	20½	31
SHELLED		
Halves	82½	84½
Pieces	80½	82½
Ambers	70	72

h. In subparagraph (2) of Table 4, the tables are amended to read as follows:

IN-SHELL		
Grades	Column 1	Column 2
(See explanation in section 8 (a))		
U. S. No. 1:		
Oversize.....	40½	42
Extra large.....	39½	41
Large.....	38	37½
Medium.....	29½	31
Small.....	22½	24
Commercial:		
Oversize.....	37	38½
Extra large.....	36	37½
Large.....	32½	34
Medium.....	23	27½
Small.....	22½	24
Improved, cleaned and culled but not graded as to size.....	32½	34
SHELLED		
Halves.....	91	93
Pieces.....	89	91
Ambers.....	77	79

1. In Table 4, subparagraphs (9) and (10) are added to read as follows:

(9) "Orchard run" means nuts as gathered from the grove or orchard without having been subjected to cleaning, culling, or grading. They may be either in containers or in bulk.

(10) "Cleaned and culled" means removing dirt, hulls, twigs, and other foreign material, as well as removing certain unshelled pecans from orchard run nuts, to the extent that the remainder will meet the standards of U. S. No. 1 or U. S. Commercial grade, as specified by the U. S. Department of Agriculture.

4. Section 8 (d) is amended to read as follows:

(d) *Sales by certain sellers to ultimate consumers.* The maximum price, which any seller, except a wholesaler, wagon wholesaler, or retailer, may charge to ultimate consumers is, in each case, the price for the item set forth in Column 1 of paragraph (1), multiplied by 1.35, plus actual delivery costs incurred, regardless of the zone in which delivery is made.

5. In section 10 the headnote and paragraph (a) are amended, both to read as follows:

SEC. 10. *Maximum prices for all other sales of all edible tree nuts.* (a) For all sales of any item of edible tree nuts, other than sales or items specified in section 1 (b) and section 8, the maximum price to a class of purchasers in each case shall be the highest price charged by the seller for the item being priced to a purchaser of the same class during the period October 25 to October 30, 1943, inclusive. (For the meaning of "highest price charged" see section 8 (c).)

This amendment shall become effective April 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 April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: April 11, 1944.

GROVER B. HILL,
Assistant War Food Administrator.

[F. R. Doc. 44-5573; Filed, April 19, 1944; 11:45 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C; Amdt. 119]

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 1394.7851 (d) is amended to read as follows:

(d) If application is made for a special ration for use with a motorcycle or a passenger automobile for which a basic, supplemental, fleet or official ration or ration issued pursuant to § 1394.7757 or § 1394.7758 is currently outstanding, the applicant shall present to the Board the tire inspection record for the vehicle for which the ration is sought.

2. Section 1394.8004 (d) (2) (i) is revoked.

3. In § 1394.8007 the headnote preceding paragraph (a) is amended to read, "Restoration of coupon books, coupons, folders or tire inspection records: Replenishment of gasoline by bulk consumers." and paragraph (d) is added to read as follows:

(d) *Tire inspection records.* Any person who has lost a tire inspection record issued for use with a passenger automobile shall apply to a Board for a new record. If the Board is satisfied that the serial numbers of the tires shown on such new record are those which were entered on the lost record or that discrepancies are accounted for by Parts D of tire certificates issued in accordance with Ration Order No. 1A, it shall issue to the applicant a new record,

4. Section 1394.8010 is amended to read as follows:

§ 1394.8010 *Presentation and maintenance of tire inspection records.* (a) After December 12, 1942, no supplemental, official or fleet ration or ration issued pursuant to the provisions of § 1394.7757 or § 1394.7758 shall be issued or renewed and no Basic A ration shall be renewed unless the applicant presents to the Board a tire inspection record for each vehicle for which the ration is sought. Such record must be kept with the vehicle when in operation, unless its removal is permitted by order or authorization of the Office of Price Administration.

(b) In the case of a renewal application for a fleet or official ration the Board may renew such ration without the presentation of the tire inspection records if the applicant submits to the Board his signed statement setting forth that it would impose undue hardship upon him to present tire inspection records because of the number or location of the vehicles involved or for other good reasons.

(c) Any person who transfers a passenger automobile shall deliver to the

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

8 F.R. 15937, 16250, 16420; 9 F.R. 104; 8 F.R. 16845, 17327, 17484, 17297; 9 F.R. 228, 90, 1181, 1180, 972, 1328, 1397, 2033, 2037, 2239, 2354, 2302, 2567, 2655, 2823, 2791, 3073, 2909, 8232, 3734, 3745.

transferee the tire inspection record issued for use with such vehicle, and Parts D of tire certificates issued in accordance with Ration Order No. 1A, for any tires that have been mounted on such vehicle since the issuance of the tire inspection record.

(d) When application for a new ration is necessary as a result of a change in ownership of a passenger automobile, the transferee of such vehicle must submit to the Board the existing tire inspection record together with Parts D of tire certificates issued in accordance with Ration Order No. 1A and the Board shall issue a new record for the vehicle. When the transferee is unable to present the tire inspection record, the Board, before issuing a new record, shall be satisfied that no tire inspection record has been issued for the vehicle, or that the transferee has made a diligent effort to obtain the tire inspection record.

5. In § 1394.8102 (f) (1) the period at the end of the last sentence is deleted and the following phrase is added: "and, in addition, when the vehicle transferred is a passenger automobile, the transferee shall present the existing tire inspection record in accordance with § 1394.8010 (d)."

This amendment shall become effective April 20, 1944.

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

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

Issued this 19th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5571; Filed, April 19, 1944; 11:44 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[GMPR for Hawaii; Amdt. 3]

SALE AT WHOLESALE OF FLUID MILK, ETC.

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 20 (a) (15) is amended to read as follows:

(15) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer, except that:

(i) For the purposes of section 3 of this General Maximum Price Regulation for Hawaii, a sale at wholesale shall include any sale by such person to an industrial or commercial user.

(ii) "Sold at wholesale" refers to a sale by any person, of fluid milk or cream in bottles or paper containers, ice cream mix whose butterfat content is reduced to not less than 8% included in 14% or more (by weight) of milk solids, and ice cream to any person, including an in-

* 8 F.R. 5307, 6362, 14765, 15585.

dustrial or commercial user, other than the ultimate consumer.

(iii) A sale to the War Department, the Department of the Navy, the United States Maritime Commission, or any agency thereof, when the commodity is not to be resold, or a sale to any religious, educational or charitable institution, any institution for the sick, deaf, disabled, aged or insane, or any school, hospital, library or agency of the foregoing in an amount not in excess of \$50.00, when the commodity is not to be resold, may, at the option of the seller, be considered a sale at retail.

This amendment shall become effective as of April 11, 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 April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5574; Filed, April 19, 1944; 11:45 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 373; Amdt. 49]

GROCERY ITEMS IN THE TERRITORY OF HAWAII

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 21 (e) is amended to read as follows:

(e) *Maximum prices for sales in the Territory of Hawaii of island-grown produce.* (1) All grades shall conform to the specifications therefor established by the Agricultural Extension Service of the University of Hawaii and contained in Agricultural Extension Circular No. 156 as amended November 15, 1943. These specifications may be obtained at the University or at the Office of Price Administration, Honolulu, Hawaii, or at the District Offices of the Office of Price Administration, or from the County Agents on each island. "Commercial quality" (CQ) means that stock is of generally good quality and condition, and that size and appearance are acceptable to consumers. Generally good quality means that approximately 85% is desirable quality. Stock must not contain more than 10% serious damage nor more than 2% soft rot. "Merchantable qual-

ity" (MQ) means produce having not more than 15% serious damage and not more than 1/3 of this, or 5%, shall be soft rot. Size and appearance are not considered as important factors in this classification.

(2) Where the total price for the aggregate quantity of any item of produce sold results in a fraction of a cent, such total price shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

(3) "Sale at wholesale" means a sale by a person who customarily distributes island-grown produce to any person other than the ultimate consumers, and shall include sales to the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane or any school, hospital, library, an industrial or commercial user, or any agency of any of the foregoing: *Provided*, That any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, an industrial or commercial user, or any agency of any of the foregoing, which during the period September 23, 1942, to December 23, 1942, purchased island-grown produce in an average gross amount not in excess of \$100.00 per week, may purchase island-grown produce from licensed retailers at prices not in excess of the maximum prices for sales at retail. Any such purchaser exercising this permission shall file with the Office of Price Administration, Hawaii Territorial Office, Iolani Palace, Honolulu, T. H., not later than ten days after the first purchase from a licensed retailer, a statement setting forth the average weekly gross amount paid for island-grown produce during the period September 23, 1942, and December 23, 1942. Any licensed retailer shall be entitled to rely on a purchaser's statement that such purchaser has complied with this paragraph.

(4) "Sale at retail" means a sale or selling to an ultimate consumer.

(5) Maximum prices for island-grown produce. (i) On the Island of Oahu:

Item	Grade	Maxi-	Maxi-
		mum price at wholesale	mum price at retail
Asparagus, fresh	A	\$0.28	\$0.35
Asparagus, fresh	B	.25	.32
Asparagus, fresh	O	.23	.30
Avocado, butter pears	A	.15	.20
Avocado	B and MQ	.10	.14
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem)	CQ	.0475	

Item	Grade	Maxi-	Maxi-
		mum price at wholesale	mum price at retail
Bananas, hands	CQ	\$0.0625	\$0.095
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) cooking.	CQ	.09	
Bananas, hands, cooking.	CQ	.10	.11
Beans, snap, green, string and yellow wax.	A	.12	.10
Beans, snap, green, string, yellow wax and other unclassified varieties.	MQ	.10	.14
Beans, green lima (pod)	CQ	.07	.10
Beans, green lima (shelled)	CQ	.18	.25
Bean sprouts-cleaned	CQ	.10	.15
Beet tops (tubers not to exceed 1 inch).	CQ	.10	.15
Beets, bunched	CQ	.053	.08
Beets, topped	A	.05	.07
Beets, topped	MQ	.04	.053
Bitter melon	CQ	.15	.20
Broccoli	CQ	.15	.20
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihill and swamp (Ung Choy).	CQ	.07	.10
Cabbage, head, Jan. 1-June 30.	AA and A	.05	.07
Cabbage, head, Jan. 1-June 30.	MQ	.035	.06
Cabbage, head, July 1-Dec. 31.	AA and A	.06	.09
Cabbage, head, July 1-Dec. 31.	MQ	.05	.08
Carrots, bunched	CQ	.09	.09
Carrots, topped	A	.07	.09
Carrots, topped	MQ	.053	.08
Cauliflower, trimmed	CQ	.18	.25
Celery	CQ	.18	.25
Corn, green, sweet	A	Per dozen .45	Per dozen .60
Corn, green, sweet	B	.30	.45
Corn, green, including field corn.	MQ	Per pound .03	Per pound .01
Cucumbers	A	.12	.10
Cucumbers	MQ	.10	.14
Dasheen (Japanese Taro) (#1)	CQ	.07	.10
Dasheen (Japanese Taro) (#2)	MQ	.035	.05
Egg plant, long (molekai type)	CQ	.07	.10
Eggplant, round and half long	CQ	.05	.08
Ginger	OQ	.10	.15
Gobo, medium and long stem	CQ	.15	.20
Gobo, small and short stem	MQ	.11	.15
Gobo, large stem	MQ	.11	.15
Kohlrabi, bunched or topped	OQ	.07	.10
Lettuce, all types, Jan. 1-June 30.	CQ	.13	.20
Lettuce, all types, July 1-Dec. 31.	OQ	.17	.25
Lotus root or lily root	CQ	.12	.10
Okra, Chinese, or See Qua	CQ	.15	.20
Okra, English	CQ	.10	.15
Onions, dry	CQ	.07	.09
Onions, bunching green	CQ	.12	.10
Onions, Lahua bulb bunching.	CQ	.15	.20
Papaya, solo	A	.0425	.03
Papaya, solo and common	MQ	.035	.05
Peanuts, cured, in shell	OQ	.15	.20
Peas, Chinese	CQ	.50	.70
Peppers, sweet, (bell)	CQ	.18	.25
Peppers, hot and chile	OQ	.35	.50
Pineapples	OQ	.25	.04
Potatoes, Irish	AA and A	.053	.07
Potatoes, Irish	MQ	.035	.045
Pumpkin (Japanese)	CQ	.05	.07
Pumpkin, mainland varieties and Kona Crepe.	OQ	.095	.09

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

8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393.

(iii) On the Island of Kauai:

Item	Grade	Maximum price at wholesale	Maximum price at retail
Asparagus, fresh	A	Per pound \$0.23	Per pound \$0.30
Asparagus, fresh	B	.20	.27
Asparagus, fresh	C	.18	.25
Avocado, butter pears	A	.12	.16
Avocado	B and C	.08	.12
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem)	MQ, CQ	.04	
Bananas, hands	CQ	.055	.075
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) cooking	CQ	.03	
Bananas, hands, cooking	CQ	.10	.14
Beans, snap, green, string, and yellow wax	A	.12	.16
Beans, snap, green, string, yellow wax, and other unclassified varieties	MQ	.10	.135
Beans, green lima (pod)	CQ	.07	.10
Beans, green lima (shelled)	CQ	.18	.25
Bean sprouts—cleaned	CQ	.10	.15
Beet tops (tubers not to exceed 1 inch)	CQ	.10	.15
Beets, bunched	CQ	.055	.08
Beets, topped	A	.04	.055
Beets, topped	MQ	.03	.04
Bitter Melon	CQ	.12	.16
Broccoli	CQ	.14	.18
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihili, and swamp (Ung Choy)	CQ	.06	.08
Cabbage, head, Jan. 1-June 30	AA and A	.05	.07
Cabbage, head, Jan. 1-June 30	MQ	.035	.06
Cabbage, head, July 1 to Dec. 31	AA and A	.06	.08
Cabbage, head, July 1 to Dec. 31	MQ	.05	.07
Carrots, bunched	CQ	.055	.08
Carrots, topped	A	.07	.09
Carrots, topped	MQ	.045	.06
Cauliflower	CQ	.18	.25
Celery	OQ	.15	.20
Corn, green, sweet	A	Per dozen .45	Per dozen .60
Corn, green, sweet	B	.30	.45
Corn, green, including field corn	MQ	Per pound .03	Per pound .04
Cucumbers	A	.08	.12
Cucumbers	MQ	.05	.09
Dasheen, (Japanese Taro) (#1)	CQ	.06	.09
Dasheen, (Japanese Taro) (#2)	MQ	.035	.05
Eggplant, long (Molokai type)	CQ	.05	.08
Eggplant, round and half long	CQ	.04	.06
Ginger	CQ	.08	.12
Gobo, medium and long stem	CQ	.13	.17
Gobo, small and short stem	MQ	.09	.12
Gobo, large stem	MQ	.09	.12
Kohlrabi, bunched or topped	CQ	.06	.09
Lettuce, all types, Jan. 1-June 30	CQ	.12	.16
Lettuce, all types, July 1-Dec. 31	CQ	.15	.20
Lotus root or lily root	CQ	.11	.15
Okra	CQ	.09	.14
Onion, dry	CQ	.07	.09
Onions, bunching green	CQ	.12	.16
Papaya, solo	A	.0425	.06
Papaya, solo & common	MQ	.035	.05
Peanuts, cured, in shell	CQ	.12	.16
Peas, Chinese	CQ	.50	.70
Peas, green pod	CQ	.16	.22
Peppers, sweet, (bell)	CQ	.13	.18
Peppers, hot and chile	CQ	.35	.50
Pineapples	CQ	.025	.04

Item	Grade	Maximum price at wholesale	Maximum price at retail
Potatoes, Irish	AA and A	Per pound \$0.045	Per pound \$0.06
Potatoes, Irish	MQ	.035	.045
Pumpkin, (Japanese)	CQ	.04	.055
Radish, red (per bunch of not less than 12)	CQ	Per doz. bunch .40	Per bunch .05
NOTE: For white radish see turnips.			
Rhubarb	CQ	.10	.15
Soybeans, edible, green, including vines	CQ	.07	.10
Soybeans, edible, green, in pods	CQ	.16	.24
Spinach, (all types)	CQ	.08	.12
Squash, Chinese, (Tung Qua, Poo Qua, Long Squash) large, (2½ pounds or over)	CQ	.04	.06
Squash, Chinese, young, small (below 2½ pounds)	CQ	.08	.12
Squash, banana	CQ	.055	.08
Squash, Hubbard	CQ	.055	.08
Squash, Italian	A	.09	.14
Squash, Italian	MQ	.07	.11
Squash, summer	CQ	.09	.14
Squash, queen or acorn	CQ	.07	.10
Sweet potatoes, (specified varieties)	AA	.05	.065
Sweet potatoes, yellow	A	.04	.055
Sweet potatoes, yellow and red	B	.0325	.04
Sweet potatoes	NQ	.025	.03
Swiss chard, bunched or loose	CQ	.04	.06
Taro, Hawaiian and Chinese, (bunched and not for manufacture)	CQ	.035	.05
Taro tops or luau, bunched or loose	CQ	.10	.15
Tomatoes, large, wrapped, in standard lugs	A	.14	.18
Tomatoes, large (2" minimum diam.)	A	.12	.18
Tomatoes, large (2" minimum diam.)	B	.09	.14
Tomatoes, large or small	MQ	.07	.10
Tomatoes, egg or plum	CQ	.07	.10
Turnip tops, (tuber not to exceed 1 inch)	CQ	.07	.10
Turnips, bunched or topped, long white, round white, purple top, Golden Ball, Daikon, white Chinese, white radish and similar types	CQ	.035	.045
Turnips, rutabagas, topped	CQ	.04	.055
Watercress (tied in 1 pound bunch)	CQ	.08	.12
Watermelon	CQ	.07	.09
Yam, (Chop Sui) or Farn Quat	CQ	.09	.13
Yam, Mountain or Dai See	CQ	.05	.07

NOTE: All sales invoices must show the unit specified in the table for each commodity.

(iv) On the Island of Lanai:

Item	Grade	Maximum price at wholesale	Maximum price at retail
Asparagus, fresh	A	Per pound \$0.23	Per pound \$0.30
Asparagus, fresh	B	.20	.27
Asparagus, fresh	C	.18	.25
Avocado, butter pears	A	.12	.16
Avocado	B and C	.07	.10
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) Blue-field.	MQ, CQ	.04	

Item	Grade	Maximum price at wholesale	Maximum price at retail
Bananas, hands, Blue-field	CQ	Per pound \$0.05	Per pound \$0.07
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) Chinese and others	CQ	.03	
Bananas, hands, Chinese and others	CQ	.04	.055
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) cooking	CQ	.00	
Bananas, hands, cooking	CQ	.03	.11
Beans, snap, green, string and yellow wax	A	.09	.12
Beans, snap, green, string, yellow wax, and other unclassified varieties	MQ	.07	.10
Beans, green lima (pod)	CQ	.07	.10
Beans, green lima (shelled)	CQ	.18	.23
Beet tops (tubers not to exceed 1 inch)	CQ	.07	.10
Beets, bunched	CQ	.03	.04
Beets, topped	A	.04	.055
Beets, topped	MQ	.03	.04
Bitter melon	CQ	.12	.16
Broccoli	CQ	.11	.16
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihili, and swamp (Ung Choy)	CQ	.05	.09
Cabbage, head, Jan. 1-June 30	AA and A	.03	.045
Cabbage, head, Jan. 1-June 30	MQ	.02	.03
Cabbage, head, July 1-Dec. 31	AA and A	.04	.06
Cabbage, head, July 1-Dec. 31	MQ	.03	.045
Carrots, bunched	CQ	.04	.05
Carrots, topped	A	.055	.075
Carrots, topped	MQ	.04	.06
Celery	CQ	.15	.20
Corn, green, sweet	A	Per dozen .35	Per dozen .47
Corn, green, sweet	B	.25	.35
Corn, green, including field corn	MQ	Per pound .02	Per pound .03
Cucumbers	A	.08	.12
Cucumbers	MQ	.06	.09
Dasheen, (Japanese Taro) (#1)	CQ	.045	.06
Dasheen, (Japanese Taro) (#2)	MQ	.03	.04
Eggplant, long (Molokai type)	CQ	.05	.08
Eggplant, round and half long	CQ	.04	.06
Ginger	CQ	.10	.15
Gobo, medium and long stem	CQ	.15	.20
Gobo, small and short stem	MQ	.11	.16
Gobo, large stem	MQ	.11	.16
Kohlrabi, bunched or topped	CQ	.07	.10
Lettuce, all types, Jan. 1-June 30	CQ	.10	.15
Lettuce, all types, July 1-Dec. 31	CQ	.15	.20
Lotus root or lily root	CQ	.07	.10
Okra	CQ	.09	.14
Onions, dry	CQ	.07	.09
Onions, bunching green	CQ	.07	.09
Onions, bunching green	CQ	.07	.10
Papaya, solo and common	MQ	.03	.06
Papaya, solo	A	.01	.03
Peanuts, cured, in shell	CQ	.15	.20
Peas, Chinese	CQ	.35	.50
Peas, green-pod	CQ	.15	.22
Peppers, sweet (bell)	CQ	.15	.20
Peppers, hot and chile	CQ	.35	.50
Pineapples	CQ	.025	.04
Potatoes, Irish	AA and A	.045	.06
Potatoes, Irish	MQ	.04	.05
Pumpkin (Japanese)	CQ	.035	.05

Item	Grade	Maximum price at wholesale	Maximum price at retail
Radish, red (per bunch of not less than 12).	CQ	Per dozen bunches \$0.50	Per bunch \$0.06
NOTE: For white radish, see turnips.			
Rhubarb	CQ	Per pound .07	Per pound .10
Soybeans, edible, green, including vines.	CQ	.07	.10
Soybeans, edible, green, in pods.	CQ	.16	.24
Spinach, New Zealand, Australian, Chinese, other foreign types.	CQ	.05	.08
Spinach, Savoy, Prickly Winter, other mainland types.	CQ	.07	.10
Squash, Chinese, (Tung Qua, Foo Qua, Long Squash) Large, (2½ pounds or over).	CQ	.04	.06
Squash, Chinese, young, small, (below 2½ pounds).	CQ	.03	.12
Squash, banana.	CQ	.05	.07
Squash, Hubbard.	CQ	.05	.07
Squash, Italian.	A	.07	.10
Squash, Italian.	MQ	.05	.08
Squash, summer.	CQ	.07	.10
Squash, queen or acorn.	CQ	.06	.08
Sweet potatoes (specified varieties).	AA	.05	.065
Sweet potatoes, yellow.	A	.04	.055
Sweet potatoes, yellow and red.	B	.0325	.04
Sweet potatoes.	MQ	.025	.03
Swiss chard, bunched or loose.	CQ	.035	.05
Taro, Hawaiian and Chinese, (bunched and not for manufacture).	CQ	.035	.05
Tarotopsoruan, bunched or loose.	CQ	.10	.15
Tomatoes, large, wrapped, in standard lugs.	A	.14	.18
Tomatoes, large (2½" minimum diameter).	A	.12	.18
Tomatoes, large (2½" minimum diameter).	B	.09	.14
Tomatoes, large or small.	MQ	.07	.10
Tomatoes, egg or plum.	CQ	.07	.10
Turnips (tubers not to exceed 1 inch).	CQ	.07	.10
Turnips, bunched or topped, long white, round white, purple top, Golden Ball, Daikon, white Chinese, white radish and similar types.	CQ	.035	.045
Turnips, rutabagas, topped.	CQ	.04	.055
Watercress (tied in 1 pound bunch).	CQ	.03	.05
Watermelon.	CQ	.07	.10
Yam, (Chop Sai) or Farn Quat.	CQ	.03	.04
Yam, Mountain or Dai See.	CQ	.02	.03

NOTE: All sales invoices must show the unit specified in the table for each commodity.

(v) On the Island of Maui:

Item	Grade	Maximum price at wholesale	Maximum price at retail
Asparagus, fresh	A	Per pound \$0.23	Per pound \$0.30
Asparagus, fresh	B	.20	.27
Asparagus, fresh	C	.18	.25
Avocado, butter pears.	A	.10	.15

Item	Grade	Maximum price at wholesale	Maximum price at retail
Avocado	Band MQ	Per pound \$0.07	Per pound \$0.10
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem), Bluefield.	CQ	.04	
Bananas, hands, Bluefield.	CQ	.05	.07
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem) Chinese and others.	CQ	.03	
Bananas, hands, Chinese and others.	CQ	.04	.055
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem), cooking.	CQ	.00	
Bananas, hands, cooking.	CQ	.03	.11
Beans, snap, green, string and yellow wax.	A	.09	.12
Beans, snap, green, string, yellow wax and other unclassified varieties.	MQ	.07	.10
Beans, green lima (pod).	CQ	.07	.10
Beans, green lima (shelled).	CQ	.13	.23
Beet tops (tubers not to exceed 1 inch).	CQ	.07	.10
Beets, bunched.	CQ	.03	.04
Beets, topped.	A	.04	.055
Beets, topped.	MQ	.03	.04
Bitter Melon.	CQ	.12	.16
Broccoli.	CQ	.11	.16
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihli and swamp (Ung Choy).	CQ	.05	.07
Cabbage, head, Jan. 1-June 30.	AA and A	.03	.045
Cabbage, head, Jan. 1-June 30.	MQ	.02	.03
Cabbage, head, July 1-Dec. 31.	AA and A	.04	.05
Cabbage, head, July 1-Dec. 31.	MQ	.03	.045
Carrots, bunched.	CQ	.04	.05
Carrots, topped.	A	.055	.075
Carrots, topped.	MQ	.04	.05
Cauliflower.	CQ	.15	.20
Celery.	CQ	.15	.20
Corn, green, sweet.	A	Per dozen .35	Per dozen .47
Corn, green, sweet.	B	.25	.35
Corn, green.	MQ	Per pound .02	Per pound .03
Corn, green, field corn.	CQ	.04	.05
Cucumbers.	A	.03	.12
Cucumbers.	MQ	.05	.09
Dasheen (Japanese Taro), (#1).	CQ	.045	.06
Dasheen (Japanese Taro), (#2).	MQ	.03	.04
Eggplant, long (Molekal type).	CQ	.05	.06
Eggplant, round and half long.	CQ	.04	.05
Ginger.	CQ	.10	.15
Gobo, medium and long stem.	CQ	.15	.20
Gobo, small and short stem.	MQ	.11	.15
Gobo, large stem.	MQ	.11	.15
Kohlrabi, bunched or topped.	CQ	.07	.10
Lettuce, all types, Jan. 1-June 30.	CQ	.10	.15
Lettuce, all types, July 1-Dec. 31.	CQ	.15	.20
Lotus root or lily root.	CQ	.07	.10
Okra.	CQ	.03	.04
Onions, dry.	CQ	.07	.09

Item	Grade	Maximum price at wholesale	Maximum price at retail
Onions, bunching green.	CQ	Per pound \$0.07	Per pound \$0.10
Papaya, solo.	A	.04	.055
Papaya, solo and common.	MQ	.03	.04
Peanuts, cured, in shell.	CQ	.15	.20
Peas, Chinese.	CQ	.35	.50
Peas, green pod.	CQ	.15	.22
Peppers, sweet (bell).	CQ	.15	.20
Peppers, hot and chile.	CQ	.25	.50
Pineapples.	CQ	.025	.04
Potatoes, Irish.	AA	.055	.07
Potatoes, Irish.	A	.05	.065
Potatoes, Irish.	MQ	.04	.05
Pumpkin (Japanese).	CQ	.035	.05
Radish, red (per bunch of not less than 12).	CQ	Per dozen bunches .50	Per bunch .06
NOTE: For white radish, see turnips.			
Rhubarb.	CQ	Per pound .07	Per pound .10
Soybeans, edible, green, including vines.	CQ	.07	.10
Soybeans, edible, green, in pods.	CQ	.16	.24
Spinach, New Zealand, Australian, Chinese, other foreign types.	CQ	.05	.08
Spinach, Savoy, Prickly Winter, other mainland types.	CQ	.07	.10
Squash, Chinese (Tung Qua, Foo Qua, Long Squash) Large, (2½ pounds or over).	CQ	.04	.06
Squash, Chinese, young, small, (below 2½ pounds).	CQ	.03	.12
Squash, banana.	CQ	.05	.07
Squash, Hubbard.	CQ	.05	.07
Squash, Italian.	A	.07	.10
Squash, Italian.	MQ	.05	.08
Squash, summer.	CQ	.07	.10
Squash, queen or acorn.	CQ	.06	.08
Sweet potatoes (specified varieties).	AA	.05	.065
Sweet potatoes, yellow.	A	.04	.055
Sweet potatoes, yellow and red.	B	.0325	.04
Sweet potatoes.	MQ	.025	.03
Swiss chard, bunched or loose.	CQ	.035	.05
Taro, Hawaiian and Chinese, (bunched and not for manufacture).	CQ	.035	.05
Tarotopsoruan, bunched or loose.	CQ	.10	.15
Tomatoes, large, wrapped, in standard lugs.	A	.14	.18
Tomatoes, large (2½" minimum diameter).	A	.12	.18
Tomatoes, large (2½" minimum diameter).	B	.09	.14
Tomatoes, large or small.	MQ	.07	.10
Tomatoes, egg or plum.	CQ	.07	.10
Turnips (tubers not to exceed 1 inch).	CQ	.07	.10
Turnips, bunched or topped, long white, round white, purple top, Golden Ball, Daikon, white Chinese, white radish and similar types.	CQ	.035	.045
Turnips, rutabagas, topped.	CQ	.04	.055
Watercress (tied in 1 pound bunch).	CQ	.03	.05
Watermelon.	CQ	.07	.10
Yam, (Chop Sai) or Farn Quat.	CQ	.03	.04
Yam, Mountain or Dai See.	CQ	.02	.03

NOTE: All sales invoices must show the unit specified in the table for each commodity.

(vi) On the Island of Molokai:

Item	Grade	Maximum price at wholesale	Maximum price at retail
Asparagus, fresh	A	Per pound \$0.23	Per pound \$0.30
Asparagus, fresh	B	.20	.27
Asparagus, fresh	O	.18	.25
Avocado, butter pears	A	.12	.16
Avocado	Band MQ	.08	.12
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem)	CQ	.04	
Bananas, hands	CQ	.05	.07
Bananas, stems (stem limited to 8 inches above first hand where hand joins stem), cooking	CQ	.08	
Bananas, hands, cooking	CQ	.08	.12
Beans, snap, green, string	A	.11	.15
Beans, snap, green, string, and other unclassified varieties	MQ	.09	.12
Beans, yellow wax	CQ	.055	.08
Beans, green lima (pod)	CQ	.07	.10
Beans, green lima (shelled)	CQ	.18	.25
Bean sprouts, cleaned		.10	.15
Beet tops (tubers not to exceed 1 inch)	CQ	.07	.10
Beets, bunched	CQ	.045	.06
Beets, topped	A	.04	.06
Beets, topped	MQ	.03	.04
Bitter melon	CQ	.14	.18
Broccoli	CQ	.14	.18
Cabbage, all oriental types, bunched or stalks, includes Chinese and Japanese types, green mustard, white stem, chihili, and swamp (Ung Choy)	CQ	.055	.08
Cabbage, head, Jan. 1-June 30	AA and A	.04	.06
Cabbage, head, Jan. 1-June 30	MQ	.03	.045
Cabbage, head, July 1-Dec. 31	AA and A	.05	.07
Cabbage, head, July 1-Dec. 31	MQ	.04	.055
Carrots, bunched	CQ	.04	.06
Carrots, topped	A	.06	.08
Carrots, topped	MQ	.045	.06
Celery	CQ	.15	.20
Corn, green, sweet	A	Per dozen .40	Per dozen .53
Corn, green, sweet	B	.30	.40
Corn, green, including field corn	MQ	.02	.03
Cucumbers	A	.10	.14
Cucumbers	MQ	.08	.12
Dasheen, (Japanese Taro) (#1)	CQ	.08	.08
Dasheen, (Japanese Taro) (#2)	MQ	.05	.07
Eggplant, long (Molokai type)	CQ	.05	.07
Eggplant, round and half long	CQ	.04	.05
Ginger	CQ	.08	.12
Gobo, medium and long stem	CQ	.15	.20
Gobo, small and short stem	MQ	.11	.15
Gobo, large stem	MQ	.11	.15
Kohlrabi, bunched or topped	CQ	.07	.10
Lettuce, all types, Jan. 1-June 30	CQ	.10	.15
Lettuce, all types, July 1-Dec. 31	CQ	.15	.20
Okra	CQ	.10	.15
Onions, dry	CQ	.07	.08
Onions, bunching green	CQ	.09	.12

Item	Grade	Maximum price at wholesale	Maximum price at retail
Onions, Kallua Bulb, bunching	OQ	Per pound \$0.12	Per pound \$0.16
Papaya, solo	A	.04	.055
Papaya, solo and common	MQ	.03	.04
Peanuts, cured, in shell	CQ	.15	.20
Peas, Chinese	CQ	.35	.50
Peppers, sweet (bell)	CQ	.15	.20
Pineapples	CQ	.025	.04
Potatoes, Irish	AA and A	.045	.06
Potatoes, Irish	MQ	.035	.045
Pumpkin, (Japanese)	CQ	.04	.055
Radish, red (per bunch of not less than 12)	CQ	Per dozen bunches .50	Per bunch .06
NOTE: For white radish see turnips.			
Soybeans, edible, green, including vines	OQ	.07	.10
Soybeans, edible, green, in pods	CQ	.16	.24
Spinach, all types	CQ	.08	.12
Squash, Chinese (Tung Qua, Foo Qua, Long Squash) large, (2½ lbs or over)	CQ	.04	.06
Squash, Chinese, young, small (below 2½ lbs.)	CQ	.08	.12
Squash, banana	CQ	.05	.07
Squash, Hubbard	CQ	.05	.07
Squash, Italian	A	.07	.10
Squash, Italian	MQ	.05	.06
Squash, summer	CQ	.07	.10
Squash, queen or acorn	CQ	.06	.08
Sweet potatoes, (specified varieties)	AA	.05	.065
Sweet potatoes, yellow	A	.04	.055
Sweet potatoes, yellow and red	B	.0325	.04
Sweet potatoes	MQ	.025	.03
Swiss chard (bunched or loose)	CQ	.035	.05
Taro tops or luau, bunched or loose	OQ	.10	.15
Tomatoes, large, wrapped, in standard lugs	A	.14	.18
Tomatoes, large (2" minimum diameter)	A	.12	.18
Tomatoes, large (2" minimum diameter)	B	.09	.14
Tomatoes, large or small	MQ	.07	.10
Tomatoes, egg or plum	CQ	.07	.10
Turnips, bunched or topped, long white, round white, purple top, Golden Ball, Dairon, white Chinese, white radish, and similar types	CQ	.04	.05
Watercress, (tied in 1 pound bunch)	OQ	.07	.10
Watermelon	CQ	.06	.08
Yam, Mountain or Dai See	CQ	.05	.07

NOTE: All sales invoices must show the unit specified in the table for each commodity.

(6) Records and reports—(i) Records to be kept. Notwithstanding the provisions of section 11 of this Maximum Price Regulation No. 373, every person making sales of any of the commodities covered by this section 21 shall on and after the date any such produce becomes subject to this paragraph keep for inspection by the Office of Price Administration for a period of not less than one year records as follows:

(a) Persons making sales at wholesale. Copies of the invoices or sales memoranda given to purchasers as required by subdivision (iii) below. Purchase records showing the date of purchase, name and address of supplier, kind and grade purchased, number of pounds or other unit of purchase, price per unit, total price paid and the quantity of each kind and grade on hand or order at the close of each calendar month.

(b) Persons making sales at retail. Copies of the invoices and sales memoranda received from suppliers.

(ii) Prices to be marked and posted. On and after the date any island-grown produce becomes subject to this paragraph (e) every person offering to sell such produce at retail shall mark the maximum price of such produce in a manner plainly visible to and understandable by the purchasing public.

The maximum price shall be marked on each item of produce itself or on the shelf, bin, rack, or other holder or container upon or in which the produce may be kept for purposes of sale. The maximum price shall be indicated in the form "Ceiling price \$-----", or "Our Ceiling \$-----"

(iii) Sales slips and receipts. (a) Every person selling at wholesale shall give the purchaser an invoice or a sales memorandum, showing the date of sale, name and address of the seller, the name and address of the purchaser, and with reference to each item of produce sold the following: the kind and grade, the number of pounds or other unit of sale, the price per unit and the total price received.

(b) Every person selling at retail who has customarily given purchasers sales slips or receipts or similar evidences of purchase shall continue to do so. However, upon request from a purchaser every such seller, regardless of previous custom, shall give the purchaser a receipt showing the date of sale, the name and address of the seller, the name and address of the purchaser, and with reference to each item of produce sold the following: the kind and grade, the number of pounds or other unit of sale, the price per unit and the total price received.

This amendment shall become effective as of November 20, 1943.

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

Issued this 19th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5563; Filed, April 19, 1944; 11:47 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 373, Amdt. 51]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

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. 373 is amended in the following respects:

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

(2) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than an ultimate consumer, except that:

(i) A sale to the War Department, the Department of the Navy, the United States Maritime Commission, or any agency thereof, when the commodity is not to be resold, or

(ii) A sale to any religious, educational or charitable institution, any institution for the sick, deaf, disabled, aged or insane, or any school, hospital, library or agency of the foregoing in an amount not in excess of \$50.00, when the commodity is not to be resold, may, at the option of the seller, be considered a sale at retail.

2. Section 57 (e), (f), (f) (1) and (2), are amended to read as follows:

(e) *Maximum prices for used cars.* To figure the maximum price for the sale of a used car, the seller must:

(1) Find the base price according to paragraph (f); and

(2) Add to it the allowance in Table C for any piece of equipment listed there which is sold attached to the car; and

(3) If the car is a warranted car (as defined in paragraph (g)), add \$100.00 or, if it is higher, add 20% of the total of the base price and any equipment allowance.

(f) *How to find the base price.* In figuring his maximum price, the seller shall first determine his base price of the car he is selling as follows:

(1) For a complete car listed in Table B. His base price shall be the base price listed in Table B for that car.

(2) For a complete car not listed in Table B. (i) If its body and chassis were made by different manufacturers, his base price shall be the base price listed in Table B of the most comparable car of the same make, model, year, body type, passenger capacity and wheel base.

(ii) If its make is not listed in Table B, his base price shall be the base price listed in Table B of the most comparable car as to model, year, body type, passenger capacity and wheel base.

(iii) If its year model is 1934 or before, and the make is listed in Table B, his base price shall be the base price listed in Table B for the 1935 year model of the same make, body type, passenger ca-

capacity and wheel base less 5% of that amount for each year that the year of the model being sold antedates the year 1935.

(iv) If its year model is 1934 or before and the make is not listed in Table B, his base price shall be the base price listed in Table B for the 1935 year model car which is most comparable as to model, year, body type, passenger capacity and wheel base less 5% of that amount for each year that the year of the model being sold antedates the year 1935.

3. Section 57, Table A is amended to read as follows:

TABLE A—TAGS TO BE AFFIXED BY DEALERS
The labels or tags prescribed in paragraph (j) hereof shall identify the used passenger automobile not less fully than by setting forth the make, year, model, series, if any; body type, "in-built" equipment or radio, if any; amount of allowance for "in-built" equipment or radio, if any; and the maximum price warranted, if the vehicle is sold with the written warranty as provided in paragraph (g) hereof; or the maximum price without warranty if sold without warranty; and further, each tag must show the statement: "The prices itemized do not exceed the maximum prices established by section 57, OPA Regulation 373, a copy of which is available for inspection."

An example of such tag is set forth below:

Make—Chevrolet.	Maximum price (warranted)	\$1,275.00
Year—1941.		
Model—A H.	Maximum price (without warranty) -----	
Series—Spec. deluxe.		
Equipment—Radio.	Price of equipment (Included in maximum price)	\$30.00

Brand	Unit	Ketchikan	Wrangell Peterburg	J uneau Douglas	S kagway Haines	S itka	C ordova Alder Neward	K odiak	A nchorage	F almer	F airbanks	N ome
Egg Noodles:												
Rose Chinese	8 oz.—cello	\$0.13	\$0.13	\$0.13	\$0.13	\$0.13	\$0.13	\$0.14	\$0.14	\$0.14	\$0.15	\$0.15
Mission	16 oz.—cello	.31	.31	.32	.32	.32	.33	.33	.32	.32	.34	.40
Reliance	16 oz.—cello	.31	.31	.31	.32	.32	.33	.33	.31	.32	.33	.40
Reliance	8 oz.—cello			.16	.16							
R & W Krinkled	16 oz.—carton										.35	

This correction shall become effective April 20, 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 April 1944.
CHESTER BOWLES,
Administrator.

[F.R. Doc. 44-5562; Filed, April 19, 1944; 11:46 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration
PART 2—ADJUDICATION: VETERANS' CLAIMS
SERVICE REQUIREMENTS

§ 2.1001 *Persons included in the acts in addition to commissioned officers and enlisted men.*

(e) *Medical officers, Public Health Service.* Officers of the Public Health

The prices itemized do not exceed the maximum prices established by section 57, OPA Regulation 373, a copy of which is available for inspection.

This amendment shall become effective as follows:

(a) As to section 12, as of April 11, 1944.

(b) As to section 57 (e) and (f), as of March 31, 1944.

(c) As to section 57, Table A, as of April 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 19th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5575; Filed, April 19, 1944; 11:45 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS
EGG NOODLES IN ALASKA

[MPR 283, Corr. to Amdt. 22]

Amendment 22 to Maximum Price Regulation 288, Specific Maximum Prices in Alaska, is corrected in the following respect:

Section 1418.363 (v) Table XXIII is corrected by changing certain prices to read as follows:

Service who were detailed for duty with the Army or Navy are included as officers in the active service. On or after November 11, 1943, commissioned officers of the Public Health Service, regular and reserve, who are (1) detailed for duty with the Army, Navy or Coast Guard; (2) serving in time of war outside the continental limits of the United States or Alaska; or (3) who serve in time of war and following the issuance of an Executive order declaring the Commissioned Corps of the Public Health Service a part of the military forces of the United States, are also included. (57 Stat. 587; 42 U.S.C. Sup. 3, Sec. 1 (g)-(j))

(1) *Cadets and midshipmen.* Cadets and midshipmen suffering from disabilities incurred in the line of duty while assigned to duties constituting war service, which includes practice cruises at sea but excludes practice maneuvers at West Point, during the period of one of the hostilities enumerated in § 35.011, are entitled to a pension for such disability at the rate provided in § 35.011, if otherwise en-

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

18 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393.

titled. Cadets and midshipmen who are disabled by reason of a wound or injury received or a disease contracted while pursuing the prescribed course of instruction at the academies and in line of duty are entitled to a pension at the rate prescribed in § 35.012, if otherwise entitled. Midshipmen assigned to practice cruises or cadets or midshipmen otherwise actually assigned to active duty for a total of at least ninety days during a period of hostilities enumerated in § 35.011, who are now suffering from a disability permanent and total in degree, but which is not connected with any period of service, are entitled to a pension at the rate prescribed in § 35.013, if otherwise entitled. (A. D. 227, 242.) Service as a cadet at the United States Military Academy or as a midshipman at the United States Naval Academy or as a cadet at the United States Coast Guard Academy on or after December 7, 1941, and before termination of hostilities incident to the present war as determined by proclamation of the President or by concurrent resolution of the Congress shall be considered active military or naval service in World War II for the purposes of laws administered by the Veterans' Administration. (57 Stat. 554-560; 38 U.S.C. 730)

(q) *Commissioned or enlisted members of the Women's Reserve of the Navy, Marine Corps or Coast Guard.* On or after November 8, 1943, commissioned or enlisted members of the Women's Reserve of the Navy or Marine Corps, and on or after December 23, 1943, commissioned or enlisted members of the Women's Reserve of the Coast Guard are entitled to pension for disability incurred in or aggravated by active service in the Navy, Marine Corps or Coast Guard in line of duty. (A. D. 556) (57 Stat. 586, 609; 14 U. S. C. Sup. 3, secs. 382, 387, 388; 34 U.S.C. Sup. 3, sec. 857 (a), 857 (e))

§ 2.1009 Revision of Rating Board Decisions. * * *

(e) When the reduction of an award for a service-connected disability is considered warranted by a change in physical condition, the rating agency will prepare an appropriate rating extending the present evaluation sixty days from the date of rating, followed by the reduced evaluation, and in view of the time limitation the veteran will be promptly notified in writing of the proposed action and that unless he submits evidence showing the proposed reduction to be unwarranted within sixty days from the date on which the notice is mailed to him, the reduction will be effected as indicated without further correspondence with him. Evidence received within sixty days from the date of notice will be referred to the rating agency for rating. If the veteran fails to submit evidence within sixty days from the date of notice, the reduction of the award will be effected without further rating action, in accordance with the provisions of § 35.021 (c) (2). The rating sheet will bear the following notation: "R. & P.

R-1009 (E), as amended." (57 Stat. 554-560; 38 U.S.C. 727)

[SEAL]

FRANK T. HINES,
Administrator.

[F. R. Doc. 44-5498; Filed, April 18, 1944; 12:23 p. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—United States Public Health Service, Federal Security Agency

PART 30—UNIFORM AND INSIGNIA OF THE UNITED STATES CADET NURSE CORPS

Pursuant to the authority contained in Public Law 74, 78th Congress, approved June 15, 1943, and Public Law 248, 78th Congress, approved March 4, 1944, authorizing the Surgeon General to prescribe uniforms and distinctive insignia for the United States Cadet Nurse Corps, the following regulations are hereby prescribed:

§ 30.1 *Prescribed uniforms.* The uniform of the student nurses receiving training pursuant to an approved plan and nurses who have been graduated pursuant to training received under the provisions of Public Law 74, 78th Congress, June 15, 1943, and any amendments thereto, and who are engaged in essential civilian nursing services for the duration of the present war, shall consist of the following items:

(a) *Winter suit.* Jacket and skirt of all-wool gray flannel with silver buttons. Jacket shall have red shoulder epaulets.

(b) *Summer suits* (2). Styled exactly as the winter suit, but made of gray and white striped cotton fabric with removable silver buttons. Jacket shall have removable red shoulder epaulets.

(c) *Reefer coat.* All-wool gray flannel, made in same contour as winter suit and with a half belt at the back waistline, red shoulder epaulets and silver buttons.

(d) *Raincoat.* Made of gray water-repellent material. Single-breasted with inside patch pockets and all-round belt, the shoulder straps shall be gray in color and trimmed with silver buttons.

(e) *Blouse.* White tucked rayon crepe, peter pan collar, and short sleeves.

(f) *Winter hat.* Gray fur felt beret, side drape.

(g) *Summer hat.* Official gray felt hat, with red band $\frac{1}{2}$ of an inch wide.

(h) *Handbag.* Oval-shaped with shoulder strap, made of all-wool flannel to match reefer coat, for winter, and in modified form for summer.

(i) *Gloves.* Short black leather or fabric; plain. Short white fabric, plain.

(j) *Shoes.* Plain black leather, low or medium heel, closed toes and heels. White shoes are optional for summer wear.

(k) *Stockings.* Neutral beige in color, without clocks or decorations.

§ 30.2 *Prescribed distinctive insignia.* Student nurses receiving training pursuant to an approved plan and nurses who have been graduated pursuant to training received under the provisions of Public Law 74, 78th Congress, June 15, 1943, and any amendments thereto, and who are engaged in essential civilian nursing services for the duration of the

present war shall wear the following insignia on their uniforms:

(a) *Beret emblem.* Large size metal cap device of the United States Public Health Service, to be worn either directly at the front of the beret or at the left-front.

(b) *Lapel insignia.* Two pairs of silver insignia pins bearing corps device of the United States Public Health Service. One pair of insignia pins is for the right and left lapels of the suit jacket, one pair for the reefer coat lapels. The winged caduceus should be vertical, and the anchor ring $\frac{1}{4}$ of an inch from the point of the lapel. Silver lapel insignia pins may be removed from outdoor uniform and used on collar tips of school uniform, if the institution shall so determine.

(c) *Shoulder epaulet markings.* Pre-Cadet Nurse: Plain epaulets. Junior Cadet Nurse: One silver Maltese cross centered on each epaulet.

Senior Cadet Nurse: Two silver Maltese crosses on each epaulet placed $\frac{1}{4}$ of an inch front and back of shoulder seam.

Graduate Cadet Nurses Engaged in Essential Civilian Nursing Services: Three silver Maltese crosses spaced evenly on each epaulet.

(d) *Sleeve markings.* (1) Sleeve markings to show the United States Cadet Nurse Corps insignia which is a white Maltese cross on a red oval with the letters U. S. imposed bordered by the words "Cadet Nurse," in white. This insignia is to be worn on the left sleeve three inches below the seam. The sleeve marking for winter uniform shall be made of matching all-wool gray flannel. The sleeve marking for summer uniform shall be made of washable white cotton duck.

(2) The sleeve insignia may also be worn on front or left of bib or at any other appropriate place on indoor uniform designated by the school.

(3) Graduate Cadet Nurses engaged in essential civilian nursing services for the duration of the present war shall wear sleeve insignia bearing the word "Graduate" above the word "Cadet."

(e) *Buttons.* Buttons are marked with the corps device of the United States Public Health Service.

§ 30.3 *Patent on design of uniforms.* The approved design for the United States Cadet Nurse Corps uniform is subject to a patent which has been assigned to the National Nursing Council for War Service, Inc.

§ 30.4 *Institution to supply uniform.* The institution shall supply all items of uniform above-mentioned and all designated distinctive insignia to student nurses under approved plans, with the exception of the following items of wearing apparel:

- (1) Gloves.
- (2) Shoes.
- (3) Stockings.

§ 30.5 *Purchase of additional items of equipment.* Persons authorized to wear the uniform may purchase additional items of equipment or insignia at their own expense.

§ 30.6 *Wearing of the uniform.* All uniforms shall be kept neat and clean at all times. The wearing of the uniform shall be optional except that the school may prescribe the occasions when the wearing of the uniform and the designated distinctive insignia shall be mandatory. Schools shall also prescribe the periods when summer uniforms shall be

worn and the periods when the winter uniforms shall be worn. When the uniform is worn, it must be complete except that the reefer coat or the raincoat may be worn with the indoor uniform of the school.

§ 30.7 *Persons eligible to wear the prescribed uniform and the designated distinctive insignia.* Cadet nurses receiving training pursuant to an approved plan and nurses who have been graduated pursuant to training received under the provisions of Public Law 74, 78th Congress, June 15, 1943, and any amendments thereto, and who are engaged in essential civilian nursing services for the duration of the present war are authorized to wear the uniform and insignia designated in §§ 30.1 and 30.2.

§ 30.8 *Persons eligible to wear the uniform without the designated distinctive insignia under § 30.2 (d).* Nurses receiving post-graduate instruction under Public Law 74, 78th Congress, graduate nurses who are employed in the training of U. S. Cadet Nurses, and persons employed in connection with the administration of Public Law 74, 78th Congress, and any amendments thereto, and who have been authorized by the Surgeon General may wear the uniform and insignia designated or prescribed in these Regulations without the designated distinctive insignia under § 30.2 (d): *Provided, however,* That they shall purchase the uniforms at their own expense: *And further provided,* That they shall replace the words "Cadet Nurse" with the words "Nurse Education" on the sleeve markings and shall wear shoulder epaulets containing three silver Maltese crosses spaced evenly on each epaulet.

Dated: April 15, 1944.

[SEAL] THOMAS PARRAN,
Surgeon General.

Approved: April 17, 1944.

PAUL V. McNUTT,
Federal Security Administrator.

[F. R. Doc. 44-5560; Filed, April 19, 1944;
10:56 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office¹

[Public Land Order 222]

IDAHO

PARTIAL REVOCATION OF LAND WITHDRAWAL FOR USE OF WAR DEPARTMENT

Revoking in part Executive Order No. 8932 of November 5, 1941, withdrawing public lands for use of the War Department as practice bombing ranges.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 8932 of November 5, 1941, withdrawing public lands for the use of the War Department as practice bombing ranges is hereby revoked so far as it affects the following-described public lands:

¹ Appendix.

BOISE MERIDIAN

T. 2 S., R. 2 E.,
Secs. 31 and 32.

T. 3 S., R. 2 E.,
Secs. 5 and 6.

T. 3 S., R. 3 E.,
Secs. 26, 27, 34, and 35.

The areas described aggregate 5,187.17 acres.

The jurisdiction over and use of such lands granted to the War Department by Executive Order No. 8932 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over the administration of such lands shall be vested in the Department of the Interior and any other Department or agency of the Federal Government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of such lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon, the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1941, 43 L.D. 254), and 43 CFR Part 296, to the extent that these regulations are applicable.

ABE FORTAS,
Acting Secretary of the Interior.

APRIL 10, 1944.

[F. R. Doc. 44-5472; Filed, April 18, 1944;
10:23 a. m.]

[Public Land Order 223]

MONTANA

PARTIAL REVOCATION OF LAND WITHDRAWAL FOR USE OF WAR DEPARTMENT

Revoking in part Public Land Order No. 83 of January 23, 1943, withdrawing public lands for use of the War Department as a maneuver area.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 83 of January 23, 1943, withdrawing public lands for the use of the War Department as a maneuver area is hereby revoked so far as it affects the following-described public lands:

PRINCIPAL MERIDIAN

T. 10 N., R. 4 W.,

Sec. 7, N $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 8, W $\frac{1}{2}$ W $\frac{1}{2}$;

Sec. 20, NE $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 29, lots 2, 3, 4, and 9, S $\frac{1}{2}$ SW $\frac{1}{4}$;

Sec. 30, E $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 10 N., R. 5 W.,

Sec. 13, lots 14, 16, and 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 24, lots 8, 9, 13, and 14, S $\frac{1}{2}$ SW $\frac{1}{4}$;

Sec. 25, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$.

The areas described aggregate 966.34 acres.

The jurisdiction over and use of such lands granted to the War Department by Public Land Order No. 83 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such lands shall be vested in the Department of the In-

terior and any other Department or agency of the Federal Government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of the lands until 10:00 a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1941, 43 L. D. 254), and 43 CFR Part 296, to the extent that these regulations are applicable.

ABE FORTAS,
Acting Secretary of the Interior.

APRIL 10, 1944.

[F. R. Doc. 44-5473; Filed, April 18, 1944;
10:23 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Special Direction ODT 18A-2A, Amdt. 1]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

CARLOAD FREIGHT TRAFFIC

Pursuant to the provisions of § 500.73 of General Order ODT 18A, as amended, Special Direction ODT 18A-2A is hereby amended by cancelling items numbered 5, 15, 20, 25, 30, 85, 195, and 200 appearing therein, and by incorporating therein, in numerical sequence, the following new items:

6. *Dairy products and related commodities.* (Items 6 to 86, inclusive).

16. *Butter.* Fresh, in bulk, in tubs; in containers, fibreboard; or in prints, shall be loaded to a weight not less than 30,000 pounds.

31. *Oleomargarine.* (a) Fresh, in bulk, in containers, fibreboard; in boxes; or in tubs, shall be loaded to a weight not less than 45,000 pounds.

32. (b) Fresh, in prints, shall be loaded to a weight not less than 35,000 pounds.

33. *Butter and oleomargarine.* Mixed carloads, fresh, in bulk, in tubs; in boxes; in containers, fibreboard; or in prints, shall be loaded to a weight not less than 40,000 pounds.

85. *Butter, cheese, shell eggs, and poultry, dressed.* In straight or in mixed carloads, for transportation to a processing plant, or packing plant, or to a warehouse for consolidation, which processing plant, packing plant or warehouse is located within 350 miles of original point of production, may be loaded to a weight which equals or exceeds the applicable tariff carload minimum weight only when such commodities are to be subsequently reshipped in straight or in mixed carloads to a destination located 350 miles or more from original point of production. When such commodities are reshipped from such processing plant, packing plant, or warehouse, the loading requirements prescribed for such commodities in individual

Items contained in this Special Direction ODT 18A-2A, as amended, shall apply.

101. *Butter fat or cream, frozen.* In any type of container, shall be loaded to a weight not less than 35,000 pounds.

102. *Butter, eggs, and poultry, frozen.* Mixed carloads, in any type of container, shall be loaded to a weight not less than 30,000 pounds.

198. *Cabbage, fresh harvested, new.*
201. (a) In bulk, or in cloth or burlap sacks, shall be loaded to a weight not less than 25,000 pounds.

361. *Cherries, in brine.* In barrels, shall be loaded on end, two tiers high, covering the entire floor space of the car.

This Amendment 1 to Special Direction ODT 18A-2A shall become effective April 19, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; Gen. Order ODT 18A, as amended, 8 F.R. 14477, 9 F.R. 116)

Issued at Washington, D. C., this 19th day of April 1944.

HENRY F. MCCARTHY,
Director,

Division of Traffic Movement,
Office of Defense Transportation.

[F. R. Doc. 44-5522; Filed, April 19, 1944;
11:05 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

[Reg. S-30]

PART 221—TIMBER

ESTABLISHMENT OF SUSTAINED YIELD UNITS

By virtue of the authority vested in the Secretary of Agriculture by the Act of March 29, 1944, I, Claude R. Wickard, Secretary of Agriculture, do make and publish the following regulation, to be designated Regulation S-30 and which constitutes § 221.30, Part 221, Chapter II, Title 36, Code of Federal Regulations:

§ 221.30 *Establishment of sustained yield units.* The Chief of the Forest Service is authorized to establish sustained yield units on the national forests under the Act of March 29, 1944 and may delegate such of the authority granted hereunder to others as he may consider desirable.

(Pub. Law 273, 78th Congress)

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 19th day of April 1944.

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 44-5561; Filed, April 19, 1944;
11:25 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

NEWTON AND HILL EXPLOSIVES CORP.

PROCEEDINGS FOR REVOCATION OF LICENSES

Order revoking licenses, directing surrender of licenses and requiring records to be furnished.

To: Newton and Hill Explosives Corporation, Fort Edward, New York.

Based upon the records in this matter, including all communications received from you, I make the following findings of fact:

1. On March 4, 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 March 4, 1944, answering the charges against you and requesting an oral hearing if you wished.

2. More than 40 days have elapsed since March 4, 1944. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from Fort Edward, New York, does not exceed 3 days. The only communications received from you have been your replies dated March 9, 1944, and March 21, 1944, the latter including certain records. You have not requested an oral hearing.

3. All of the accusations against you which are set out in the specification of charges are true.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby order:

1. That all licenses issued to you under the Federal Explosives Act be and they are hereby revoked as of midnight, April 30, 1944.

2. That prior to midnight, April 30, 1944, you shall 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 sold or otherwise disposed of all of the explosives and ingredients of explosives as required by paragraph 2 of this order you shall, prior to midnight, April 30, 1944, deliver or mail to A. D. Lock, Engineer in Charge, United States Bureau of Mines, 449 Federal Building, Albany 1, New York, a sworn statement of your transactions in and destructions of explosives and ingredients of explosives, beginning with March 17, 1944, and ending with the final sale or other disposition, or with the final destruction, of the explosives and ingredients of explosives 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 March 17, 1944, 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 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 prior to midnight, April 30, 1944, you shall surrender all licenses issued to you under the Federal Explosives Act and all copies thereof by mailing or delivering them to A. D. Lock, Engineer in Charge, United States Bureau of Mines, 449 Federal Building, Albany 1, New York.

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 17th day of April 1944.

R. R. SAYERS,
Director.

[F. R. Doc. 44-5525; Filed, April 19, 1944;
11:03 a. m.]

General Land Office.

[Air-Navigation Site Withdrawal 217]

CALIFORNIA

WITHDRAWAL OF PUBLIC LANDS FOR USE OF CIVIL AERONAUTICS ADMINISTRATION

By virtue of the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 729 (49 U.S.C. 214), it is ordered as follows:

Subject to valid existing rights, the following-described public lands in California are hereby withdrawn from all forms of appropriation under the public-land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 217:

MOUNT DIABLO MERIDIAN

T. 81 N., R. 16 E.

Sec. 22, that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ described by metes and bounds as follows:

Beginning at the northeast corner of said sec. 22, thence

S. 0°12'00" E., 1323.6 ft.;
N. 89°44'49" W., 853.3 ft.;
N. 9°35'00" E., along the east right-of-way line of U. S. Highway No. 395, 1341.4 ft.;
S. 89°40'34" E., 735.4 ft. to the point of beginning.

Sec. 23, NW $\frac{1}{4}$ and S $\frac{1}{2}$.

The areas described aggregate 504.13 acres.

This order shall take precedence over, but shall not modify, the order of the Secretary of the Interior of April 8, 1935, establishing California Grazing District No. 2, so far as it affects the above-described lands.

The jurisdiction granted by this order shall cease at the expiration of the six-months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,
Acting Secretary of the Interior.

APRIL 12, 1944.

[F. R. Doc. 44-5532; Filed, April 19, 1944;
11:26 a. m.]

Office of the Secretary.

DELEGATION OF AUTHORITY TO DIRECTOR OF UNITED STATES BOARD ON GEOGRAPHICAL NAMES

Pursuant to the provisions of section 161, Revised Statutes (5 U.S.C. sec. 22), Executive Orders No. 27-A, dated September 4, 1890; No. 399, dated January 23, 1906; No. 493, dated August 10, 1906; No. 3206, dated December 30, 1919; and No. 6680, dated April 17, 1934; and Departmental Order No. 1010, dated December 10, 1935, it is hereby ordered as follows:

I. The Director of the United States Board on Geographical Names may hereafter act in relation to the following classes of matters without obtaining Secretarial approval, unless the Secretary in any particular matter determines otherwise, and subject in any event to an appeal to the Secretary in appropriate cases:

(a) Approve and promulgate geographical names which conform to principles and policies approved by the Secretary, in the United States, its territories and possessions, international waters, and in lands or waters to which the United States has not formally recognized the sovereignty of a foreign nation.

(b) Request advice and recommendations from the Advisory Committee or its members.

(c) Appoint special committees to consider questions affecting large numbers of names in a single country, language, or other category.

(d) Approve and promulgate foreign geographical names derived by approved rules for treatment.

(e) Approve and promulgate foreign geographical names to which rules for treatment do not apply.

II. All general rules, regulations and instructions must be approved by the Secretary, except directions to Government agencies for the treatment of geographical names in foreign regions or countries. This order does not affect

the responsibility of the Solicitor for the review of legal questions.

III. This order is effective immediately.

ABE FORTAS,
Acting Secretary of the Interior.

APRIL 17, 1944.

[F. R. Doc. 44-5533; Filed, April 19, 1944;
11:27 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 819]

ALLOCATION OF FUNDS FOR LOANS

APRIL 10, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Kansas 4-3044A1 Grant.....	\$226,850
Kansas 4-3044G1 Grant.....	28,450

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-5549; Filed, April 19, 1944;
11:25 a. m.]

[Administrative Order 820]

ALLOCATION OF FUNDS FOR LOANS

APRIL 10, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Colorado 4-3015C2 Morgan.....	\$100,000
Georgia 4-3024C2 Cobb.....	25,000
Kentucky 4-3050E2 Graves.....	50,000
Michigan 4-3040C3 Allegan.....	50,000
Mississippi 4-3021F2 Coahoma.....	20,000
Mississippi 4-3039B3 Jackson.....	50,000
New Jersey 4-3004D2 Monmouth.....	31,500
New York 4-3020B1 Delaware.....	135,000
North Carolina 4-2040C3 Brunswick.....	30,000
North Carolina 4-2049A2 Surry.....	25,000
Oklahoma 4-2015H1 Tillman.....	100,000
Oklahoma 4-2021C2 Washita.....	120,000
Oregon 4-3025B3 Deschutes.....	10,000
Texas 4-2054D2 Wood.....	40,000
Texas 4-2033D1 Fisher.....	50,000
Washington 4-3037A5 Lincoln.....	10,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-5550; Filed, April 19, 1944;
11:25 a. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD-24]

BARKER-FOWLER CO., ET AL.

FINDING IN REGARD TO CONTRACT

In the matter of Barker-Fowler Company, F. D. Hayes Electric Company, Reed Tyler Electric Company, East Lansing Electric Company, Lansing, Michigan, Case No. S-840.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. no. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943 published in the FEDERAL REGISTER, August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Barker-Fowler Company, F. D. Hayes Electric Company, Reed Tyler Electric Company and East Lansing Electric Company, Lansing, Michigan, all members of the Electrical Contractors Association of Lansing, Michigan;

I find that the services of electrical contractors for General Motors Forge, Olds Motor Works, and Lansing Paint and Color Company are contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 18th day of April 1944.

FRANCES PERKINS,
Secretary.

[F. R. Doc. 44-5540; Filed, April 19, 1944;
11:36 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 875]

PAN AMERICAN AIRWAYS, INC.

NOTICE OF HEARING

In the matter of the application of Pan American Airways, Inc., for approval of the acquisition of control of Aeronautes de Mexico, S. A.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 403 and 1001 of said act, that a hearing in the above-entitled proceeding is hereby assigned to be held on May 8, 1944, at 1 p. m. (eastern war time) in the Foyer of the Department of Commerce Auditorium, 14th and Constitution Avenue NW., Washington, D. C., before Examiner Ross I. Newmann.

Dated Washington, D. C., April 18, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMES,
Secretary.

[F. R. Doc. 44-5523; Filed, April 19, 1944;
11:03 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5836]

POTOMAC ELECTRIC POWER CO.

ORDER POSTPONING HEARING

APRIL 17, 1944.

It appearing to the Commission that: (a) By order dated March 18, 1944, the Commission directed that a public hearing in this matter be held commencing April 18, 1944.

(b) On April 15, 1944, Potomac Electric Power Company requested the Commission to postpone such hearing because it would conflict with certain proceedings in which Potomac Electric Power Company is now involved before the Public Utilities Commission of the District of Columbia.

(c) The Public Utilities Commission of the District of Columbia has meanwhile advised the Commission that the hearing in such proceedings may not be completed for some time, and has suggested the advisability of postponing the hearing in this matter.

The Commission orders that:

The public hearing in this matter heretofore ordered to commence on April 18, 1944, be and the same hereby is postponed to such date as may hereafter be set by order of the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-5527; Filed, April 19, 1944;
11:26 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 191]

RECONSIGNMENT OF CABBAGE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 12 or 13, 1944, by Simon Stegel Company of car NP 94501, cabbage, now on the Chicago Produce Terminal, to David Schulman, Cleveland, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5422; Filed, April 17, 1944;
11:06 a. m.]

[S. O. 70-A, Special Permit 192]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 12 or 13, 1944, by Gus Relias Company, of car PFE 51710, tomatoes, now on the Wash Railroad to M. Degaro, Cincinnati, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5423; Filed, April 17, 1944;
11:06 a. m.]

[S. O. 70-A, Special Permit 193]

RECONSIGNMENT OF TOMATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas April 13, 1944, by Gust Relias Company of car PFE 20235, tomatoes, now on the Rock Island Lines, to Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5424; Filed, April 17, 1944;
11:07 a. m.]

[S. O. 70-A, Special Permit 194]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILLINOIS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 13 or 14, 1944, by Al Kaiser Brothers of car SFRD 23383, lettuce, now on the Chicago Produce Terminal, to Peter Martori, New York, New York.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American

Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5425; Filed, April 17, 1944;
11:07 a. m.]

[S. O. 70-A, Special Permit 195]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 13 or 14, 1944, by J. Frankina Company of cars PFE 90593 and WFE 67074, tomatoes, now on the Chicago Produce Terminal, to Garginlo & Amendola, New York, New York, and car PFE 44625, tomatoes, now on the Chicago Produce Terminal, to Wolf & Cohen, Philadelphia, Pennsylvania.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5426; Filed, April 17, 1944;
11:07 a. m.]

[S. O. 178, Special Permit 118]

LOADING OF CHEESE AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with cheese and spread in glass by Kraft Cheese Company at Freeport, Illinois, and the movement of the one car so loaded from that point April 13, 1944, to Jersey City, New Jersey. (O. M. St. P. & F.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American

ican Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5427; Filed, April 17, 1944;
11:07 a. m.]

[S. O. 187, Special Permit 10]

TRANSPORTATION OF POTATOES FROM GLYNDON, MINN.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement, not later than April 19, 1944, of three refrigerator cars containing potatoes grading below eighty percent (80%) U. S. No. 1 grade, from Glyndon, Minnesota, where they are now stored in transit consigned by Bert-Ofutt Company to Chicago, Illinois. (N. P.-C. N. W.) The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5428; Filed, April 17, 1944;
11:07 a. m.]

[S. O. 187, Special Permit 11]

TRANSPORTATION OF POTATOES FROM PRESQUE ISLE, MAINE

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation or movement of two refrigerator cars loaded with mixed shipments of certified seed potatoes and smaller size seed potatoes grading U. S. No. 1 grade except for size, shipped by Ben Marks Company, Presque Isle, Maine, to Frank Barney, Sherman, New York.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44-5429; Filed, April 17, 1944;
11:03 a. m.]

[S. O. 188]

FURNACE SLAG
UNLOADING AT MEMPHIS, TENN.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 17th day of April, A. D. 1944.

It appearing that one (1) car containing furnace slag, L&N 72143, on hand at Memphis, Tennessee, on the Louisville and Nashville Railroad Company has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

Furnace slag at Memphis, Tennessee, to be unloaded. (a) The Louisville and Nashville Railroad Company, its agents or employees, shall unload forthwith one (1) car containing furnace slag, L&N 72143, on hand at Memphis, Tennessee.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload of furnace slag has been completely unloaded. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17)).

It is further ordered. That this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Louisville and Nashville Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register. By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5556; Filed, April 19, 1944;
11:41 a. m.]

[S. O. 189]

FREIGHT TRAFFIC
REROUTING BETWEEN ST. FRANCISVILLE, ILL.,
AND VINCENNES, IND.

At a session of the Interstate Commerce Commission, Division 3, held at its

office in Washington, D. C., on the 18th day of April, A. D. 1944.

It appearing that, due to damage to bridge abutments caused by flood conditions at Vincennes, Indiana, on The New York Central Railroad Company, this carrier by railroad is unable to transport the traffic offered to it; in the opinion of the Commission an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people; it is ordered, that:

(a) *Flood conditions; rerouting of freight traffic.* Effective at once and until further order of the Commission The New York Central Railroad Company is hereby directed to forward freight traffic routed over its lines between St. Francisville, Illinois, and Vincennes, Indiana, by routes most available to expedite its movement and prevent congestion, without regard to the routing thereof made by shippers or by carriers from which the traffic is received, or to the ownership of cars, and that all rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded only as conflicting with the directions hereby made; *Provided*, That the billing covering all cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Rates to be applied.* Inasmuch as the routing of traffic pursuant to this order is deemed to be due to carriers' disability, the rates applicable to traffic routed pursuant to this order shall be the same as would have applied had the shipments moved as originally routed.

(c) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed without reference to contracts, agreements, or arrangements now existing between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17)).

It is further ordered. That copies of this order and direction shall be served upon The New York Central Railroad Company, the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-5559; Filed, April 19, 1944;
11:41 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Dissolution Order 6]

AMBER MINES, INC.

Whereas, by Vesting Order No. 43, dated July 1, 1942, (7 F.R. 5104, July 7, 1942) the Alien Property Custodian vested all of the issued and outstanding shares of the capital stock of Amber Mines, Inc., a New York corporation; and

Whereas, by Vesting Order No. 350, dated November 11, 1942, (7 F.R. 9799, November 25, 1942) as amended, the Alien Property Custodian vested a certain claim against Amber Mines, Incorporated, in the sum of \$26,446.84, owned by Preuissische Bernstein Manufactur and/or Staatliche Bernstein Manufactur, which claims were thereafter subordinated by the Alien Property Custodian to the claims of other creditors of and claimants against Amber Mines, Inc.; and

Whereas, Amber Mines, Inc. has been substantially liquidated under the supervision of the Alien Property Custodian,

Now, under the authority of the Trading with the Enemy Act, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that all claims of known creditors, except the claims owned by the Alien Property Custodian, have been paid; and
2. Finding that a certificate of dissolution of the corporation has been duly filed with the Secretary of State of New York; and
3. Finding that Gregory F. Coleman, E. W. Hardy, L. V. McLean, D. W. Pratt, and Herbert D. Weiser, are the directors of Amber Mines, Inc. and that its officers are Gregory F. Coleman, President, L. V. McLean, Secretary, and D. W. Pratt, Treasurer; and
4. Determining that it is in the national interest of the United States to complete the dissolution of the said corporation and to distribute the remaining assets thereof,

It is ordered, That the officers and directors of Amber Mines, Inc., above-named, wind up the affairs of said corporation and distribute the assets thereof coming into their possession as follows:

- (a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof; and
- (b) They shall then pay all known taxes and fees of the United States and of the State of New York accruing against said corporation; and
- (c) They shall then pay to the Alien Property Custodian his reasonable charges for direct expense incurred in connection with service rendered to the corporation; and
- (d) They shall then distribute and pay over to the Alien Property Custodian as the owner of the claim against said corporation, as above set forth, all of the funds and property remaining in their hands after the payment as aforesaid;

It is further ordered, That nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any person who may claim against said corporation: *Provided, however,* That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any

funds or property received by the undersigned as stockholder as above set forth: *Provided, however,* That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the Statutes of the State of New York; and

It is ordered, That all actions taken and acts done by the officers and directors of Amber Mines, Inc., above-named, pursuant to this order and the directions contained herein shall be deemed to have been taken in reliance on and pursuant to subdivision 2 of section 5 (b) of the Trading with the Enemy Act, as amended, and the acquittance and exculpation provided for therein.

Executed at Washington, D. C., on April 13, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5420; Filed, April 17, 1944;
10:49 a. m.]

[Vesting Order 2705]

YAMASHITA DAIRY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Yamashita Dairy, doing business at Honolulu, T. H., is a sole proprietorship owned by Daizo Yamashita and is a business enterprise within the United States;
2. That Daizo Yamashita, whose last known address is Fukuoka, Japan, is a national of a designated enemy country (Japan); and determining:
3. That Yamashita Dairy is controlled by Daizo Yamashita and is a national of a designated enemy country (Japan);
4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all right, title and interest of Daizo Yamashita in Yamashita Dairy, a sole proprietorship, and all property of whatever nature situated in the United States and owned or controlled by, payable or deliverable to or held on behalf of or on account of or owing to Yamashita Dairy, herein described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction,

management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 2, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5405; Filed, April 17, 1944;
10:47 a. m.]

[Vesting Order 2950]

POLDI STEEL WORKS

In re: Gages for tool joints owned by Poldi Steel Works, also known as Poldihutte, Poldihutte, and as Poldina Hut.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Poldi Steel Works, also known as Poldihutte, as Poldihutte, and as Poldina Hut, is a corporation organized under the laws of Czechoslovakia, with its principal place of business at Praha 11, Lutzkova 37, Czechoslovakia;
2. That Poldi Steel Works, also known as Poldihutte, as Poldihutte, and as Poldina Hut, is acting or purporting to act directly or indirectly for the benefit or on behalf of a designated enemy country (Germany) and that it is a national of a designated enemy country (Germany);
3. That Poldi Steel Works, also known as Poldihutte, as Poldihutte, and as Poldina Hut, is the owner of the property described in subparagraph 4 hereof;
4. That the property described as follows:

Nine cases or boxes and the contents thereof, believed to consist of nine pieces or sets of API Reference Master gages for tool joints as particularly described in Exhibit A attached hereto and by reference made a part hereof, stored in the name of Poul Kruger in the warehouse of Werner Storage and Transfer Company, 4624-26 North Clark Street, Chicago, Illinois, and identified as Lot Number 3468-205-N,

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

And determining that Poldi Steel Works, also known as Poldihutte, as Poldihutte, and as Poldina Hut, is controlled by or acting for or on behalf of a designated enemy country (Germany), or a person within such country, and is a national of a designated enemy country (Germany);

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest, hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

The following API Reference Master gages for tool joints:

Size and gage number	Pieces
2 7/8" R. H. Rotary; 1442	1
3 1/2" R. H. Rotary; 1443	1
4 1/2" R. H. Rotary; 1444	1
5 1/16" R. H. Rotary; 1445	1
6 1/8" R. H. Rotary; 1446	1
3 1/2" Full Hole Rotary; 3078	1
4 1/2" Full Hole Rotary; 3079	1
5 1/16" Full Hole Rotary; 3080	1
6 1/8" Full Hole Rotary; 3081	1

[F. R. Doc. 44-5411; Filed, April 17, 1944; 10:49 a. m.]

[Supp. Vesting Order 3057]

SCHWAN-BLEISTIFT-FABRIK A. G.

In re: Merchandise owned by Schwan-Bleistift-Fabrik A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found, by Vesting Order Number 2053, dated September 1, 1943, that Schwan-

Bleistift-Fabrik A. G. is a national of a designated enemy country (Germany);

2. Finding the Schwan-Bleistift-Fabrik A. G. is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

The merchandise belonging to Schwan-Bleistift-Fabrik A. G., particularly described in Exhibit A, attached hereto and by reference made a part hereof, presently stored at 27 Cliff Street, New York, New York,

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

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 4, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Item, Style No., Name and Quantity
Colored chalks; 6661; Stabilo; 1 gross.
Colored chalks; 6664; Stabilo; 17 gross.
Point protectors; 2369; Swan; 10 gross.
Fixatives; 7701; Swan; 22 boxes, 1 set.
Fixatives; 7702; Swan; 4 boxes.
Empty cases; 6767; Stabilo; 2 pieces.

[F. R. Doc. No. 44-5412; Filed, April 17, 1944; 10:49 a. m.]

*3 sets of fixatives to each box.

[Vesting Order 3339]

CHINOIN CHEMICAL & PHARMACEUTICAL WORKS CO., LTD.

In re: Chinoin Chemical & Pharmaceutical Works Co., Ltd., Ujpest, Hungary.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Chinoin Chemical & Pharmaceutical Works Co., Ltd., whose principal place of business is Ujpest, Hungary, is a corporation organized under the laws of Hungary and is a national of a designated enemy country (Hungary);

2. That Chinoin Chemical & Pharmaceutical Works Co., Ltd., of Ujpest, Hungary, has a claim against The Tremond Company in the sum of \$69,179.85 as of March 31, 1943, which is represented on the books and records of The Tremond Company as an account payable, subject, however, to any accruals or deductions subsequent thereto, and this claim is property within the United States owned or controlled by a national of a designated enemy country (Hungary);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the claim of Chinoin Chemical & Pharmaceutical Works Co., Ltd., against The Tremond Company, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 20, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5413; Filed, April 17, 1944; 10:49 a. m.]

[Vesting Order 3347]

CHOY MINORS

In re: Guardianship estate of Choy Minors, also known as Park Soon Choi (w) and Tong Soo Choi, also known as John Kim, Minors; File: D-86-1512; E. T. Sec. 9622, (H-110).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arthur E. Restarick, Guardian, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Park Soon Choy, also known as Park Soon Choy, (Korea) Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Park Soon Choy, also known as Park Soon Choy, in and to the Guardianship estate of Choy Minors, also known as Park Soon Choi (w) and Tong Soo Choi, also known as John Kim, Minors, in the possession of Arthur E. Restarick, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5414; Filed, April 17, 1944;
10:49 a. m.]

[Vesting Order 3350]

ALBERT TOKIMASA HAMASAKI

In re: Estate of Albert Tokimasa Hamasaki, deceased; File: D-39-17414; E. T. sec. 9671 (H-123).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Florence H. Hamasaki, Administratrix, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Kenzo Hamasaki, Japan.
Asano Hamasaki, Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Kenzo Hamasaki and Asano Hamasaki, and each of them, in and to the Estate of Albert Tokimasa Hamasaki, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time

as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5415; Filed, April 17, 1944;
10:50 a. m.]

[Vesting Order 3351]

TATSUKICHI KOBAYASHI

In re: Guardianship Estate of Tatsukichi Kobayashi, Minor; File: D-39-17074; E. T. sec. 9592, (H-138).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Tsutomu Nishi, Guardian, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Tatsukichi Kobayashi, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Tatsukichi Kobayashi in and to the Guardianship Estate of Tatsukichi Kobayashi, Minor, in the possession of Tsutomu Nishi, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian

a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5416; Filed April 17, 1944;
10:51 a. m.]

[Vesting Order 3356]

SEKI SHISHIDO

In re: Guardianship Estate of Seki Shishido, an insane person; File: D-39-17413; E.T. sec. 9670, (H-112).

Under the authority of the Trading with the enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Iwa Ogawa, Guardian, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Seki Shishido, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Seki Shishido, in and to the Guardianship Estate of Seki Shishido, an insane person, in the possession of Iwa Ogawa, Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 21, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5417; Filed, April 17, 1944;
10:51 a. m.]

[Vesting Order 3361]

YOICHI ABESHIMA AND HIROTSUGU
ABESHIMA

In re: Guardianship of Yoichi Abeshima and Hirotsugu Abeshima, Minors; File: D-66-1531; E.T. sec. 9679, (H-152).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Dr. Sadachi Kasamoto, Successor Guardian, acting under the judicial supervision of the Circuit Court of the Third Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Yoichi Abeshima, Japan.
Hirotsugu Abeshima, Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Yoichi Abeshima and Hirotsugu Abeshima, and each of them, in and to the Guardianship Estate of Yoichi Abeshima and Hirotsugu Abeshima, Minors, in the possession of Dr. Sadachi Kasamoto, Successor Guardian,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be

paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 24, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5418; Filed, April 17, 1944;
10:51 a. m.]

[Vesting Order 3365]

HERMANN WOLTERS, ET AL.

In re: Trust established pursuant to an agreement between Hermann Wolters and Carl Wolters, and Free and Hansa Town of Bremen, Germany, and Bremer Handels Museum of Germany, dated September 3, 1926; File: D-28-8376; E.T. sec. 9669, (H-22).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Jose Caetano, C. C. Von Hamm, and William Wolters, Trustees, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, a political subdivision of a designated enemy country, Germany, namely, Free and Hansa Town of Bremen, Germany

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the Free and Hansa Town of Bremen, Germany, in and to the Trust Estate established pursuant to an agreement between Hermann Wolters and Carl Wolters, and Free and Hansa Town of Bremen, Germany, and Bremer Handels Museum of Germany, dated September 3, 1926, filed in the Probate proceeding entitled in the Matter of the Estate of H. Wilhelm Wolters, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the

Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: March 24, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-5419; Filed, April 17, 1944;
10:51 a. m.]

[Vesting Order 3401]

MINNIE MARIE ALBERTINE FRITZSCHE

In re: Real property and bank account owned by Minnie Marie Albertine Fritzsche.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Minnie Marie Albertine Fritzsche is Greussen, Province of Thuringen, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Minnie Marie Albertine Fritzsche is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. Real property situated in the City of Norfolk, State of Nebraska, particularly described as Lots 1 and 2, Block 2, Baer's Addition to Norfolk, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of Minnie Marie Albertine Fritzsche in and to the sum of \$1,000, constituting a portion of that certain bank account with the National Bank of Norfolk, Norfolk, Nebraska, which is due and owing to and held for Minnie Marie Albertine Fritzsche in an account entitled "Minnie Fritzsche, by Donald D. Mapes, attorney, Norfolk, Nebraska," including but not limited to all security rights in and to any and all collateral for all or part of such account and the right to enforce and collect the same,

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

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5406; Filed, April 17, 1944;
10:47 a. m.]

[Vesting Order 3402]

JOHANN GEORG GELDNER

In re: Bond and mortgage, fire insurance policy, and claim owned by Johann Georg Geldner and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known addresses of the persons named in Exhibit A, attached hereto and by reference made a part hereof, are as set forth in said Exhibit, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That the persons named in said Exhibit A are the owners of the property described in paragraph 3 hereof;

3. That the property described as follows:

a. A first mortgage executed on December 6, 1924, by Antonio Caracciolo and Maria Caracciolo, his wife, and recorded on December 17, 1924, in the County Clerk's Office of Queens County, New York, in Liber 2521 of Mortgages, page 342, which was assigned on January 1, 1938 by Alfred J. Kennedy, as Administrator of the Estate of Ursula Geldner, deceased, to the German Society of the City of New York, as attorney in fact for the persons named in Exhibit A, by instrument of assignment recorded June 2, 1938 in the Register's Office of Queens County, New York in Liber 4434 of Mortgages, page 245, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid first mortgage), for any or all of such obligations, and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds and other instruments evidencing such obligations,

b. All right, title and interest of the persons named in Exhibit A, in and to fire insurance policy No. F 471128, issued by Orient Insurance Company, Hartford, Connecticut, insuring the premises covered by the mortgage described in subparagraph 3-a hereof, and

c. All right, title, interest and claim, of any name or nature whatsoever, of the persons named in Exhibit A, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to said named persons by The German Society of the City of New York, 147 Fourth Avenue, New York, New York, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

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

And determining that the property described in subparagraphs 3-b and 3-c above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a above) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name, Last Known Address and Interest

Johann Georg Geldner; Nuremberg, Germany; share $\frac{1}{2}$.
Georg Kohler; Wiesenstr. 100, Nuremberg, Germany; share $\frac{1}{12}$.
Johann Kohler; Elisabethenstr. 2, Nuremberg, Germany; share $\frac{1}{12}$.
Maria Naumann, nee Kohler; Elisabethenstr. 2, Nuremberg, Germany; share $\frac{1}{12}$.
Andreas Geldner; Nuernbergerstr., Bamberg, Germany; share $\frac{1}{20}$.
Heinrich Geldner, Nuernbergerstr., Bamberg, Germany; share $\frac{1}{20}$.
Johann Geldner, Nuernbergerstr., Bamberg, Germany; share $\frac{1}{20}$.
Kunigunda Geldner, Nuernbergerstr., Bamberg, Germany; share $\frac{1}{20}$.
Johann Saal; Vorbach, Germany; share $\frac{1}{2}$.
Franziska Einberger, nee Geldner; Augustenstr. 26, Munich, Germany; share $\frac{1}{10}$.
Andreas Geldner; Maxplatz 2, Bamberg, Germany; share $\frac{1}{10}$.

[F. R. Doc. 44-5407; Filed, April 17, 1944; 10:47 a. m.]

[Vesting Order 3407]

MANTARO KUGA

In re: Interest in note and mortgage, and claims owned by M. Kuga, also known as Mantaro Kuga.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of M. Kuga, also known as Mantaro Kuga, is 25 Kogashiramachi, 1-chome, Kurume, Fukuoka Ken, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That M. Kuga, also known as Mantaro Kuga, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. The undivided one-half interest in a mortgage executed on January 1, 1939 by R. S. Hazeltine and Maud M. Hazeltine, his wife, as mortgagors, in favor of M. Kuga and R. Kiyokawa, as mortgagees, and recorded in the Clerk's Office of Hood River County, Oregon in Book 25 of Mortgage Records at Page 93, and any and all obligations secured by the interest in said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds, and other instruments evidencing such obligations,

b. All right, title, interest and claim of any name or nature whatsoever of M. Kuga in and to any and all obligations, contingent or otherwise and whether or not matured, owing to M. Kuga by R. Kiyokawa, including but not limited to all security rights in and to any and all collateral for any and all of such obligations, and the right to enforce and collect such obligations, and including particularly any and all claims against R. Kiyokawa arising out of the collection of proceeds from the mortgage described in subparagraph 3-a hereof, and those arising out of the purchase by R. Kiyokawa of M. Kuga's interest in the partnership enterprise now known as Kiyokawa-Yasui, and

c. All right, title, interest and claim of any name or nature whatsoever of M. Kuga in and to any and all obligations, contingent or otherwise and whether or not matured, owing to M. Kuga by the Apple Growers Association, Hood River, Oregon, and represented on the books of the Apple Growers Association as a credit balance due M. Kuga, including but not limited to all security rights in and to any and all collateral for any and all of such obligations, and the right to enforce and collect such obligations.

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5408; Filed, April 17, 1944; 10:47 a. m.]

[Vesting Order 3407]

FREDA KAUFFMANN

In re: Real property, bank accounts, and property insurance policies owned by Freda Kauffmann.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Freda Kauffmann is Holzminden, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Freda Kauffmann is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. Real property situated in the Counties of Galveston, Montgomery and Colorado, State of Texas, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property.

b. All right, title, and interest of Freda Kauffmann in and to fire and windstorm insurance policy No. DPT 37431, issued by the North British and Mercantile Insurance Company; fire and windstorm insurance policy No. DC 871833, issued by The Century Indemnity Company, and fire and windstorm insurance policy No. CD 434295 issued by the National Fire Insurance Company, insuring the improvements to a portion of the premises described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of Freda Kauffmann in and to those certain bank accounts in the First National Bank of Galveston, Galveston, Texas, which are due and owing to, and held for and in the name of Freda Kauffmann, Income Account, and Freda Kauffmann, Principal Account, including but not limited to all security rights in and to any and all collateral for any and all of such accounts or portion thereof, and the right to enforce and collect the same.

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

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or

otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

First-parcel of land. That lot or parcel of land situated in the County of Montgomery, State of Texas, particularly described as:

317.6 acres of land, more or less, a part of the Kenneth Hyman Survey, Abstract No. 249, and being all of the tract conveyed by J. W. Jockusch to Julius Kauffmann by deed dated August 27, 1873, recorded in Volume Z, Page 562, Deed Records of Montgomery County, Texas, particularly described as:

1. The tract originally patented to William C. C. Lynch, situated on the East Bank of San Jacinto River and containing Five-Labors and eight hundred and six thousand six hundred and seventy square varas—or one thousand and seventy eight acres, be the same more or less being the same tract conveyed to John W. Jockusch by Robert Mills and David G. Mills by deed bearing date May 15, 1871 and recorded in the Records of Montgomery County in Book "Y" pages 5 and 6;

2. The lower or southern half of the one-third of league originally patented to Kenneth Hyman: the said one-sixth of a League containing seven hundred and thirty-eight acres, be the same more or less, and being the same tract conveyed to John W. Jockusch by Robert Mills and David G. Mills by deed bearing date May 15, 1871 and recorded in the Records of Montgomery County in Book "Y" pages 5 and 6;

Save and except: (a) 25 acres conveyed by Clara Kauffmann to A. J. Madeley by deed dated September 10, 1898, recorded in Volume 18 at Page 421, Deed Records of Montgomery County;

(b) 200 acres conveyed by Clara Kauffmann by Attorney, to William Wheatley by deed dated March 5, 1902, recorded in Volume 29 at Page 618, Deed Records of Montgomery County;

(c) 100 acres conveyed by Freda Kauffmann to Henry Wilitten by deed dated December 20, 1920, recorded in Volume 101, Page 273, Deed Records, Montgomery County;

(d) 81.1 acres conveyed by Freda Kauffmann, et al., to Henry Wilitten by deed dated

April 4, 1923, recorded in Volume 108, Page 271, Deed Records, Montgomery County;

(e) The right of way of the I. & G. N. R. R. Conveyed by William J. Hutchins to H. & G. N. R. R. Company by deed dated March 7, 1870, recorded in Volume X, Page 571, Deed Records, Montgomery County, Texas, containing 14.3 acres more or less; EXCEPT a sixty-foot right of way deeded to the County of Montgomery State of Texas, containing 6.369 acres more or less.

Second parcel of land. That lot or parcel of land situated in the County of Galveston, State of Texas, particularly described as:

All that certain property being Lots Numbers Eight (8) to Thirteen (13) inclusive, in the South half of Block Four Hundred and Twenty-five (425), in the City and County of Galveston, State of Texas, according to the maps and plan of said city to which reference is made.

Third parcel of land. That lot or parcel of land particularly described as:

All the following lots or parcels of land situated in Galveston County, Texas, on Galveston Island, known according to the Trimble and Lindsay Survey of said Island as Lots Numbers Four Hundred and Fifty-six (456), Four Hundred and Sixty-seven (467), Four Hundred and Sixty-six (466), Four Hundred and Seventy-seven (477), Four Hundred Eighty-six (486), Four Hundred and Ninety-seven (497), Four Hundred and Forty-six (446), Four Hundred and Forty-seven (447), Four Hundred and Fifty-seven (457), Four Hundred and Seventy-six (476), Four Hundred and Eighty-seven (487), Four Hundred and ninety-six (496), Four Hundred and Ninety-seven (497) in Section One (1) of said Island. Also Lots Five (5), Sixteen (16), Twenty-five (25), Thirty-six (36), Forty-five (45), Forty-six (46), Six (6), Fifteen (15), and ½ of Lot Twenty-six (26) in Section Two (2) of said Island.

Fourth parcel of land. That lot or parcel of land containing 390½ acres situated in Colorado County, Texas, particularly described as:

That certain tract or parcel of land granted by the State of Texas to James Nelson December 8, 1849, containing 640 acres, lying & situate in Colorado County, Texas, about Eleven miles N NE from Columbus on the headwaters of St. Bernard River—Beginning at a stake the NE cor. of Jno. Weigl's 640 acre survey from which a black Jack mkd X bears N 79° W. 9¼ vrs. another mkd W bears S 45° W 6½ vrs Thence North 44° E 496½ varas to a stake from which a black Jack mkd J bears S 48¼° E 6½ varas, a post Oak mkd N bears N 71¼° W 9½ varas. Thence North 48° West crossing a branch 1056 varas to a point from which a black Jack mkd J bears N 32½ E. 9½ varas, another marked N. bears N 60¼° E 9½ varas, thence North 44°30' East at 191 varas a creek at 123½ varas a stake from which a post oak mkd J bears S 25° 30' W 13½ varas, another bears S 76°30' W 15 varas, mkd N. Thence South 48° East with the SW line of Jas Rylee's 26 labor survey 2260 varas to his corner, on the NW cor of a 19¼ labor survey for the heirs of Dunlavy, a stake from which a Hickory mkd J brs. N 41°30' E 15 varas. Thence S 44°30' W with Dunlavy's line at 983 vs. a branch at 988 vs. a black Jack mkd JT from which another mkd J brs. S 81°30' W 26 vs. Thence North 45°30' W at 600 varas a branch at 987 vs. a stake in Weigel's E line from which a post oak mkd J brs. S 84°30' W 37 vs. another bears N 52°30' W 30½ vs. Thence N with said line 331-vs. to the beginning, excepting from this conveyance 259½ acres of land heretofore sold by me out of the aforesaid 640 acre tract of land as follows to wit: to H. F. Dittmar 37½ acres, to Maine Dittmar 37½ acres to Roman Blaschke 37½ acres to Rudolph Blaschke 45½ acres, to Carl Brast 45½ acres and

to Mr. Wolters 45½ acres together with all and singular the rights, members, improvements, hereditaments, and appurtenances to the same belonging, or in anywise appertaining.

[F. R. Doc. 44-5409; Filed, April 17, 1944; 10:47 a. m.]

[Vesting Order 3409]

EMMA M. T. VON SCHIRACH

In re: Real property, a mortgage, a claim, and property insurance policies owned by Emma M. T. Von Schirach.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Emma M. T. Von Schirach is Blumenstrasse 5, Wiesbaden, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Emma M. T. Von Schirach is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property located in the City and County of Philadelphia, State of Pennsylvania, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. A mortgage executed on May 1, 1893 by Houston Smith, as mortgagor, in favor of David E. Dallam, as mortgagee, and recorded on June 5, 1893 in the Office of the Recorder of Deeds in and for the City and County of Philadelphia, State of Pennsylvania in Mortgage Book TG No. 266, Page 474, which was assigned to Emma M. T. Von Schirach on January 11, 1926 by instrument of assignment recorded in the above Recorder's Office on January 16, 1926 in Assignment of Mortgage Book No. 991, page 696, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations, and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations.

c. All right, title and interest of Emma M. T. Von Schirach in and to the following insurance policies insuring a portion of the premises described in subparagraph 3-a hereof, and the premises securing the mortgage described in subparagraph 3-b hereof:

(1) Fire Insurance Policy No. 136746 issued by the Franklin Fire Insurance Company of Philadelphia, Pennsylvania;

(2) Fire Insurance Policy No. F89662 issued by the Mercantile Insurance Company of America, 150 William Street, New York City;

(3) Fire Insurance Policy No. 38076 issued by the Mechanic Insurance Company of Philadelphia, Pennsylvania.

d. All right, title, interest and claim of any name or nature whatsoever of Emma M. T. Von Schirach in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Emma M. T. Von Schirach by The Pennsylvania Company, and represented on the books of The Pennsylvania Company as a credit balance due Emma M. T. Von Schirach, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

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

And determining that the property described in subparagraphs 3-c and 3-d hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b, 3-c and 3-d hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL]

JAMES E. MARKEHAM,
Alien Property Custodian.

EXHIBIT A

First parcel of land. That lot or parcel of land situated in the City and County of Philadelphia, State of Pennsylvania, described as:

All that certain lot or piece of ground with the Three Story Brick Messuage or Tenement thereon erected situate on the West side of Warnock Street at the distance of

Three hundred and seventy feet Northward from the North side of Berks Street in the Twentieth Ward of the City of Philadelphia, containing in front or breadth on the said Warnock Street Sixteen feet and extending of that width in length or depth Westward Fifty six feet to a certain four feet wide alley extending from the said Berks Street to Norris Street Bounded Northward and Southward by ground now or late of Joseph D. Thornton Eastward by the said Warnock Street and Westward by the four feet wide alley aforesaid.

Together with the free and common use, right, liberty, and privilege of the aforesaid four feet wide alley as and for a passageway and water course at all time hereafter forever.

Second parcel of land. That lot or parcel of land situated in the City and County of Philadelphia, State of Pennsylvania, described as:

All that certain lot or piece of ground situate on the west side of Warnock Street Beginning at the distance of Sixty Eight feet Northward from the North side of York Street in the Twenty Eighth Ward of the city of Philadelphia containing in front or breadth on the said Warnock Street Fourteen feet and extending of that width in length or depth Westward between lines parallel with said York Street Forty Eight feet to a certain Four feet wide alley extending Southward and Communicating with another Four feet wide alley extending from said Warnock Street to Eleventh Street being No. 2402.

Together with the free and common use right Liberty and privilege of the aforesaid alleys as and for passage ways and water Courses at all times forever.

Third parcel of land. That lot or parcel of land situated in the City and County of Philadelphia, State of Pennsylvania, described as:

All that certain lot or piece of ground with the building, and improvement, thereon erected situate on the West side of Warnock Street at the distance of Two Hundred and Thirty-six feet Southward from the South side of Cumberland Street in the Twenty-eighth Ward of the City of Philadelphia, containing in front or breadth on said Warnock Street Fourteen feet and extending of that width in length or depth Westward between parallel lines at right angles with said Warnock Street Forty-eight feet to a certain four feet wide alley running Northward and Southward and communicating with two other Four feet wide alleys leading Eastwardly into the said Warnock Street being No. 2428.

Together with the free and common use right liberty and privilege of the aforesaid alleys as and for passage ways and water courses at all times hereafter forever.

Fourth parcel of land. That lot or parcel of land situated in the City and County of Philadelphia, State of Pennsylvania, described as:

All that certain lot or piece of ground with the buildings and improvements thereon erected described according to a survey thereof made by F. Bloch Esq. Surveyor and regulator of the Fourth District on the eighteenth day of October A. D. 1923 as follows to wit: situate on the West side of Twenty-eighth Street No. 840 at the distance of three hundred and six feet eleven inches Northward from the North side of Brown Street in the Fifteenth Ward of the City of Philadelphia.

Containing in front or breadth on the said Twenty-eighth Street fifteen feet nine inches and extending of that width in length or depth westward sixty-two feet six inches to the middle of a certain three feet eight inches wide alley leading Northward into Parrish Street and communicating at its Southern end with a certain four feet wide alley leading Eastward into Twenty-eighth Street and Westward into Newkirk Street.

Together with the free and common use, right liberty and privilege of the aforesaid alleys as and for passage-ways and water courses at all times hereafter forever.

[F. R. Doc. 44-5410; Filed, April 17, 1944; 10:48 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 223]

COLLISION CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN KANSAS AND MISSOURI

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6539, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to re-

¹ Filed as part of the original document.

quire any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 24, 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 19th day of April 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

1. Perry A. Brooks, doing business as Brooks Truck Company, Marshall, Missouri.
2. Orschein Bros. Truck Lines, Inc., Moberly, Missouri.
3. Toedebusch Transfer, Inc., 10th & Cass, St. Louis, Missouri.
4. Wallace O. Gallatin, Higginsville, Missouri.

[F. R. Doc. 44-5521; Filed, April 19, 1944; 11:02 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 64, Order 135]

AUTOMATIC RANGE CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 135 under Maximum Price Regulation No. 64. Domestic cooking and heating stoves. Approval of maximum prices for resales of Model No. 190 Gas Ranges manufactured by Automatic Range Corporation.

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 Order Nos. 9250 and 9328, and in accordance with Section 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) J. Rose and Company, Inc., 68 Jay Street, Brooklyn, New York, may sell and deliver the Model No. 190 Gas Range, without heat control, manufactured by the Automatic Range Corporation, at prices no higher than the following, f. o. b. Brooklyn, New York:

	Per unit
To distributors.....	\$28.81
To dealers.....	31.92
To real estate trade.....	35.47

There may be added to these maximum prices the following additional amounts per unit provided such amounts are separately stated on the invoice:

When equipped to burn liquid petroleum gas:	
To distributors.....	\$1.00
To dealers.....	1.10
To real estate trade.....	1.20
For Federal excise tax:	
On Model No. 190.....	2.19
On Model No. 190 when equipped to burn liquid petroleum gas.....	2.26

(b) Any wholesale distributor may sell and deliver to dealers the Model No. 190 Gas Range, without heat control, manufactured by the Automatic Range Corporation, at prices no higher than the following; f. o. b. distributor's city:

	Per unit
Zone 1.....	\$36.69
Zone 2.....	37.23
Zone 3.....	38.10
Zone 4.....	39.09

There may be added to these maximum prices the following additional amounts per unit, provided such amounts are separately stated on the invoice:

When equipped to burn liquid petroleum gas.....	\$1.25
For Federal tax on Model No. 190.....	2.19
For Federal excise tax on Model No. 190 when equipped to burn liquid petroleum gas.....	2.26

(c) Any person may sell and deliver at retail the Model No. 190 gas range, without heat control, manufactured by Automatic Range Corporation at prices no higher than the following, delivered:

	Per unit
Zone 1.....	\$59.95
Zone 2.....	60.95
Zone 3.....	61.95
Zone 4.....	62.95

These maximum prices include the Federal excise tax. There may be added to these maximum prices an additional amount of \$2.00 per unit when equipped to burn liquid petroleum gas, provided such amount is separately stated on the invoice.

(d) At the time of or prior to the first invoice to each purchaser for resale, J. Rose and Company, Inc., shall notify the purchaser of the maximum prices and conditions set by this order for resale by the purchaser. This notice shall be given in any convenient form. In

addition, J. Rose and Company, Inc., shall, before delivering any Model No. 190 gas range, attach securely to such gas range a label listing the maximum retail selling prices by zones as established by this order. This label shall be attached to the inside of the oven door.

(e) For the purposes of this order, Zones 1, 2, 3, and 4 shall comprise the following states:

Zone 1: Maine, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Maryland, District of Columbia, Delaware, Ohio, West Virginia, Virginia, North Carolina, South Carolina.

Zone 2: Wisconsin, Michigan, Iowa, Illinois, Indiana, Missouri, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Louisiana, Florida.

Zone 3: North Dakota, Minnesota, South Dakota, Nebraska, Colorado, Kansas, Oklahoma, Texas, Arkansas.

Zone 4: Washington, Oregon, California, Idaho, Nevada, Montana, Wyoming, Utah, Arizona, New Mexico.

(f) This Order No. 135 may be revoked or amended by the Price Administrator at any time.

This Order No. 135 shall become effective on the 18th day of April 1944.

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5444; Filed, April 17, 1944; 11:59 a. m.]

[MPR 64, Order 136]

KOL-GAS HEATER CO.

APPROVAL OF MAXIMUM PRICES

Order No. 136 under Maximum Price Regulation No. 64. Domestic cooking and heating stoves. Approval of maximum prices for resales of magazine type coal heaters manufactured by Kol-Gas Heater Company.

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, Executive Order Nos. 9250 and 9328, and in accordance with Section 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) Any wholesale distributor may sell and deliver to dealers the following models of magazine type coal circulating heaters manufactured by Kol-Gas Heater Company, Nashville, Tennessee, and shipped from Albert Lea, Minnesota, at prices no higher than those set forth below for sales in each zone:

Model No.	Zone 1	Zone 2	Zone 3
324-LR.....	\$52.47	\$54.34	\$58.10
424-DR.....	55.00	57.00	61.20
524-SD.....	60.00	63.00	67.25
624-DR.....	61.20	64.00	67.75

These prices are f. o. b. distributors' cities.

(b) Any person may sell and deliver at retail the following models of magazine type coal circulating heaters manufactured by Kol-Gas Heater Company,

Nashville, Tennessee, shipped from Albert Lea, Minnesota, at prices no higher than those set forth below for sales in each zone:

Model No.	Zone 1	Zone 2	Zone 3
324-LR.....	\$83.95	\$86.95	\$92.95
424-DR.....	83.95	81.95	97.95
624-SD.....	86.95	101.50	107.50
624-DR.....	97.95	102.50	108.50

(c) At the time of or prior to the first invoice to each purchaser for resale, Kol-Gas Heater Company, Nashville, Tennessee, shall notify the purchaser of the maximum prices and conditions set by this order for resale by the purchaser. This notice shall be given in any convenient form. In addition Kol-Gas Heater Company, shall, before delivering any of the magazine type coal heaters for which maximum prices are established by this order, attach securely to each coal heater, a tag or label which plainly states the maximum retail selling prices established by this order for sales in each zone. This tag or label shall be attached to the front of the heater.

(d) For the purposes of this order, Zones 1, 2, and 3, shall comprise the following states:

Zone 1: North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Ohio and Kentucky.

Zone 2: Maine, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Maryland, District of Columbia, Delaware, West Virginia, Virginia, North Carolina, South Carolina, Tennessee, Mississippi, Alabama, Georgia, Louisiana, Florida, Colorado, Oklahoma, Texas, Arkansas, Montana, Wyoming, Utah, New Mexico.

Zone 3: California, Oregon, Washington, Idaho, Nevada, and Arizona.

(e) This Order No. 136 may be revoked or amended by the Price Administrator at any time.

This Order No. 136 shall become effective on the 18th day of April 1944.

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5445; Filed, April 17, 1944; 11:59 a. m.]

[MPR 120, Order 699]

KENTUCKY STRIP MINING CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 699 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with §1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated

uses and shipments as set forth herein. All are in District No. 9. The location of each mine is given by county and

state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

DISTRICT NO. 9

KENTUCKY STRIP MINING CO., DAWSON SPRINGS, KY., KENTUCKY STRIP #6, No. 6 SEAM, MINE INDEX No. 201, PRICE GROUP No. 2, HOPKINS COUNTY, KY., STRIP MINE, SHIPPING POINT: CHARLESTON, KY.

	Size group Nos.					
	1 to 6 Inc.	7	8 to 12 Inc.	13, 14	25, 27, 28, 29	15, 16
Rail shipments and R. R. fuel.....	\$2.70	\$2.25	\$3.10	\$2.45	\$2.80	\$1.40

J. F. MULLIGAN COAL CO., GREENVILLE, KY., MULLIGAN MINE, STRAT SEAM, MINE INDEX No. 202, PRICE GROUP No. 1, MUILENBERG COUNTY, KY., STRIP MINE, SHIPPING POINT: GREENVILLE, KY.

	Size group Nos.								
	1 to 6 Inc.	7	8 to 12 Inc.	17 to 22 Inc.	13, 14	23, 24	25, 27, 28, 29	15, 16	25
Rail shipments and R. R. fuel.....	\$2.45	\$2.25	\$2.20	\$2.20	\$1.85	\$2.60	\$1.60	\$1.25	\$1.75

NORTON COAL CORPORATION, NORTONVILLE, KY., CHERRY TREE STRIP MINE, No. 9 SEAM, MINE INDEX No. 205, PRICE GROUP No. 3, HOPKINS COUNTY, KY., STRIP MINE, SHIPPING POINT: LEXLEY, KY.

	Size group Nos.								
	1 to 6 Inc.	7	8 to 12 Inc.	17 to 22 Inc.	13, 14	23, 24	25, 27, 28, 29	15, 16	25
Rail shipments and R. R. fuel.....	\$2.20	\$2.10	\$2.00	\$2.20	\$1.75	\$2.20	\$1.80	\$1.25	\$1.05

Maximum truck or wagon prices for the above named mines:
All single-screened lump coals, bottom size larger than 1 1/4" and all double-screened raw, washed or air-cleaned coals, bottom size larger than 1 1/4", \$2.60.
All single-screened lump coals, bottom size 1 1/4" and smaller, and all double-screened coals, bottom size 1 1/4" and smaller, \$2.45.
Mine run, modified mine run and mine run runnables larger than 2", \$2.35.
Screenings, top size not exceeding 2", \$2.00.

This order shall become effective April 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9926, 8 F.R. 4681)

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5453; Filed, April 17, 1944; 12:01 p. m.]

[MPR 188, Amdt. 1 to Order 1156]

WARREN TELECHRON CO.

APPROVAL OF MAXIMUM PRICES

Amendment No. 1 to Order No. 1156 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two electric alarm clocks manufactured by Warren Telechron Company.

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 Order Nos. 9250 and 9328, *It is ordered:*

Paragraph (a) of Order No. 1156 issued under § 1499.158 of Maximum Price Regulation No. 188 is amended to read as set forth below:

(a) This Order No. 1156 establishes maximum prices for sales of two new

electric alarm clocks manufactured by Warren Telechron Company, Ashland, Massachusetts, and described in an application dated December 7, 1943.

(1) For sales by the manufacturer, the maximum price is \$2.60 per clock, f. o. b. Ashland, Massachusetts.

(2) For sales at wholesale, the maximum price is \$3.08 per clock, f. o. b. seller's city.

(3) For sales at retail, the maximum price is \$4.95 per clock.

This amendment shall become effective on the 18th day of April 1944.

Issued this 11th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5452; Filed, April 17, 1944; 11:56 a. m.]

[MPR 183, Order 1503]

FRANK FELDMAN

APPROVAL OF MAXIMUM PRICES

Order No. 1503 under § 1499.158 of Maximum Price Regulation No. 183.

[MPR 188, Order 1509]

UPHOLSTERED SOFA BEDS, ETC.
ESTABLISHMENT OF MAXIMUM PRICES

Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for resales of two new fountain pens and one new fountain pen and mechanical pencil set, manufactured by Frank Feldman.

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 Order Nos. 9250 and 9328, *It is ordered:*

(a) This Order No. 1503 establishes maximum prices for resales of two new fountain pens and one new fountain pen and mechanical pencil set, manufactured by Frank Feldman, Nassau, New York. This order applies to all sales of the new fountain pens and fountain pen and pencil set in the 48 states and the District of Columbia.

(1) For sales by jobbers to retailers, and all sales at wholesale other than sales by the manufacturer, the maximum prices are those set forth below, f. o. b. seller's city:

Article	Model No.	Maximum price (per gross)
Fountain pen.....	27	\$151.20
Fountain pen.....	200	73.44
Fountain pen and mechanical pencil set.....	37	216.00

(2) For sales at retail, the maximum prices are those set forth below:

Article	Model No.	Maximum price
Fountain pen.....	27	(Per unit) \$1.75
Fountain pen.....	200	.85
Fountain pen and mechanical pencil set.....	37	2.50

(b) To every fountain pen and every fountain pen and pencil set shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(c) The manufacturer shall notify, in writing, every purchaser for resale, and every jobber shall notify, in writing, every retailer who buys the articles listed above, of the maximum prices established by this order for resales by the purchaser. This notice shall be given at or prior to the first invoice to each such purchaser, and may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This Order No. 1503 may be revoked or amended by the Price Administrator at any time.

This Order No. 1503 shall become effective April 18, 1944.

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5446; Filed, April 17, 1944; 11:59 a. m.]

Order No. 1509 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Manufacturers' and jobbers' maximum prices for sales of upholstered sofa beds, studio couches, and other upholstered dual purpose sleeping equipment.

For the reasons set forth in the 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 Order No. 9250, *It is ordered:*

(a) *Purpose of this order.* The purpose of this order is to establish maximum prices for all sales by manufacturers and jobbers of upholstered sofa beds, studio couches, and all other upholstered dual purpose sleeping equipment.

(b) *What articles are covered by this order.* This order covers all upholstered dual purpose sleeping equipment and includes any article of furniture built up with filling materials and a steel spring inner construction, upholstered with a woven fabric and which can be opened (as on hinges or slides) into a bed; as for example, studio couches, sofa beds, bed lounges, and chair beds. This order covers articles made of new materials and articles made in whole or in part of used materials.

(c) *What articles this order does not cover.* This order does not cover any mattress-bedspring combination which does not open into a bed, such as single divans, boxsprings on legs, or metal bed-springs on legs.

(d) *Relationship of this order to Maximum Price Regulation No. 188.* This order replaces the pricing provisions (§§ 1499.153, .154, .155, .156, .157, .158, and .159a) of Maximum Price Regulation No. 188 as to manufacturers and the pricing provisions (§§ 1499.2 and 1499.3) of the General Maximum Price Regulation for all sales and deliveries other than at retail of upholstered sofa beds, studio couches and all other upholstered dual purpose sleeping equipment with steel spring construction after the effective date of this order. All other sections of Maximum Price Regulation No. 188 and the General Maximum Price Regulation remain applicable to sales and deliveries of articles covered by this order.

(e) *How to determine manufacturers' maximum prices for sales of articles covered by this order.* (1) The following paragraphs list the minimum specifications and the manufacturers' f. o. b. factory l. c. l. maximum prices for certain basic models of upholstered dual purpose sleeping equipment with steel spring construction when made with all new materials. These prices shall be subject to the discounts, allowances, and other price differentials which the man-

ufacturer made from his regularly quoted f. o. b. factory l. c. l. prices to retailers on sales of the most comparable article during March 1942. The "most comparable" article means that article of upholstered dual purpose sleeping equipment with steel spring construction for which the manufacturer's regularly quoted f. o. b. factory l. c. l. price to retailers in March 1942 is nearest in amount to the manufacturers' f. o. b. factory l. c. l. maximum price to retailers for the article to which the discounts, allowances or other price differentials will apply. "Regularly quoted price to retailers" is the highest price at which a manufacturer made a substantial number of sales or deliveries to retailers of an article of upholstered dual purpose sleeping equipment with steel spring construction.

(2) Maximum prices for manufacturers who were not in the business of manufacturing and selling articles covered by this order during March 1942 shall be established under paragraph (p) of this order. Maximum prices for models for which specific dollar-and-cents prices are not listed below and maximum prices for sales or deliveries by manufacturers of articles covered by this order to classes of purchasers to whom they did not make sales during March 1942 shall also be established under paragraph (p) of this order.

(3) Maximum prices for articles made in whole or in part of used materials shall be established under paragraph (p) of this order.

(f) *General specifications for articles made with new materials.* All specifications set forth in this order are for new materials only. All frame lumber must be properly seasoned, sound, and of such grade as to give adequate serviceability. All joints must be properly blocked, or reinforced where necessary. Wood arms and other show wood must be of sound stock, well sanded and finished. All upholstered arms must be padded on top, front, and inside.

(g) *Upholstered arm sofa bed minimum specifications.*

- Steel spring construction:
 - 40 coils in seat, 30 coils in back, or equivalent.
 - Hinged or two piece.
 - Crimp or helical tie.
 - Minimum steel weight 22 pounds.
- Operating hinges—steel.
- Wood frame—Pine, gum, birch, poplar, or equivalent.
- Spring construction frame 1 $\frac{3}{16}$ " dressed.
- Bedding box—Frame 1 $\frac{3}{16}$ " dressed. Bottom 3 $\frac{1}{16}$ " cardboard.
- Spring cover fabric—Osnaberg, or equivalent, not lighter than 4 ounces per square yard.
- Filling—Seat and back, 24 lb. cotton felt, #3 lintars or equivalent.
- Cover—Base grade \$0.20 to \$0.25 cost per yard, 54" width.
- Outside back facing—denim or equivalent.
- Tailoring—French seams or cord trim.
- Arms—Modern type, or equivalent, minimum 4" finished width.
- Plain square legs or equivalent.
- Inside arm to have backing board or equivalent.
- Filling—3 lb. cotton felt #3 lintars or equivalent.

(h) Upholstered arm sofa bed maximum prices for sales by manufacturers f. o. b. factory l. c. l.

Cost of upholstery fabric per yard 54" width	Outside back in facing cloth	Outside back ¹ in same fabric
Over \$0.20 to \$0.25	\$27.25	\$27.60
Over \$0.25 to \$0.35	27.85	28.15
Over \$0.35 to \$0.45	29.00	29.50
Over \$0.45 to \$0.55	30.15	30.85
Over \$0.55 to \$0.65	31.30	32.20
Over \$0.65 to \$0.75	32.45	33.55
Over \$0.75 to \$0.85	33.60	34.90
Over \$0.85 to \$0.95	34.75	36.25
Over \$0.95 to \$1.05	35.90	37.60
Over \$1.05 to \$1.15	37.05	38.95
Over \$1.15 to \$1.25	38.20	40.30
Over \$1.25 to \$1.35	39.35	41.65
Over \$1.35 to \$1.45	40.50	43.00
Over \$1.45 to \$1.55	41.65	44.35
Over \$1.55 to \$1.65	42.80	45.70
Over \$1.65 to \$1.75	43.95	47.05
Over \$1.75 to \$1.85	45.10	48.40
Over \$1.85 to \$1.95	46.25	49.75
Over \$1.95 to \$2.05	47.40	51.10

¹"Outside back in same fabric" means upholstery fabric on outside of the back section, rear of seat section, and bedding box back frame.

Note: See paragraph (r) for meaning of "cost of upholstery fabric" for determining maximum price.

For sofa beds in fabrics which cost more than \$2.05 per yard you may add the following maximum extra charge for each \$0.10 increase in cost per yard:

1. Outside back in facing cloth..... \$1.15
2. Outside back in same fabric..... 1.30

(i) Upholstered arm sofa bed additional charges. You may add the following extra charges to the prices set forth in (h) above:

1. For innerspring type construction with no sag or zigger wire base, or equivalent..... \$1.00

Minimum specifications:
Innerspring unit:
90 coils in seat, 72 coils in back, or equivalent.
Hinged or two piece.
Minimum steel weight 18 pounds.
Base—18 strands for seat and back.

2. For innerspring type construction with band and helical base..... .50

Minimum specifications:
Innerspring unit:
90 coils in seat, 72 coils in back, or equivalent.
Hinged or two piece.
Minimum steel weight 18 pounds.
Base—Bands 5/8" x .020, helicals 1 end.

3. For self welts—seat, back and sectional..... 1.25

Minimum requirements:
Seat—front and sides and two dividing welts.
Back—top and sides and two dividing welts.
Arms—edge seams.

4. For self welts—seat and back only..... .75

Minimum requirements:
Seat—front and sides.
Back—top and sides.
Arms—edge seams.

(j) Wood arm sofa bed minimum specifications.

Steel spring construction:
40 coils in seat, 30 coils in back, or equivalent.
Hinged or two piece.
Crimp or helical tie.
Minimum steel weight 22 pounds.
Operating hinges—steel.

No. 79—13

Wood frame—pine, gum, birch, poplar, or equivalent.
Spring construction frame 1 1/10" dressed.
Bedding box—Frame 1 1/10" dressed.
Bottom 5/16" cardboard.
Spring cover fabric—Osnaberg or equivalent, not lighter than 4 oz. per sq. yd.
Filling—seat and back 24-pound cotton felt, #3 linter or equivalent.
Upholstery fabric—base grade 0.20 to 0.25 cost per yd., 54" width.
Tailoring—French seams or cord trim.
Arms—Bentwood or 3 piece arm, minimum 2" x 1 1/10".

(k) Wood arm sofa bed maximum prices for sales by manufacturers f. o. b. factory l. c. l.

Cost of upholstery fabric per yard 54" width	Outside back in facing cloth	Outside back ¹ in same fabric
Over \$0.20 to \$0.25	\$23.69	\$23.15
Over .25 to .35	24.35	23.70
Over .35 to .45	25.25	24.75
Over .45 to .55	26.15	25.85
Over .55 to .65	27.05	26.95
Over .65 to .75	27.95	28.05
Over .75 to .85	28.85	29.15
Over .85 to .95	29.75	30.25
Over .95 to \$1.05	30.65	31.35
Over 1.05 to 1.15	31.55	32.45
Over 1.15 to 1.25	32.45	33.55
Over 1.25 to 1.35	33.35	34.65
Over 1.35 to 1.45	34.25	35.75
Over 1.45 to 1.55	35.15	36.85
Over 1.55 to 1.65	36.05	37.95
Over 1.65 to 1.75	36.95	39.05
Over 1.75 to 1.85	37.85	40.15
Over 1.85 to 1.95	38.75	41.25
Over 1.95 to 2.05	39.65	42.35

¹"Outside back in same fabric" means upholstery fabric on outside of the back section, rear of seat section, and bedding box back frame.

Note: See paragraph (r) for meaning of "cost of upholstery fabric" for determining maximum price.

For sofa beds in fabrics which cost more than \$2.05 per yard you may add the following maximum extra charge for each \$0.10 increase in cost per yard:

1. Outside back in facing cloth..... \$0.80
2. Outside back in same fabric..... 1.15

(l) Wood arm sofa bed additional charges. You may add the following extra charges to the prices set forth in (k) above:

1. For wood arm with panel..... \$1.25

Minimum specifications:
Posts 1 1/4" x 1 1/4" or 3" x 1 1/10" or equivalent.
Arm rest—not less than 3 1/2" in widest part.

2. For wood arm, 3 piece..... .60

Minimum specifications:
Post 2" x 1 1/10".
Arm rest—not less than 3 1/2" at widest part.

3. Self welts—seat, back and sectional..... 1.25

Minimum requirements:
Seat—front and sides and two dividing welts.
Back—top and sides and two dividing welts.

4. For self welts—seat and back only..... .75

Minimum requirements:
Seat—front and sides.
Back—top and sides.

(m) Studio couch minimum specifications.

Cool seat section with drop back or under-section.

Construction:

Seat—40 coil, crimp or helical tie, skeleton type, angle back bottom rail or equivalent.¹
Back or under section—angle frame, link fabric or band and helical type or equivalent.

Casters.

Minimum steel weight—29 lbs. rail steel, 13 lbs. wire.¹

Wood frame—pine, gum, birch, poplar or equivalent, 1 1/10" dressed.

Base:

Spring cover—Osnaberg or equivalent, not lighter than 4 ounces per square yard.

Filling 10 pound—cotton felt #3 linters or equivalent.

Upholstery fabric—To cover front and sides and 4" in on three sides of platform.

Insert—3.50 sheeting or equivalent.

Mattress:

Filling—32 pound cotton felt #3 linters or equivalent.

Button tufted or equivalent.

Upholstery fabric—to cover top and sides and 2" in on all sides of underside.

Insert—3.50 sheeting or equivalent.

Roll edge or two row side stitch.

Pillows:

3—16 x 24 box edge.

Filling—cotton felt, #3 linters or equivalent, 4 pounds each pillow.

Upholstery fabric—base grade 20¢ to 24¢ per yard, 54" width.

Tailoring—cord welt.

Minimum specifications on welt:

Top and bottom of pad.

Box edges of pillows.

1 welt all around base.

(n) Studio couch maximum prices for sales by manufacturers f. o. b. factory l. c. l.

Cost of upholstery fabric per yard, 54" width	Maximum price cord welt	Maximum price self welt
Over \$0.20 to \$0.25	\$24.75	\$25.30
Over \$0.25 to \$0.35	25.25	25.85
Over \$0.35 to \$0.45	26.20	27.40
Over \$0.45 to \$0.55	27.75	28.75
Over \$0.55 to \$0.65	29.00	30.10
Over \$0.65 to \$0.75	30.25	31.45
Over \$0.75 to \$0.85	31.50	32.80
Over \$0.85 to \$0.95	32.75	34.15
Over \$0.95 to \$1.05	34.00	35.50
Over \$1.05 to \$1.15	35.25	36.85
Over \$1.15 to \$1.25	36.50	38.20
Over \$1.25 to \$1.35	37.75	39.55
Over \$1.35 to \$1.45	39.00	40.90
Over \$1.45 to \$1.55	40.25	42.25
Over \$1.55 to \$1.65	41.50	43.60
Over \$1.65 to \$1.75	42.75	44.95
Over \$1.75 to \$1.85	44.00	46.30
Over \$1.85 to \$1.95	45.25	47.65
Over \$1.95 to \$2.05	46.50	49.00

Note: See paragraph (r) for meaning of "cost of upholstery fabric" for determining maximum price.

For studio couches in fabrics which cost more than \$2.05 per yard you may add the following maximum extra

¹An alternate construction of equivalent strength and serviceability with a minimum weight of 22 lbs. of rail steel in which an adequate wood rail is used to replace the back angle rail in the seat section may be used upon written authorization from the Office of Price Administration, Washington, D. C.

charges for each \$0.10 increase in cost per yard:

1. In cord welt..... \$1.25
2. In self welt..... 1.35

(o) *Studio couch additional charges.* You may add the following charges to the prices set forth in (n) above:

1. For arms—bentwood, with arm rest, min 2" x 1³/₁₆"..... \$2.75
Three piece—posts 2" x 1³/₁₆"..... 3.25
Arm 3¹/₂ at widest part.
2. For reversible mattress:
Fabrics up to 40¢ per yd.
54"..... No extra charge
Fabrics 40¢ to \$1.00 per yd. 54"..... \$0.50
Fabrics over \$1.00 per yd. 54"..... 1.00
3. For upholstery fabric on Top Deck of Base Section:
Fabrics up to 40¢ per yd.
54"..... No extra charge
Fabrics 40¢ to \$1.00 per yd. 54"..... \$0.50
Fabrics over \$1.00 per yd. 54"..... 1.00
4. For covered buttons..... .50

(p) *Manufacturers' maximum prices which cannot be determined under another paragraph of this order (such as other models and other classes of purchasers).* The maximum price for any sale or delivery of an article covered by this order which cannot be determined under any other paragraph of this order shall be a price fixed by order of the Price Administrator, in line with the level of maximum prices established by this order. No person may sell, offer to sell or deliver an article for which a maximum price must be established under this paragraph until a price has been specifically authorized by order of the Office of Price Administration. If in violation of the preceding sentence, a sale, offer to sell, or delivery of an article is made before the issuance of an order by the Price Administrator specifically authorizing a maximum price for the article, the maximum price applicable to the sale, offer to sell or delivery shall be such maximum price as the Price Administrator may establish for the article by subsequent order. An application by a manufacturer for the establishment of a maximum price under this paragraph shall be made to the Office of Price Administration, Washington, D. C., and shall contain the following information:

1. Identifying number or trade name of article to be priced.
2. The reasons why the article to be priced cannot be priced under any other paragraph of this order.
3. Detailed specifications and an illustration of the article to be priced.
4. An itemized breakdown of the manufacturer's current unit direct cost of the article to be priced, showing separately according to his own system of accounts or regularly prepared operating statements all major component unit direct cost factors. For the purpose of this order, unit direct costs include direct labor and direct material costs but do not include factory burden (sometimes called factory overhead or indirect manufacturing expenses), packaging and crating costs, royalties and patterns, tool and die cost and items of administrative, general and selling

expenses. Also, the number of units of production upon which the unit direct costs were based.

5. An itemized breakdown of the manufacturer's (4) above) of the basic model, specifically turners' current unit direct cost (as described priced in this order, which is most nearly comparable to the article being priced.

6. Price lists in effect during March 1942 showing:

the article most nearly comparable to the article being priced, with illustrations;
the article most nearly comparable to the basic model mentioned in (4), with illustrations;
all price differentials covering variations in these constructions.

If the manufacturer was not making and selling upholstered dual purpose sleeping equipment in March 1942, send the first price list which was in effect after March 1942, together with illustrations.

7. A statement of the manufacturer's customary discounts, allowances and other price differentials to different classes of purchasers in effect for sales of upholstered dual purpose sleeping equipment during March 1942, or if the manufacturer was not making and selling upholstered dual purpose sleeping equipment during March 1942, the same information for the first period after March 1942 during which the manufacturer was engaged in this business.

8. Requested maximum price of the article to be priced and reasons for same.

(q) *Differentials for sales in the Far West Zone.* F. o. b. factory l. c. l. maximum prices in the Far West zone shall be determined by adding \$0.50 to the prices set forth in paragraphs (h) and (k) and \$0.75 to the prices in paragraph (n) above. Far West zone for purposes of this order means the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos and Reeves.

(r) *Definition of "cost of upholstery fabric".* This paragraph defines the amount you may include as your "cost of upholstery fabric" for the purpose of determining your maximum prices as a manufacturer of an article covered by this order. Maximum Price Regulation No. 39—Woven Decorative Fabrics, fixes maximum prices for sales by manufacturers and jobbers of upholstery fabrics. Within the limits of Maximum Price Regulation No. 39, you determine your "cost of upholstery fabric" in accordance with the following rules:

1. If you have a single supplier of a particular fabric, your "cost of upholstery fabric" is your supplier's (i. e., mill, converter, or jobber) maximum price for the fabric to your class of customer which he has filed with the Office of Price Administration in Washington, D. C., as required by Maximum Price Regulation No. 39.

2. If you purchase the same fabric from more than one supplier, or if you change your source of supply for a fabric, your cost of that fabric is the properly established and filed maximum price of

the original supplier or any subsequent supplier whichever is lower.

3. If you purchase your upholstery fabric from a seller whose maximum price to you was not properly established and filed under Maximum Price Regulation No. 39, (or is not covered by Maximum Price Regulation No. 39) then your cost of upholstery fabric may not exceed the highest properly established maximum price for sales of that fabric by your supplier or by a jobber in the same market area to your class of purchaser, whichever is lower. If you cannot ascertain what this price is, write to the Consumer Durable Goods Branch of the Office of Price Administration in Washington, D. C., who will supply you with that information.

4. If you use covers other than 54" width, your "cost of upholstery fabric" shall be determined by converting the cost per yard of the fabric to a 54" width basis in the direct ratio between 54" and the width of the fabric you are using. For example, if you use a 36" fabric with a properly determined cost of \$0.50 per yard you convert it to a 54" basis by dividing 54 by 36 which gives you 1.5 and multiplying that figure by \$0.50 which gives you a cost of upholstery fabric on a 54" basis of \$0.75 per yard.

5. You may not include in your "cost of upholstery fabric" any freight charges which you incur on shipments from your supplier to your plant. Allowance for freight has been made in the maximum prices established in this order.

(s) *Upholstery fabric reports.* If you are a manufacturer, you may not sell any article governed by this order in any upholstery fabric until you have first filed with the Consumer Durable Goods Price Branch, Office of Price Administration in Washington, D. C., a list of all the upholstery fabrics which you will use. This report shall give the supplier's name, the supplier's fabric identification, a sample swatch 3" x 3" in size, the approved maximum price to you, and your own grade designation for that fabric. You must keep this report up to date by filing the same data on additional fabrics before selling or delivering any article with such fabric. Furthermore, if your "cost of upholstery fabric" already reported by you is reduced as a result of a change in your supplier, you must report the change. You must retain for inspection by the Office of Price Administration all purchase invoices for upholstery fabrics used in the manufacture of articles covered by this order with a notation on each purchase invoice of your own grade number or letter for each fabric on the invoice.

(t) *Maximum prices for sales by jobbers.* Subparagraph (1) below sets maximum prices for jobbers who sold upholstered studio couches, sofa beds, and other dual purpose sleeping equipment in March 1942. Subparagraph (2) below sets maximum prices for sales by jobbers who cannot determine their maximum prices under subparagraph (1) below. A jobber is a person who purchases an article covered by this order and resells

it to a person other than the ultimate consumer without substantially changing its form.

(1) The maximum price for a jobber who sold upholstered studio couches, sofa beds and other dual purpose sleeping equipment in March 1942, shall be determined by adding to the manufacturer's f. o. b. factory l. c. l. maximum price established under this order the amount by which the jobber's March 1942 selling price exceeded the manufacturer's March 1942 regularly quoted f. o. b. factory l. c. l. price to retailers, for sales of the most comparable article to the same class of customer and on the same terms and conditions of sale. The "most comparable" article means that article of upholstered dual purpose sleeping equipment with steel spring construction for which the manufacturer's regularly quoted f. o. b. factory l. c. l. price to retailers in March 1942 is nearest in amount to the manufacturer's f. o. b. factory l. c. l. maximum price established under this order for the article being priced. "Regularly quoted price to retailers" is the highest price at which a manufacturer made a substantial number of sales or deliveries of the most comparable article during March 1942.

(2) The maximum price for a jobber for any sale or delivery of an article covered by this order which cannot be determined under subparagraph (1) above shall be a price fixed by order of the Price Administrator, in line with the level of prices established by this order. No person may sell, offer to sell or deliver an article for which a price must be established under this paragraph until a price has been specifically authorized by order of the Office of Price Administration. If in violation of the preceding sentence, a sale, offer to sell, or delivery of an article is made before the issuance of an order by the Price Administrator specifically authorizing a maximum price for the article, the maximum price applicable to the sale, offer to sell or delivery shall be such maximum price as the Price Administrator may establish for the article by subsequent order. An application for a maximum price under this paragraph shall be made to the Office of Price Administration, Washington, D. C., and contain the following information:

1. Reason why the article cannot be priced under subparagraph (1) above.
2. Identification and the manufacturer's selling price of the article to be sold.
3. Name and address of supplier.
4. Discount allowed by supplier and your net cost.
5. A statement from your supplier setting forth his discounts to jobbers during March 1942.
6. Names of nearest competitive jobbers.
7. Suggested maximum price and reasons.

(u) *Sales slips, receipts and invoices.* After the effective date of this order,

every seller (other than at retail) making a sale of an article covered by this order shall furnish the purchaser with a sales slip, receipt, invoice or other similar written evidence of purchase showing the name and address of the seller and purchaser, the date of sale, the manufacturer's or seller's style name or number, type of article, type of arm (e. g., upholstered or wood), the manufacturer's own fabric grade number or letter, type or trim (e. g., self welt, cord trim, or french seam) and the price charged. This sales slip, receipt or invoice or other written evidence of purchase shall be kept by the purchaser and a carbon copy of it kept by the seller for inspection by the Office of Price Administration.

This Order No. 1509 may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 18th day of April 1944.

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

Issued this 17th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5447; Filed, April 17, 1944;
12 m.]

[MPR 188, Amdt. 33 to Order A-1]

SHALE AND CLAY BUILDING BRICK
MODIFICATION OF MAXIMUM PRICES

Amendment No. 33 to Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

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

Paragraph (a) (26) to Order A-1 is amended to read as follows:

(a) *Modification of maximum prices under Maximum Price Regulation No. 188.* The provisions of Maximum Price Regulation No. 188 as applied to certain commodities subject thereto, are modified in accordance with § 1499.159b of Maximum Price Regulation No. 188 as hereinafter provided.

(26) *Modification of maximum prices for shale and clay building brick produced in the State of Ohio, except Cuyahoga County.* (i) On and after March 20, 1944, any manufacturer located in the State of Ohio, except Cuyahoga County, producing shale and clay building brick (smooth, sanded, or wire cut) may increase his maximum prices on standard size brick established by Maximum Price Regulation No. 188 and in

effect on June 14, 1943, by an amount not in excess of \$3.00 per thousand on sales f. o. b. plant or delivered to destination; except, however, if the manufacturer had an established differential in price during the month of March 1942 for non-standard sizes of building brick he may convert the adjustment granted herein for standard size brick, to non-standard size brick on the basis of the conversion factors or formula in use by him during March 1942 in establishing a price differential between the standard size brick and the non-standard size brick under this adjustment.

(ii) On and after March 20, 1944, any person who purchases shale and clay building brick for the purpose of resale from any manufacturer located in the State of Ohio, except Cuyahoga County, whose maximum price has been adjusted pursuant to subdivision (i), may increase his maximum prices f. o. b. yard or delivered, established by the General Maximum Price Regulation and in effect on June 14, 1943, by an amount not in excess of the dollars-and-cents increase in cost to him resulting from the adjustment permitted herein to producers.

(iii) The maximum prices fixed herein shall be subject to at least the same extension of cash, quantity, and other discounts, transportation allowances, and the same rendition of transportation and other services as the seller extended or rendered on comparable sales to purchasers of the same class during the month of March 1942.

(iv) Any adjustments granted by the Office of Price Administration subsequent to June 14, 1943, and prior to March 20, 1944, adjusting maximum prices for any manufacturer located in the State of Ohio, except Cuyahoga County, producing shale and clay building brick, are hereby revoked insofar as such orders are applicable to shale and clay building brick.

(v) Any adjustment granted by the Office of Price Administration subsequent to June 14, 1943, and prior to March 20, 1944, adjusting maximum prices for the resale of shale and clay building brick purchased from manufacturers located in the State of Ohio, except Cuyahoga County, are hereby revoked insofar as such orders are applicable to shale and clay building brick.

This Amendment No. 33 shall become effective April 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 18th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-5484; Filed, April 18, 1944;
11:44 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 13, 1944.

REGION II

Camden Order No. 11, Amendment No. 1, filed 2:03 p. m.
Camden Order No. 12, Amendment No. 1, filed 2:03 p. m.
Maryland Order No. 13, Amendment No. 1, filed 2:04 p. m.
Maryland Order No. 14, Amendment No. 1, filed 2:04 p. m.
Maryland Order No. 15, Amendment No. 1, filed 2:04 p. m.
Maryland Order No. 17, Amendment No. 1, filed 2:04 p. m.
New York Order No. 1-F, filed 2:02 p. m.

REGION III

Cincinnati Order No. 2-F, Amendment No. 14, filed 2:25 p. m.
Columbus Order No. 3-F, Amendment No. 11, filed 2:09 p. m.
Columbus Order No. 3-F, Amendment No. 12, filed 2:09 p. m.
Columbus Order No. 7-F, Amendment No. 10, filed 2:09 p. m.
Columbus Order No. 7-F, Amendment No. 11, filed 2:09 p. m.
Columbus Order 8, Amendment No. 5, filed 2:07 p. m.
Columbus Order No. 9, Amendment No. 4, filed 2:07 p. m.
Escanaba Order No. 12-F, filed 2:19 p. m.
Escanaba Order No. 12-F, Amendment No. 1, filed 2:18 p. m.
Escanaba Order No. 13-F, filed 2:18 p. m.
Escanaba Order No. 13-F, Amendment No. 1, filed 2:17 p. m.
Escanaba Order No. 14-F, filed 2:17 p. m.
Escanaba Order No. 14-F, Amendment No. 1, filed 2:17 p. m.
Grand Rapids Order No. F-1, Amendment No. 27, filed 2:21 p. m.
Grand Rapids Order No. F-14-B, Amendment No. 10, filed 2:16 p. m.
Grand Rapids Order No. F-1, Revocation, filed 2:23 p. m.
Indianapolis Order No. 10, Revocation, filed 2:24 p. m.
Indianapolis Order No. 11, Revocation, filed 2:24 p. m.
Indianapolis Order No. 12, Revocation, filed 2:25 p. m.
Indianapolis Order No. 13, Revocation, filed 2:24 p. m.
Indianapolis Order No. 18, filed 2:12 p. m.
Indianapolis Order No. 19, filed 2:11 p. m.
Indianapolis Order No. 20, filed 2:11 p. m.
Indianapolis Order No. 21, filed 2:11 p. m.
Lexington Order No. 1-W, filed 2:16 p. m.
Lexington Order No. 1-F, Amendment No. 22, filed 2:05 p. m.
Lexington Order No. 2-F, Amendment No. 15, filed 2:05 p. m.
Lexington Order No. 3-F, Amendment No. 13, filed 2:06 p. m.

REGION V

New Orleans Order No. G-17, filed 2:26 p. m.
New Orleans Order No. G-18, filed 2:26 p. m.

REGION VI

Des Moines Order No. 1-F, Amendment No. 9, filed 1:58 p. m.
Green Bay Order No. 2-F, Amendment No. 9, filed 1:51 p. m.
Green Bay Order No. 2-F, Amendment No. 10, filed 1:51 p. m.

Green Bay Order No. 3-F, Amendment No. 3, filed 1:51 p. m.
Green Bay Order No. 3-F, Amendment No. 4, filed 1:52 p. m.
Milwaukee Order No. 2-F, Amendment No. 7, filed 1:56 p. m.
Milwaukee Order No. 3-F, Amendment No. 7, filed 1:56 p. m.
Milwaukee Order No. 4, filed 2:27 p. m.
Milwaukee Order No. 5-F, Amendment No. 6, filed 1:57 p. m.
Sioux City Order No. 2-F, Amendment No. 7, filed 1:58 p. m.

REGION VII

Utah Order No. F-2, Amendment No. 4, Filed 2:09 p. m.

REGION VIII

Los Angeles Order No. 1-F, amendment No. 4, filed 1:58 p. m.
Los Angeles Los Angeles-5, amendment No. 11, filed 2:00 p. m.
Los Angeles Los Angeles-6, amendment No. 11, filed 2:02 p. m.
Los Angeles Los Angeles-7, amendment No. 11, filed 2:00 p. m.
Los Angeles Los Angeles-8, amendment No. 11, filed 2:01 p. m.
Los Angeles Los Angeles-10, amendment No. 1, filed 1:58 p. m.
Nevada Order No. 1-F, filed 1:56 p. m.
Nevada Order No. 1-F, amendment No. 1, filed 1:55 p. m.
Nevada Order No. 1-F, amendment No. 2, filed 1:54 p. m.
Nevada Order No. 1-F, amendment No. 3, filed 1:54 p. m.
Nevada Order No. 1-F, amendment No. 4, filed 1:54 p. m.
Nevada Order No. 1-F, amendment No. 5, filed 1:45 p. m.
San Francisco Order No. 1-F, amendment No. 8, filed 1:52 p. m.
San Francisco Order No. 2-F, amendment No. 1, filed 1:52 p. m.
San Francisco Order No. 3-F, filed 1:53 p. m.
Seattle Order No. 1-F, amendment No. 11, filed 1:48 p. m.
Seattle Order No. 2-F, amendment No. 9, filed 1:48 p. m.
Seattle Order No. 3-F, amendment No. 11, filed 1:48 p. m.
Seattle Order No. 4-F, amendment No. 11, filed 1:48 p. m.
Seattle Order No. 5-F, amendment No. 9, filed 1:48 p. m.

Copies of these orders may be secured from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-5370; Filed, April 15, 1944; 12:30 p. m.]

[Region I Order G-6 Under RMPR 122, Amdt. 6]

BITUMINOUS COAL IN HARTFORD, CONN., AREA

Amendment No. 6 to Order No. G-6 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Bituminous coal, 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 §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control

Act of 1942, as amended, subparagraph (4) of paragraph (b) of Region I Order No. G-6 under Revised Maximum Price Regulation No. 122 is hereby amended by striking out the words "fifty (50) cents" and inserting in place thereof the words "seventy-five (75) cents".

This amendment shall become effective April 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 11th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-5373; Filed, April 15, 1944; 12:31 p. m.]

[Region I Order G-64 Under RMPR 122, Amdt. 1]

SOLID FUELS IN NEW BEDFORD, MASS., AREA

Amendment No. 1 to Order No. G-64 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, New Bedford, 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 § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (15) of paragraph (d) of Region I Order No. G-64 is amended to read as follows:

(d) *Definitions.* When used in this Order No. G-64, the term:

(15) *Definitions of and specifications for bituminous coals.* The bituminous coals which are listed subparagraphs (1) and (2) of paragraph (c) of this order shall conform to the following specifications:

(a) "Domestic run of mine": Bituminous coal from the low volatile section of Producing District #7, price classification A or B, which was defined by the Bituminous Coal Division as "domestic, dealer, modified or screened run of mine" or a mixture of two or more bituminous coals of different size groups which mixture is equivalent as to coarseness.

(b) "Straight run of mine": Bituminous coal from the low volatile section of Producing District #7, price classification A or B, which was defined by the Bituminous Coal Division as "straight run of mine", or a mixture of two or more bituminous coals of different size groups which mixture is equivalent as to coarseness.

(c) "Nut and slack": Bituminous coal screenings from the low volatile section of Producing District #7, price classification C or D, which, at the mine, have passed through a screen with openings larger than three-quarters (¾) of an inch but smaller than one and one-half (1½) inches.

(d) "Slack": Bituminous coal screenings from the low volatile section of Pro-

ducing District #7, price classification C or D, which, at the mine, have passed through a screen with openings of three-quarters ($\frac{3}{4}$) of an inch or smaller.

(e) "Nut": Bituminous coal from the low volatile section of Producing District #7, price classification A or B, double screened at the mines, with a top size larger than three-quarters ($\frac{3}{4}$) of an inch but not exceeding one and one-quarter ($1\frac{1}{4}$) inches, and a bottom size smaller than one and one-quarter ($1\frac{1}{4}$) inches.

(f) "Pea": Bituminous coal from the low volatile section of Producing District #7, price classification A or B, double screened at the mines, with a top size not exceeding three-quarters ($\frac{3}{4}$) of an inch and a bottom size smaller than three-quarters ($\frac{3}{4}$) of an inch.

(g) "Lump, egg and stove": Bituminous coal from the low volatile section of Producing District #7, price classification A or B, single screened or double screened at the mines, with a bottom size larger than one and one-quarter ($1\frac{1}{4}$) inches.

(h) "Blacksmith": Low volatile, low sulphur bituminous coal which is suitable for use in forge work.

This Amendment No. 1 to Order No. G-64 shall become effective April 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 April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-5374; Filed, April 15, 1944;
12:31 p. m.]

[Region II Rev. Order G-26 Under RMPR 122,
Amtd. 2]

ANTHRACITE IN NEW YORK REGION

Amendment No. 2 to Revised 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", "Salem Hill", and other specified 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, Revised Order No. G-26 is amended in the following respect:

1. Paragraph (c) is amended by adding the following orders to the list of orders there enumerated:

Order No. G-36 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Order No. G-38 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

This Amendment No. 2 to Revised Order No. G-26 shall become effective April 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 8th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-5371; Filed, April 15, 1944;
12:30 p. m.]

[Region II Order G-34 Under RMPR 122,
Amtd. 2]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

Amendment No. 2 to Order No. G-34 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in Maximum prices for Pennsylvania anthracite sold subject to area dollars-and-cents orders, based on higher mine costs for specified anthracite.

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-34 is amended in the following respect:

1. Paragraph (d) is amended by adding the following orders to the list of orders there enumerated:

Order No. G-36 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Order No. G-38 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

This Amendment No. 2 to Order No. G-34 shall become effective April 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 76th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-5369; Filed, April 15, 1944;
12:30 p. m.]

[Region II Order G-38 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN DESIGNATED NEW YORK AREA

Order No. G-38 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in all of Broome County except the Towns of Barker, Lisle, Nanticoke and Triangle, State of New York, Coal Area VII.

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, it is ordered:

(a) *What this order does*—(1) *Dealers' maximum prices, area covered.* If you are a dealer in "Pennsylvania anthra-

cite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in State of New York—Coal Area VII. Coal Area VII includes all of Broome County except the towns of Barker, Lisle, Nanticoke, and Triangle.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Coal Area VII are set forth in Schedule I hereafter.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area VII, whether or not you are located in Coal Area VII.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the Schedule herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the Schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) Refer to Schedule I which contains a separate table of prices for "direct-delivery" sales and "yard sales" of anthracite. (You will find Schedule I in paragraph (d).)

(2) Take the dollar-and-cents figure set forth in the applicable table of the Schedule for the size and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure derived as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in Schedule I.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area VII. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs or more but less than ¼ ton	Per 50 lb. paper bag
Pea.....	11.50	5.95	3.25	.75	.40
Buckwheat.....	9.35	4.90	2.70	.65	-----
Rice.....	8.30	4.35	2.45	.60	-----
Barley.....	7.30	3.85	2.20	-----	-----
Screenings.....	3.50	1.75	-----	-----	-----

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than one-quarter ton). { 60¢ per net ton.
40¢ per net ½ ton.
30¢ per net ¼ ton.

Carrying upstairs, for each full flight above the ground floor (except for sales amounting to less than one-quarter ton). This charge shall be in addition to any charge for "carry" or "wheel". { 60¢ per net ton.
40¢ per net ½ ton.
30¢ per net ¼ ton.

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	Per net ton for sales of ¼ ton or more		Per 100 lbs. or more, but less than ¼ ton	Per 50 lb. paper bag
	To dealers	To consumers		
Broken, egg, stove, nut.....	\$11.40	\$12.30	\$0.75	\$0.40
Pea.....	10.00	10.90	.65	.35
Buckwheat.....	7.90	8.80	.55	-----
Rice.....	6.90	7.70	.50	-----
Barley.....	5.80	6.70	-----	-----
Screenings.....	2.50	2.50	-----	-----

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 60¢ per net ton, where payment is made within fifteen days after delivery. Nothing herein requires you to sell on other than a cash basis.

(e) *Commingling.* If you sell one size of anthracite commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 60¢ per net ton where payment is made within fifteen days after delivery. Nothing herein requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of buckwheat and rice-sized anthracite, to consumers purchasing from one dealer, for delivery at one point, a quantity of 25 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 25 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 25 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the twenty-fifth ton and continue to grant the discount on every subsequent delivery during the same twelve-month period.

sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(f) *Ex Parte 148 Freight Rate Increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, the dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(g) *Addition of increase in supplier's maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action

to amend this order to reflect such increases.

(h) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the State of New York or any political subdivision thereof, you need not state this tax separately.

(i) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(j) *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 a petition shall be filed with the Regional Administrator and acted upon by him.

(k) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(l) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the increase. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(m) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, 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 the order. The record shall also state separately each service rendered and the charge made for it.

(n) *Posting of maximum prices, sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable table and schedule of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name

and address, the kind, size and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(c) **Enforcement.** (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Binghamton District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(p) **Definitions and explanations.** When used in this Order No. G-38, the term:

(1) "Person" includes an 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.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller" "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedule herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described herein as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New York—Coal Area VII with such designations during December 1941.

(6) "Direct delivery" except with respect to sales in 100 lb. and 50 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at 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. "Direct delivery" in 100 lb. and 50 lb. lots shall mean depositing in buy-

er's bin or other storage space designated by the buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from seller's truck in the course of "direct delivery".

(8) "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.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(q) **Effect of order on Revised Maximum Price Regulation No. 122.** This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This Order No. G-38 shall become effective April 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 7th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-5372; Filed, April 15, 1944; 12:30 p. m.]

[Regions V and VII Joint Order 1 Under 18 (c)]

COTTONSEED HAULING SERVICES IN TEXAS AND NEW MEXICO

Joint Order No. 1 of Regional Administrators of Region V and Region VII under section 18, paragraph (c), of the General Maximum Price Regulation. Maximum prices for cottonseed hauling services supplied by contract carriers operating between certain points in El Paso County and Hudspeth County in Texas, and Dona Ana County and Luna County in New Mexico.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the Regional Administrators of Region V and Region VII of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, and by section 18, paragraph (e) of the General Maximum Price Regulation, it is hereby jointly ordered by the Regional Administrators of Region V and Region VII:

(a) Maximum prices which may be charged or received for cottonseed hauling services when supplied by contract carriers between points hereinafter named, located within El Paso County and Hudspeth County, Texas, and Dona Ana County and Luna County, New Mexico, are to be established as follows:

(1) Maximum prices for cottonseed hauling services when supplied by contract carriers operating between the following points and the El Paso Cotton Industries, Inc., El Paso, Texas, are to be as follows:

Name of gin and location	Maximum new rate per ton
Ysleta Gin Co., Ysleta, Tex.	\$1.25
E. P. C. I. Gin "F", Ysleta, Tex.	1.25
Buford Operating Co., Ysleta, Tex.	1.75
Farmers Gin Co., San Elizario, Tex.	1.75
Clint Farmers Gin, Clint, Tex.	1.75
Clint Long Staple Gin, Clint, Tex.	1.75
E. P. C. I. Gin "G", Clint, Tex.	1.75
E. P. C. I. Gin "J", Fabens, Tex.	2.00
Farmers Gin Co., Fabens, Tex.	2.25
Fabens Long Staple Gin, Fabens, Tex.	2.25
Farmers Island Gin Co., Fabens, Tex.	2.25
Tornillo Gin Co., Tornillo, Tex.	2.00
Tornillo Long Staple Gin, Tornillo, Tex.	2.00
E. P. C. I. Gin "N", Tornillo, Tex.	2.00
Acala Farmers Gin Co., Acala, Tex.	2.50
E. P. C. I. Gin "H", Ft. Hancock, Tex.	2.50
Esperanza Gin Co., Esperanza, Tex.	3.75
Esperanza Long Staple Gin, Esperanza, Tex.	3.75
Dave Gill Gin, Ft. Quitman, Tex.	4.75
Borderland Farmers Gin Co., El Paso, Tex.	1.25
Borderland Long Staple Gin, El Paso, Tex.	1.25
White Gin Assn.—Short Staple, Canutillo, Tex.	1.25
White Gin Assn.—Long Staple, Canutillo, Tex.	1.25
La Union Gin Coop. Assn., La Union, N. Mex.	1.50
Producers Gin Co., La Union, N. Mex.	1.50
Anthony Farmers Gin Co., Anthony, Tex.	1.75
Mid Valley Long Staple Gin, Vado, N. Mex.	2.25

(2) Maximum prices for cottonseed hauling services when supplied by contract carriers operating between the following points and the El Paso Cotton Industries, Inc., Las Cruces; New Mexico, are to be as follows:

Name of gin and location	Maximum new rate per ton
J. N. Williams Gin, Deming, N. Mex.	\$3.50
Garfield Coop. Gin, Garfield, N. Mex.	3.25
Hatch Coop. Gin, Hatch, N. Mex.	2.75
Picacho Coop. Gin, Falfacres, N. Mex.	1.25
B. E. Harvey Gin Co., Las Cruces, N. Mex.	.75
E. P. C. I. Gin "L", Las Cruces, N. Mex.	.75
Long Staple Coop., Las Cruces, N. Mex.	.75
Coop. Gin Co., Mesilla Park, N. Mex.	1.25
Santo Tomas Gin Co., Mesquite, N. Mex.	1.75
La Mesa Gin Co., La Mesa, N. Mex.	1.75
Mid Valley Long Staple, Vado, N. Mex.	1.75
Chamberino Gin Co., Chamberino, N. Mex.	\$2.25
Berino Gin Co., Berino, N. Mex.	2.25
Dona Ana Gin Co., Dona Ana, N. Mex.	1.25

(3) Maximum prices for cottonseed hauling services when supplied by contract carriers operating between the following points and the Farmers Cooperative Oil Mill, El Paso, Texas, are to be as follows:

Name of gin and location	Maximum new rate per ton
Borderland Farmers Coop. Assn., El Paso, Tex.	\$1.25
Buford Operating Co., Ysleta, Tex.	1.75
Clint Farmers Coop Ginning Co., Clint, Tex.	2.25

Name of gin and location	Maximum new rate per ton
El Paso Cotton Ind. Gin, Ysleta, Tex.	\$1.75
Farmers Gin Co., San Elizario, Tex.	2.25
Farmers Gin Co., Fabens, Tex.	2.75
Farmers Island Gin Co., Fabens, Tex.	2.75
Lee Moor Gin, Clint, Tex.	2.25
White Farmers Coop Assn., Canutillo, Tex.	1.25
Ysleta Gin Co., Ysleta, Tex.	1.75
Anthony Farmers Gin, Anthony, N. Mex.	1.75
Berino Cotton Gin Assn., Berino, N. Mex.	2.25
Chamberino Coop. Gin Assn., Chamberino, N. Mex.	2.25
Copcooperative Gin Assn., Mesilla, N. Mex.	2.75
Dona Ana Cotton Gin Coop Assn., Dona Ana, N. Mex.	3.25
B. E. Harvey Gin Co., Las Cruces, N. Mex.	2.75
Hatch Coop Gin Co., Hatch, N. Mex.	4.25
La Mesa Coop Gin Assn., La Mesa, N. Mex.	2.50
La Union Gin Coop Assn., La Union, N. Mex.	1.50
Long Staple Coop Assn., Las Cruces, N. Mex.	2.75
Mid-Valley Staple Gin Co., Vado, N. Mex.	2.25
Picacho Coop Assn., Fair Acres, N. Mex.	3.25
Producers Coop Assn., La Union, N. Mex.	1.50
Santo Tomas Gin Assn., Mesquite, N. Mex.	2.25

(4) Maximum prices for cottonseed hauling services when supplied by contract carriers operating between the following points and the Rio Grande Valley Cotton Oil Co., Clint, Texas, are to be as follows:

Name of gin and location	Maximum new rate per ton
El Paso Cotton Industries, Clint, Tex.	\$.75
Lee Moore, Clint, Tex.	.75
Farmers Cooperative, Clint, Tex.	.75
Farmers Long Staple Gins, Clint, Tex.	.75
Farmers Gin Co., San Elizario, Tex.	1.00
Buford Operating Co., Buford, Tex.	1.50
El Paso Cotton Industries, Ysleta, Tex.	1.75
Ysleta Gin, Ysleta, Tex.	1.75
El Paso Cotton Industries, Fabens, Tex.	1.25
Farmers Gin Co., Fabens, Tex.	1.25
Fabens Cooperative, Fabens, Tex.	1.25
Fabens Long Staple Gin Co., Fabens, Tex.	1.25
Farmers Island Gin Co., Island, Tex.	1.75
Tornillo, Tex.	2.00
El Paso Cotton Industries, Fort Hancock, Tex.	2.25
Acala Farmers Gin Co., Fort Hancock, Tex.	2.25
Ben Harvey Gin Co., Las Cruces, N. Mex.	3.75

(5) Maximum prices for cottonseed hauling services when supplied by contract carriers operating between the following points and the Tornillo Cotton Oil Company, Tornillo, Texas, are to be as follows:

Name of gin and location	Maximum new rate per ton
Acala Farmers Gin, Acala, Tex.	\$1.25
Buford Gin, Buford, Tex.	1.60
Fabens Long Staple Gin, Fabens, Tex.	.95
Farmers Gin, Fabens, Tex.	.95
Farmers-Island Gin, Island, Tex.	1.00
Lee Moor Gin, Clint, Tex.	1.25

Name of gin and location	Maximum new rate per ton
Farmers Gin, Clint, Tex.	\$1.25
Farmers Gin, Clint, Tex.	1.25
Tornillo Gin Co., Tornillo, Tex.	.60
San Elizario Gin, San Elizario, Tex.	1.35
Ysleta Gin, Ysleta, Tex.	1.75

(b) Maximum prices hereinabove established are hereby made retroactive to September 1, 1943. Nothing in this order, however, shall impose any liability upon any person to charge or pay more than his agreed or contract price if less than prices herein established.

(c) Sellers of cottonseed hauling services subject to this regulation must continue to supply the same services which they supplied during the period from September 1, 1941, to February 28, 1942, and must in no way change their business practices which were in effect during this period. Sellers are specifically prohibited from discontinuing loading and unloading services as well as all the services supplied during the above named period in connection with such cottonseed hauling services.

(d) This order is subject to revocation or amendment by joint action of the Regional Administrators, or by individual action of the Regional Administrators at any time hereafter, either by special order or by any amendment or supplement hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(e) Except as specifically provided by this order, the provisions of the Maximum Price Regulation, as amended, are in no way effected and shall continue in full force and effect.

(f) Lower prices for any services covered by this order may be charged, offered, demanded or paid.

This order shall become effective on the 10th day of April 1944.

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

Issued this the 5th day of April 1944.

MAX McCULLOUGH,
Regional Administrator, Region V.
RICHARD Y. BATTERTON,
Regional Administrator, Region VII.
[F. R. Doc. 44-5378; Filed, April 15, 1944;
12:35 p. m.]

[Region VI Order G-32 Under MPR 329]

MILK IN PEKIN, ILL.

Order No. G-32 under § 1351.408 (b) of Maximum Price Regulation No. 329. Purchases of milk from producer for resale as fluid milk. Producers' milk prices in Pekin, Illinois.

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 (b) of Maximum Price Regulation 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form for resale on contract to Camp Ellis, a United States

military camp located near Pekin, Illinois, shall be \$2.90 per cwt. for 4% milk meeting Type II Number II milk standards, plus not more than 5¢ for each 1/40 of a pound of butterfat in excess of 4% and minus not less than 5¢ for each 1/40 of a pound of butterfat below 4%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply only to purchases of milk meeting Type II Number II standards by distributors whose bottling plants are located within the corporate limits of Pekin, Illinois, and to purchases of such milk for resale on contract to Camp Ellis located near Pekin, Illinois. Maximum prices provided in paragraph (a) of this order shall apply only to such purchases from producers from whom the distributors covered by this order purchased during December 1943 and January 1944 and are not applicable to any purchases from producers who did not in that period sell to distributors covered by this order.

(c) *Definitions.* 1. Type II Number II milk is milk defined by regulation of the Quartermaster Corps of the United States Army by that designation.

(d) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January, 1943. Except as modified by this Order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Administrator of the War Food Administration.

This order shall be effective March 29, 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 27th day of March 1944.

RAE E. WALTERS
Regional Administrator.
[F. R. Doc. 44-5378; Filed, April 15, 1944;
12:34 p. m.]

[Region VI Order G-37 Under SR 15, MPR 280, MPR 329]

FLUID MILK IN OSHKOSH, WIS.

Order No. G-37 under § 1499.75 (a) (9) of the Supplementary Regulation 15 to the General Maximum Price Regulation, under § 1351.807 (a) of Maximum Price Regulation 280 and under § 1351.408 (b) of Maximum Price Regulation 329. Adjustment of fluid milk prices for Oshkosh, 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 Sup-

plementary Regulation 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation 280 and by § 1351.408 (b) of Maximum Price Regulation 329, it is ordered:

(a) *Maximum producer prices.* The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be \$3.00 per cwt. for 3.5% milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5% to and including 4.49%, plus not more than 6¢ for each 1/10 of a pound of butterfat 4.5% or more, and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (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 the corporate limits of the city of Oshkosh, Wisconsin, or who sell within that city 50% or more of the milk sold by them. Maximum prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from August 1, 1943, to January 31, 1944, and are not applicable to purchases from producers who did not in that period sell to any distributors covered by this order.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Oshkosh, Wisconsin, shall be the maximum price determined under the General Maximum Price Regulation or Maximum Price Regulation 280, whichever is appropriate for the type of sale being made, or the following prices, whichever shall be the higher:

	Wholesale	Retail
Standard milk:		
Gallon in bulk.....	\$0.43	.....
Gallon in containers.....	.43	\$0.48
Quart.....	.11	.12½
Pint.....	.06½	.07½
Half pint.....	.03½	.04
Chocolate milk:		
Quart.....	.11	.12½
Pint.....	.06½	.07½
Half pint.....	.03½	.04
Buttermilk:		
Gallon in bulk.....	.20	.24
Quart.....	.06	.07
Special Guernsey Milk.....	.11½	.13
Homogenized—V. D.....	.11½	.13
Walden, Grade A.....	.12	.13

Maximum prices for all other special or premium milks shall be the maximum prices established under General Maximum Price Regulation or Maximum Price Regulation 280, plus the same differential for such special and premium milks which the distributors who sold such milks during March 1942 added to the prices of standard milk on other sales of the various types of special and premium milks during that base period.

Where the maximum price set forth is expressed in terms of 1/2 cent, 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 whole-

sale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportional amount for a part of a quart.
2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Oshkosh, Wisconsin area shall mean:

1. All sales made within the city limits of Oshkosh, Wisconsin and all sales at or from an establishment located in Oshkosh, Wisconsin.
2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Oshkosh, Wisconsin.

(f) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation 280, and Maximum Price Regulation 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by these regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Administrator of the War Food Administration.

This order shall be effective March 22, 1944.

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

Issued this 20th day of March 1944.
 RAE E. WALTERS,
 Regional Administrator.
 [F. R. Doc. 44-5376; Filed, April 15, 1944; 12:31 p. m.]

[Region VI Order G-38 Under SR 15, MPR 280, MPR 329]

FLUID MILK IN PRESTON, MINN.

Order No. G-38 under § 1499.75 (a) (9) of the Supplementary Regulation No. 15 to the General Maximum Price Regulation, under § 1351.807 (a) of Maximum Price Regulation 280 and under § 1351.408 (a) of Maximum Price Regulation 329. Adjustment of fluid milk prices for Preston, Minnesota.

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 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation 280 and by § 1351.408 (a) of Maximum Price Regulation 329, it is ordered:

(a) *Maximum producer prices.* The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be 74¢ per pound of butterfat in whole milk.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (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 the corporate limits of the city of Preston, Minnesota or who sell within that city 50% or more of the milk sold by them. Maximum prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from August 1, 1943, to January 31, 1944, and are not applicable to purchases from producers who did not in that period sell to any distributors covered by this order.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Preston, Minnesota, shall be the maximum price determined under the General Maximum Price Regulation or Maximum Price Regulation 280, whichever is appropriate for the type of sale being made, or the following prices, whichever shall be the higher:

Container sizes	Wholesale	Retail
Gallon, in bulk.....	\$0.37	.....
Gallon.....	.37	\$0.45
Quart.....	.10	.12
Pint.....	.05½	.07½
½ Pint.....	.03	.05

Where the maximum price set forth is expressed in terms of 1/2 cent, 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.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of

fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.
2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this Order, sales and deliveries within the Preston, Minnesota area shall mean:

1. All sales made within the city limits of Preston, Minnesota and all sales at or from an establishment located in Preston, Minnesota.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Preston, Minnesota.

(f) *Definitions.* (1) Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons, and other institutions.

(2) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January 1943. Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Administrator of the War Food Administration.

This order shall be effective March 22, 1944.

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

Issued this 21st day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5381; Filed, April 15, 1944;
12:31 p. m.]

[Region VI Order G-39 Under SR 15 to GMPR,
MPR 280, 329]

MILK IN MONTICELLO AND BEMENT, ILL.

Order No. G-39 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. Adjustment of fluid milk prices for Monticello, Illinois and Bement, Illinois.

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, by § 1351.807 (a) of Maximum Price Regulation No. 280 and § 1351.408 (b) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk with a butterfat content of 4% sold for human consumption in fluid form shall be \$2.95 per cwt., 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.* Maximum prices established by paragraph (a) of this Order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the village of Monticello, Illinois and of the village of Bement, Illinois, or who sell within those communities 50% or more of the milk sold by them. The maximum price provided in paragraph (a) of this Order shall apply only to purchases from producers from whom distributors covered by this Order purchased from August 1, 1943 to January 31, 1944, and are not applicable to purchases from producers who did not in that period sell to distributors located in the villages of Monticello, Illinois and Bement, Illinois.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk at wholesale and retail in Monticello, and Bement, Illinois, shall be the maximum price determined under Maximum Price Regulation No. 280 and under the General Maximum Price Regulation, whichever is appropriate for the type of sale being made or the following prices, whichever shall be the higher:

	Wholesale	Retail
Standard butterfat content milk and chocolate milk:		
Gallon (in bulk).....	\$0.37	.....
Gallon.....	.37	\$0.45
Quart.....	.10	.12
Pint.....	.05½	.06½
Half pint.....	.03	.05
Special Milk:		
Gallon (in bulk).....	.41	.49
Gallon.....	.41	.49
Quart.....	.11	.13
Pint.....	.06	.07
Half pint.....	.03½	.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.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.
2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Monticello, Illinois, and Bement, Illinois area shall mean:

1. All sales made within the city limits of Monticello, Illinois, and Bement, Illinois, and all sales at or from an establishment located in Monticello, Illinois, and Bement, Illinois;

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Monticello, Illinois, and Bement, Illinois.

(f) *Definitions.* 1. Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Special milk shall mean cows' milk having a butterfat content of not less than 4% and sold for consumption in fluid form as whole milk.

3. Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons, and other institutions.

4. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January, 1943. Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Administrator of the War Food Administration.

This order shall be effective March 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 23d day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5382; Filed, April 15, 1944;
12:32 p. m.]

[Region VI Order G-40 Under SR 15 to GMPR and MPR 280]

MILK IN EUREKA, ILL.

Order No. G-40 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 of Maximum Price Regulation 280. Adjustment of fluid milk prices in Eureka, Illinois.

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 and by § 1351.807 of Maximum Price Regulation 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail in Eureka, Illinois, shall be the maximum prices determined under the General Maximum Price Regulation and under Maximum Price Regulation 280, or the following prices whichever shall be the higher:

Standard butterfat content fluid milk	Raw		Pasteurized	
	Wholesale	Retail	Wholesale	Retail
Gallons in bulk.....	\$0.34	.....	\$0.33	.....
Gallons.....	.34	\$0.42	.33	\$0.45
Half gallons.....	.18	.24	.22	.25
Quarts.....	.09	.12	.11	.13
4-qt. containers at one delivery.....	.....	.44	.....	.49

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.
2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Eureka, Illinois area shall mean:

1. All sales made within the city limits of Eureka, Illinois and all sales at or from an establishment located in Eureka, Illinois.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Eureka, Illinois.

(d) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

(3) Army or Navy means the War Department or the Department of the

Navy of the United States, including such Departments' sales stores, commissaries, ship's stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration Regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January, 1943. Except as modified by this order, the provisions of the General Maximum Price Regulation and Maximum Price Regulation 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during that month.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Administrator of the War Food Administration.

This order shall be effective March 29, 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 27th day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5383; Filed, April 15, 1944; 12:32 p. m.]

[Region VI Order G-41 Under SR 15]

FLUID MILK IN TOMAH, WIS.

Order No. G-41 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices of Tomah, Wisconsin, distributors for sales in Kendall and Camp Douglas, 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:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail by distributors located in Tomah, Wisconsin, to purchasers located in Camp Douglas, Wisconsin, and in Kendall, Wisconsin, and by retailers located in Camp Douglas and Kendall, Wisconsin, of fluid milk supplied by distributors located in Tomah, Wisconsin, shall be the maximum prices determined under the General Maximum Price Regulation, or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon.....	\$0.23	\$0.43
1/4 gallon.....	.23	.23
Quart.....	.19 1/4	.19 1/4
Pint.....	.09	.07
1/2 pint.....	.09 1/4	.05

Where the maximum price set forth is expressed in terms of 1/2¢, 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.

(b) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

(c) *Relation of this order to Office of Price Administration regulations.* Except as modified by this Order the provisions of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in the business or trade practices in effect during that month.

(d) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective March 24, 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 24th day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5394; Filed, April 15, 1944; 4:42 p. m.]

[Region VI Order G-41 Under SR 15 to GMPR, Amdt. 1]

TOMAH, WIS., MILK SALES IN KENDALL AND CAMP DOUGLAS, WIS.

Amendment No. 1 to Order No. G-41 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices of Tomah, Wisconsin, distributors for sales in Kendall and Camp Douglas, 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, That section (a) of Order No. G-41 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation be amended to read as follows:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail by distributors located in Tomah, Wisconsin to purchasers located in Camp Douglas, Wisconsin and in Kendall, Wisconsin and by retailers

located in Camp Douglas and Kendall, Wisconsin of fluid milk supplied by distributors located in Tomah, Wisconsin shall be the maximum prices determined under the General Maximum Price Regulation, or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon.....	\$0.41	\$0.45
½ gallon.....	.21	.23
Quart.....	.11	.12
Pint.....	.06	.07
½ pint.....	.03½	.05

This amendment No. 1 to Order No. G-41 shall become effective April 7, 1944, and may be revoked or further amended by the Office of Price Administration at any time.

(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 fourth day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5384; Filed, April 15, 1944; 12:32 p. m.]

[Region VI Order G-42 Under SR 15 to GMPR.]
SHAWANO, WIS., MILK SALES IN KESHENA AND NEOPIT, WIS.

Order No. G-42 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices of Shawano, Wisconsin, distributors for sales in Keshena, Wisconsin, and Neopit, 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:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of standard butterfat content fluid milk for human consumption at wholesale and retail by distributors located in Shawano, Wisconsin, to purchasers located in Keshena, Wisconsin, and in Neopit, Wisconsin, and by retailers located in Keshena, Wisconsin, and Neopit, Wisconsin, of fluid milk supplied by distributors located in Shawano, Wisconsin, shall be the maximum prices determined under the General Maximum Price Regulation, or the following prices, whichever shall be the higher: 10¢ per quart at wholesale and 12¢ per quart at retail.

(b) *Definitions.* 1. Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, hotels, restaurants,

schools, hospitals, prisons, and other institutions.

(c) *Relation of this order to Office of Price Administration Regulations.* Except as modified by this order the provisions of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in the business or trade practices in effect during the base period established by that regulation.

(d) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective April 5, 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 3d day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5385; Filed, April 15, 1944; 12:33 p. m.]

[Region VI Order G-43 Under SR 15 to GMPR and MPR 280; 329]

MILK IN WISCONSIN RAPIDS, NEKOOSA, AND PORT EDWARDS, WIS.

Order No. G-43 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation 280, and under Maximum Price Regulation 329. Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Wisconsin Rapids, Nekoosa, and Port Edwards, 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 by § 1351.807 (a) of Maximum Price Regulation 280, and § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk for human consumption in fluid form shall be 80¢ per pound of butterfat in whole milk.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the City of Wisconsin Rapids, Wisconsin, and of the City of Nekoosa, Wisconsin and of the Village of Port Edwards, Wisconsin, or who sell within those communities 50% or more of the milk sold by them. The maximum price provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from February 1 to March 31, 1944, and are not applicable to purchasers from producers who did not in that period sell to distributors

located in the cities of Wisconsin Rapids, Wisconsin, or Nekoosa, Wisconsin, or the village of Port Edwards, Wisconsin.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Wisconsin Rapids, Nekoosa, and Port Edwards, Wisconsin, shall be the maximum price determined under the General Maximum Price Regulation or the following prices, whichever shall be the higher:

WISCONSIN RAPIDS, WISCONSIN

Standard butterfat content fluid milk	Wholesale	Retail
Gallon (in bulk).....	\$0.44	.....
Gallon.....	.44	\$0.50
½ gallon.....	.23	.23
Quart.....	.12	.13½
Pint.....	.06½	.07½
½ Pint.....	.03½	.04

NEKOOSA, WISCONSIN

Standard butterfat content fluid milk	Wholesale	Retail
Gallon (in bulk).....	\$0.41	.....
Gallon.....	.41	\$0.45
½ gallon.....	.21	.23
Quart.....	.11	.12
Pint.....	.06	.08½
½ pint.....	.03	.03½

PORT EDWARDS, WISCONSIN

Standard butterfat content fluid milk	Wholesale	Retail
Gallon (in bulk).....	\$0.39	.....
Gallon.....	.39	\$0.45
½ gallon.....	.20	.23
Quart.....	.10½	.12
Pint.....	.06	.08½
½ pint.....	.03	.03½

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.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.
2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Wisconsin Rapids, Wisconsin, Nekoosa, Wisconsin, and Port Edwards, Wisconsin area shall mean:

1. All sales made within the city limits of Wisconsin Rapids, Wisconsin, Nekoosa, Wisconsin and Port Edwards, Wisconsin, and all sales at or from an establishment located in Wisconsin

Rapids, Wisconsin, Nekoosa, Wisconsin, and Port Edwards, Wisconsin;

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Wisconsin Rapids, Wisconsin, Nekoosa, Wisconsin, and Port Edwards, Wisconsin.

(f) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Regulation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than he paid on deliveries during January 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 280, of Maximum Price Regulation No. 329, and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Administrator of the War Food Administration.

This order shall be effective April 6, 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 4th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5386; Filed, April 15, 1944; 12:33 p. m.]

[Region VI Order G-44 Under SR 15 to GMPR]

MILK IN RUTLAND, ILL.

Order No. G-44 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices for Rutland, Illinois.

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:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail by distributors located in Rutland, Illinois, shall be the maximum prices determined under the General Maximum Price Regulation or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Quart.....	\$9.10	\$9.12
Pint.....	.03½	.03½

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.

(b) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

(c) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(d) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective April 8, 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 5th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5387; Filed, April 15, 1944; 12:33 p. m.]

[Region VI Order G-45 Under SR 15 to GMPR and MPR 280]

MILK IN BLACK RIVER FALLS, WIS.

Order No. G-45 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 of Maximum Price Regulation 280. Adjustment of fluid milk prices in Black River Falls, 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 Ad-

ministration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 of Maximum Price Regulation 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail in Black River Falls, Wisconsin, shall be the maximum prices determined under the General Maximum Price Regulation and under Maximum Price Regulation 280, or the following prices whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon (in bulk).....	\$0.37	.....
Gallon.....	.37	\$0.45
Half gallon.....	.19	.23
Quart.....	.10	.12
Pint.....	.05½	.06½
Half pint.....	.03	.03

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.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Black River Falls, Wisconsin area shall mean:

1. All sales made within the city limits of Black River Falls, Wisconsin and all sales at or from an establishment located in Black River Falls, Wisconsin.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Black River Falls, Wisconsin.

(d) *Definitions.* (1) Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, hotels, restaurants, schools, hospitals, prisons, and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration Regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation and the Maximum Price Regulation 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective April 10, 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 5th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5388; Filed, April 15, 1944;
12:34 p. m.]

[Region VI Order G-46 Under SR 15 to
GMPR and MPR 280; 329]

MILK IN MORRIS, MINN.

Order No. G-46 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General 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. Adjustment of fluid milk prices for Morris, Minnesota.

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 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation 280 and § 1351.408 (b) of Maximum Price Regulation 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be \$2.75 per cwt. for 3.5% milk, plus not more than 5¢ for each $\frac{1}{10}$ of a pound of butterfat in excess of 3.5%, and minus not less than 5¢ for each $\frac{1}{10}$ of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Maximum prices established by 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 Morris, Minnesota, 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 during January, February and March

1944 and are not applicable to purchases from producers who did not in those months sell to any Morris, Minnesota distributor covered by this order.

(c) *Maximum distributor prices to civilian purchasers.* (1) The maximum price for the sale and delivery of fluid milk at wholesale and retail in Morris, Minnesota, shall be the maximum price determined under the General Maximum Price Regulation and under Maximum Price Regulation 280 whichever is appropriate for the type of sale being made or the following prices, whichever shall be higher:

	Wholesale	Retail
	Cents	Cents
Gallon (In Bulk).....	37	45
Gallon.....	37	45
Quart.....	10	12
Pint.....	5½	6½
Half Pint.....	3	5

(2) Where the maximum price set forth is expressed in terms of $\frac{1}{2}$ ¢ 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 purchaser to buy two units for which the maximum price shall be twice the single unit. 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.

(d) *Maximum distributor price for sale to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.
2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of section (c) of this order, sales and deliveries in Morris, Minnesota shall mean:

- (1) All sales made within the city limits of Morris, Minnesota and all sales at or from an establishment located in Morris, Minnesota;
- (2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located in Morris, Minnesota.

(f) *Definitions.* (1) Fluid milk means cows' milk having a butterfat content or not less than 3.2%, or the legal minimum established by statute or municipal ordinance, distributed and sold for human consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals and other institutions.

(3) Army and Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and

stores operated as Army canteens or post exchanges.

(g) *Relation to Office of Price Administration Regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than be paid during January 1943. Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation No. 280 and Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in customary business or trade practices.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Administrator of the War Food Administration.

This order shall become effective April 6, 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 6th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-5377; Filed, April 15, 1944;
12:34 p. m.]

[Region VII Order G-24 Under RMPR 122,
Amdt. 8]

SOLID FUELS IN DENVER REGION

Order No. G-24 Under Revised Maximum Price Regulation No. 122, Amendment No. 8. Adjustment of specific maximum prices of dealers in Region VII to compensate for increases in supplier's price under Amendment 74 to Maximum Price Regulation No. 120.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 8 is issued.

1. Subparagraph (5) of paragraph (d), Appendix A, as amended by Amendment No. 3, is hereby redesignated (5) (i) and a new subparagraph (ii) is added thereto to read as follows:

(ii) The flat increase of 35¢ per ton authorized by subparagraph (i) above for Moffat Mines Nos. 1 and 2 is hereby revoked pursuant to Order No. 629 under Maximum Price Regulation No. 120 issued by the Administrator on March 16, 1944, and in lieu thereof an increase of 10¢ per ton is hereby authorized, effective as of the date hereof, for sizes 1 to 9, and an increase of 20¢ per ton for sizes 10 to 18 produced from said Moffat Mines Nos. 1 and 2, and no change whatever is made as to Arrowhead Mine.

2. Subparagraph (13) of paragraph (d), Appendix A, is hereby redesignated (13) (i) and a new subparagraph (ii) is added thereto, to read as follows:

(ii) The flat increase of 33¢ per ton authorized by subparagraph (i) is hereby revoked pursuant to Order No. 634 under Maximum Price Regulation No.

120 issued by the Administrator on March 16, 1944, and in lieu thereof increases are hereby authorized, effective as of the date hereof, on size groups of coal produced from Western Coal Mining Company's Western Mine, as follows:

	Cents per ton
Size groups 1 to 9.....	20
Size groups 10 to 12.....	50
Size group 13.....	75
Size groups 14 to 15.....	50

3. *Effective date.* This Amendment No. 8 shall become effective on the 1st day of April 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 1st day of April 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-5380; Filed, April 15, 1944; 12:35 p. m.]

[Region VIII Order G-89 Under 18 (c)]

CEDAR TOW IN WASHINGTON

Order No. G-89 under § 1499.18 (c) of the General Maximum Price Regulation, as amended. Adjusted maximum prices for sales of cedar tow at retail in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum prices for sales at retail by sellers in the state of Washington who purchase cedar tow manufactured by Washington Cedar Tow Manufacturing Company, E. J. Waldorf, both of Chehalis, Washington, and S. A. Agnew Lumber Company of Centralia, Washington, shall be determined by adding a 30¢ markup per bale to landed costs.

(b) Landed cost as used in this order means the cost of acquisition not to exceed 60¢ per bale plus transportation to retailer's place of business.

(c) This order may be revoked, amended, or corrected at any time.

This order shall become effective April 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 7th day of April 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-5375; Filed, April 15, 1944; 12:31 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on April 14, 1944.

REGION I

Connecticut Order No. 2-F, Amendment No. 3, filed 3:32 p. m.

REGION III

Charleston Order No. 9-F, filed 3:38 p. m.
Charleston Order No. 10-F, filed 3:38 p. m.
Escanaba Order No. 1-W, filed 3:34 p. m.
Escanaba Order No. 2-W, filed 3:34 p. m.
Escanaba Order No. 3-W, filed 3:36 p. m.
Escanaba Order No. 6-W, filed 3:35 p. m.
Escanaba Order No. 7-W, filed 3:34 p. m.
Grand Rapids Order No. F-14-A, Amendment No. 13, filed 3:34 p. m.
Grand Rapids Order No. F-14-B, Amendment No. 13, filed 3:33 p. m.
Grand Rapids Order No. F-14-C, Amendment No. 4, filed 3:33 p. m.
Grand Rapids Order No. F-14-D, Amendment No. 4, filed 3:33 p. m.
Louisville Order No. 7-F, Amendment No. 1, filed 3:32 p. m.

REGION IV

Atlanta Order No. 4-F, Amendment No. 2, filed 3:30 p. m.
Birmingham Order No. 1-W, Amendment No. 1, filed 3:30 p. m.
Nashville Order No. 10-F, filed 3:38 p. m.

REGION V

Houston Order No. 1-F, Amendment No. 6, filed 3:38 p. m.
San Antonio Order No. 1-W, Amendment No. 1, filed 3:37 p. m.
Tulsa Order No. 5-F, filed 3:32 p. m.
Tulsa Order No. 5-F, Amendment No. 1, filed 3:36 p. m.
Tulsa Order No. 5-F, Amendment No. 2, filed 3:37 p. m.
Tulsa Order No. 6-F, filed 3:36 p. m.
Tulsa Order No. 6-F, Amendment No. 2, filed 3:37 p. m.
Tulsa Order No. 6-F, Amendment No. 1, filed 3:36 p. m.

REGION VI

Sioux City Order No. 3-F, Amendment No. 3, filed 3:32 p. m.
Sioux City Order No. 4-F, Amendment No. 3, filed 3:32 p. m.

REGION VIII

Portland Order No. 1-F, Amendment No. 11, filed 3:30 p. m.
Sacramento Order No. 1-F, Amendment No. 7, filed 3:31 p. m.
Sacramento Order No. 3-F, Amendment No. 7, filed 3:31 p. m.
Sacramento Order No. 6-F, Amendment No. 5, filed 3:30 p. m.
Sacramento Order No. 5-F, Amendment No. 7, filed 3:31 p. m.
Sacramento Order No. 7-F, Amendment No. 5, filed 3:30 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-5454; Filed, April 17, 1944; 11:50 a. m.]

[Region I Order G-2 Under MPR 426, Amdt. 2]

CITRUS FRUIT IN BOSTON REGION

Amendment No. 2 to Order No. G-2 under Maximum Price Regulation No. 426, Article III, section 15, Appendix I (g) (2). Citrus fruit adjustment of maximum prices under Article III section 15 Appendix I (f) (2) (i).

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 Article III, section 15, Appendix I, (g) (2)

of Maximum Price Regulation No. 426, *It is hereby ordered* That paragraph (c) be amended to read as set forth below:

(c) Lower prices than those established by this order may be charged. This order may be revoked, amended or corrected at any time. This order shall become effective on March 7, 1944, for a period of six weeks ending April 17, 1944.

This Amendment to Order No. G-2 shall become effective April 3, 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 3d day of April 1944.

ELDON C. SEOUR,
Regional Administrator.

Approved:

GEORGE H. LOUIS,
Acting Regional Director,
Food Distribution.

[F. R. Doc. 44-5455; Filed, April 17, 1944; 12:46 p. m.]

[Region I Order G-3 Under MPR 426, Amdt. 2]

CITRUS FRUIT IN BOSTON REGION

Amendment No. 2 to Order No. G-3 under Maximum Price Regulation No. 426, Article III, section 15, Appendix I (g) (2). Citrus fruit adjustment of maximum prices under Article III, section 15, Appendix I (f) (3) (i), Boston, Massachusetts.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Article III, section 15, Appendix I (g) (2) of Maximum Price Regulation No. 426, *It is hereby ordered*, That paragraph (c) be amended to read as set forth below:

(c) Lower prices than those established by this order may be charged. This order may be revoked, amended, or corrected at any time. This order shall become effective on March 9, 1944 for a period of six weeks ending April 19, 1944.

This Amendment to Order No. G-3 shall become effective April 3, 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 3d day of April 1944.

ELDON C. SEOUR,
Regional Administrator.

Approved:

GEORGE H. LOUIS,
Acting Regional Director,
Food Distribution.

[F. R. Doc. 44-5456; Filed, April 17, 1944; 12:46 p. m.]

[San Francisco Order 1 Under Rev. Restaurant MPR 8-1]

FOOD AND DRINK IN SAN FRANCISCO REGION

Order No. 1 under Revised Restaurant Maximum Price Regulation No. 8-1. Food and drink sold for immediate consumption. Community dollar and cents prices for certain restaurant food items.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the San Francisco District Office of the Office of Price Administration by section 19 of Revised Restaurant Maximum Price Regulation No. 8-1 and Order of Delegation No. 30 issued thereunder by the Regional Administrator of Region VIII, it is hereby ordered:

SECTION 1. Purpose of the order. It is the purpose of this order to establish specific maximum prices for certain food items, beverages, and meals sold by eating or drinking places.

SEC. 2. Geographical applicability. The provisions of this order extend to eating and drinking places located within the corporate limits of the City and County of San Francisco, and the cities of Alameda, Albany, Berkeley, Daly City, El Cerrito, Emeryville, Oakland, Piedmont, Richmond, San Leandro, and South San Francisco.

SEC. 3. Ceiling prices. On and after March 31, 1944, no person operating an eating or drinking place regulated by this order shall sell or offer for sale any of the food items, meals, or beverages listed in Appendix A at prices higher than the prices set forth in Appendix A, which apply to his group of eating or drinking place determined pursuant to section 4. Lower prices may be charged at all times.

NOTE: Maximum prices for food items, meals, or beverages for which no specific price has been set forth in Appendix A must be determined under the applicable provisions of Revised Restaurant Maximum Price Regulation 8-1.

SEC. 4. How to determine group. (a) Eating or drinking places regulated by this order are divided into eight groups. The proprietor of an eating or drinking place must determine his group as follows:

(1) He adds together the "prices charged" for the following three (3) items: Ham sandwich, American cheese sandwich, and ham and two eggs.

(2) He then selects the applicable paragraph (i) to (vii) inclusive which tells him his group.

The term "prices charged" shall mean the highest prices at which the three (3) food items were sold during the period of April 4 to April 10, 1943.

If the eating or drinking place was not in operation during the period of April 4 to April 10, 1943, the term "prices charged" shall mean the prices correctly established as ceiling prices under the applicable provisions of Revised Restaurant Maximum Price Regulation 8-1 and filed with the appropriate War Price and Rationing Board.

If more than one type of the three (3) food items were sold during that period, the total of the "prices charged" for the lowest priced types of item shall be taken. For example, if two types of ham sandwich were sold during the period of April 4 to April 10, 1943, one type at 25¢ and the other type at 40¢, the 25¢ price must be used in the above calculation.

(i) **Group A.** If the total of the "prices charged" for the above items is

79¢ or less, the eating or drinking place shall be in Group A.

(ii) **Group B.** If the total of the "prices charged" for the above items is not less than 80¢ nor more than 94¢, the eating or drinking place shall be in Group B.

(iii) **Group C.** If the total of the "prices charged" for the above items is not less than 95¢ nor more than \$1.09, the eating or drinking place shall be in Group C.

(iv) **Group D.** If the total of the "prices charged" for the above items is not less than \$1.10 nor more than \$1.24, the eating or drinking place shall be in Group D.

(v) **Group E.** If the total of the "prices charged" for the above items is not less than \$1.25 nor more than \$1.64, the eating or drinking place shall be in Group E.

(vi) **Group F.** If the total of the "prices charged" for the above items is not less than \$1.65 nor more than \$1.89, the eating or drinking place shall be in Group F.

(vii) **Group G.** If the total of the "prices charged" for the above items is equal to \$1.90 or more, the eating or drinking place shall be in Group G.

(viii) **Group H.** If the proprietor of an eating or drinking place has no established price for ham sandwich and no established price for American cheese sandwich and no established price for ham and two eggs, he shall be in Group H. Such person may apply for a reclassification under section 5 hereof or the War Price and Rationing Board may, on its own motion, recommend to the San Francisco District Office of the Office of Price Administration a reclassification of his eating or drinking place in accordance with section 6 of this order.

(b) If, in determining his group under (a) above, the proprietor of an eating or drinking place does not have an established price for one (1) or two (2) of the three (3) items listed in (a), he must use the price or prices for such items provided by the tables set forth in Appendix B to arrive at his total. The proprietor cannot use the prices determined by means of the tables in Appendix B if he has a price for the item already correctly determined under Restaurant Maximum Price Regulation 8-1 or any order issued thereunder.

(c) **Filing of group determination.** The proprietor of an eating or drinking place who has determined his group under the provisions of paragraphs (a) or (b) above, must, on or before March 31, 1944, file a Restaurant Grouping Form with his War Price and Rationing Board containing a list of the "prices charged" which he has used to arrive at his group, together with a statement of his group so determined.

SEC. 5. Review of classification. A proprietor of an eating or drinking place who believes that he is not properly grouped under section 4 may apply to the Local War Price and Rationing Board for a review of his group determination.

In order for a person to be reclassified under this section it must be shown that his prices for the food items listed in section 4 (a) above are not indicative of his correct group. Application should be

made to his War Price and Rationing Board.

The War Price and Rationing Board shall process the application, and recommend the grant or denial of reclassification to the San Francisco District Office of the Office of Price Administration. The San Francisco District Office shall grant or deny the reclassification subject to the review of the San Francisco Regional Office of the Office of Price Administration.

SEC. 6. Classification on own motion. The appropriate War Price and Rationing Board may on its own motion recommend to the San Francisco District Office a classification or reclassification of a particular eating or drinking place. The San Francisco District Office of the Office of Price Administration shall grant or deny such classification or reclassification of the particular eating place, subject to review by the San Francisco Regional Office of the Office of Price Administration.

SEC. 7. Posting. (a) The proprietor of an eating or drinking place must post in either of the two following manners:

(1) **Sign.** On or before March 31, 1944, a proprietor of an eating or drinking place, in lieu of the posting required by section 12 of Revised Restaurant Maximum Price Regulation 8-1, must post by means of a sign, plainly visible to all patrons, his group as determined under section 4, or 5, or 6 of this order. The sign may be obtained at the War Price and Rationing Board.

(2) **Menu.** If the proprietor of an eating or drinking place furnishes a menu, he must mark with an asterisk the prices of the food items listed in Appendix A which are contained on his menu. His menu must also have clearly and plainly written on or attached to it the following statement, inserting his proper group letter:

Our community prices for the basic food items marked with an asterisk are the prices set forth in Order No. 1 for Group ----- establishments for the items specified. Our ceiling prices on other items are the highest prices charged during April 4 to April 10, 1943.

SEC. 8. Rules for new proprietors. If a person acquires the eating or drinking place of another person and continues the business in an establishment, separate from any establishment, previously owned or operated by him, then that person is in the same group and subject to the same ceiling prices, and the same duties under this order as the previous proprietor.

A person who opens an eating or drinking place after the effective date of this order must establish his group, and ceiling prices under this order, by taking the group and ceiling prices of the nearest eating or drinking place of the same type as his.

When the person has so taken the group and ceiling prices of an eating or drinking place of the same type as his, he must file with his War Price and Rationing Board a statement setting forth the name, address, and group of the eating or drinking place which he has so chosen.

APPENDIX A

If the group and ceiling prices which he has taken are not representative of the type of establishment which he is operating or intends to operate, the War Price and Rationing Board may recommend that an order be issued establishing his correct group and ceiling prices. Such order shall be issued by the San Francisco District Office of the Office of Price Administration subject to the review of the San Francisco Regional Office of the Office of Price Administration.

Sec. 9. *Definitions*—(a) *Prices charged*. The definition of the term "prices charged" is set forth in section 4 (a).

(b) *Person or proprietor*. "Person" or "proprietor" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other Government or any of its political subdivisions, and any agencies of any of the foregoing.

(c) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, in the General Maximum Price Regulation, and in Revised Restaurant Maximum Price Regulation 8-1, issued by the Office of Price Administration shall apply to other terms used herein.

Sec. 10. *Exempt sales*. Sales of items of food or drink by the following eating or drinking places are specifically exempt from the provisions of this order:

(a) An eating or drinking place which supplies both food and lodging and which in making the charge for food, includes it in a single charge for food and lodging.

Note: Such an eating or drinking place is regulated by Revised Restaurant Maximum Price Regulation 8-1.

(b) Industrial plant cafeterias or restaurants.

Note: Such an eating or drinking place is regulated by Revised Restaurant Maximum Price Regulation 8-1.

(c) Eating or drinking places which are exempt from the provisions of Revised Restaurant Maximum Price Regulation 8-1 by section 20 thereof.

Sec. 11. *Relation to other regulation*. All provisions of Revised Restaurant Maximum Price Regulation 8-1 shall be applicable to the eating or drinking places regulated by this order, except that the provisions of Revised Restaurant Maximum Price Regulation 8-1 shall not apply, and the provisions of this order shall apply, upon the specific matters set forth in this order.

This order shall become effective the 31st day of March 1944.

Note: The 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.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7371; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued this 24th day of March 1944.

FRANCIS CARROLL,
District Director.

Basic food items	Group A—Up to \$0.79	Group B—\$0.80 to \$0.94	Group C—\$0.95 to \$1.09	Group D—\$1.10 to \$1.24	Group E—\$1.25 to \$1.64	Group F—\$1.65 to \$1.89	Group G—\$1.90 and up ¹	Group H
1. Ham and eggs.....	\$0.49	\$0.25	\$0.60	\$0.70	\$0.75	\$0.60	\$1.20	
2. Bacon and eggs.....	.49	.60	.60	.65	.75	.60	1.20	
3. 2 eggs, any style.....	.20	.25	.20	.25	.40	.50	.70	
4. Hot cakes.....	.15	.15	.20	.20	.25	.20	.50	
5. Ham sandwich.....	.15	.15	.20	.25	.20	.40	.60	
6. American cheese sandwich.....	.10	.10	.15	.15	.20	.20	.60	
7. Hamburger sandwich.....	.10	.10	.15	.20	.25	.20	.50	
8. Hot roast beef sandwich.....	.20	.25	.25	.25	.40	.60	.75	
9. Fried chicken.....	.40	.60	.60	.70	.75	1.05	1.50	
10. Liver and bacon or liver and onions.....	.20	.25	.40	.50	.75	.60	1.60	
11. Pork chops.....	.25	.45	.25	.60	.70	1.00	1.20	
12. Fillet of sole.....	.25	.20	.25	.45	.50	.65	.85	
13. Halibut.....	.25	.20	.25	.45	.50	.65	.85	
14. Salmon.....	.25	.20	.25	.45	.50	.65	.85	
15. Roast beef.....	.25	.45	.60	.60	.70	1.00	1.20	
16. Combination salad.....	.15	.20	.25	.20	.35	.45	.75	
17. Vegetable soup.....	.10	.10	.10	.15	.15	.25	.35	
18. Pie.....	.10	.10	.10	.10	.15	.20	.20	
19. Coffee (per cup) ¹.....	.05	.05	.05	.05	.10	.10	.15	\$0.05
20. Club breakfast—Definition: Juice or fruit or cereal; 2 eggs, any style; toast and coffee.....	.40	.50	.60	.65	.75	1.05	1.10	

¹ Coffee is to include sugar and cream if requested. The quantity of the portion and the quality of the portion of each food item or beverage listed above shall be the same quantity of portion and the same quality of portion as was served during the period April 4 to April 10, 1943, by each particular eating or drinking place. If the food item listed above when sold by a particular eating or drinking place during the period April 4 to April 10, 1943, included bread and butter, or a vegetable or vegetables, or some other food item, or items, at no extra charge, then when the particular food item or beverage is sold under this order, it must be served with the same food item or items at the price listed above. Prices for food items or beverages for which no specific price has been set in this Appendix must be determined under the applicable provision of Revised Restaurant Maximum Price Regulation 8-1.

APPENDIX B

(i) If the proprietor has a price for a ham sandwich, but no price for either American cheese sandwich or ham and eggs or both, he determines a price for either or both of these items use of Table 1.

(ii) If the proprietor has no price for a ham sandwich but has a price for ham and eggs, he determines a price for either a ham sandwich or an American cheese sandwich or both by the use of Table 2.

(iii) If the proprietor has no price for a ham sandwich and no price for ham and eggs, he determines his prices for these items by use of Table 3.

TABLE 1

If the proprietor has a price for ham sandwich as follows—	And no price for American cheese sandwich, his price for American cheese sandwich shall be the price below set opposite his price for ham sandwich	And/or no price for ham and eggs, his price for ham and eggs shall be the price below set opposite his price for ham sandwich
Up to \$0.14.....	\$0.10	\$0.40
\$0.15 to \$0.24.....	.15	.50
\$0.25 to \$0.29.....	.20	.60
\$0.30 to \$0.34.....	.20	.65
\$0.35 to \$0.44.....	.20	.80
\$0.45 to \$0.49.....	.25	.90
\$0.50 and up.....	.40	1.00

TABLE 2

If the proprietor has no price for ham sandwich but has a price for ham and eggs as follows—	His price for a ham sandwich shall be the price in this column set opposite his price for ham and eggs	If he also has no price for American cheese sandwich, his price for American cheese sandwich shall be the price set opposite his price for ham and eggs
Up to \$0.49.....	\$0.10	\$0.10
\$0.50 to \$0.59.....	.20	.15
\$0.60 to \$0.64.....	.25	.20
\$0.65 to \$0.69.....	.30	.20
\$0.70 to \$0.89.....	.35	.25
\$0.90 to \$0.99.....	.45	.35
\$1.00 and up.....	.60	.40

TABLE 3

If the proprietor has no price for either ham sandwich or ham and eggs, but has a price for American cheese sandwich as follows—	His price for ham sandwich shall be the price in this column set opposite his price for American cheese sandwich	And his price for ham and eggs shall be the price in this column set opposite his price for American cheese sandwich
Up to \$0.14.....	\$0.10	\$0.40
\$0.15 to \$0.19.....	.20	.50
\$0.20 to \$0.24.....	.25	.60
\$0.25 to \$0.29.....	.20	.65
\$0.30 to \$0.34.....	.40	.80
\$0.35 to \$0.39.....	.45	.90
\$0.40 and up.....	.60	1.00

[F. R. Doc. 44-5463; Filed, April 17, 1944; 4:41 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 April 17, 1944:

- REGION II
 - Delaware Order No. 9, filed 9:45 p. m.
 - Delaware Order No. 10, filed 9:45 p. m.
- REGION III
 - Cincinnati Order No. 10, filed 9:54 p. m.
- REGION IV
 - Memphis Order No. 2-W, Amendment No. 2, filed 9:55 p. m.
 - Memphis Order No. 4-F, Amendment No. 24, filed 9:56 p. m.
 - Memphis Order No. 15, Amendment No. 2, filed 9:55 p. m.
- REGION V
 - Dallas Order No. 3-P, Amendment No. 6, filed 9:47 p. m.
 - Fort Worth Order No. 1-F, Amendment No. 8, filed 9:50 p. m.
 - Fort Worth Order No. 2-F, Amendment No. 8, filed 9:49 p. m.
 - Fort Worth Order No. 3-F, Amendment No. 8, filed 9:49 p. m.

Fort Worth Order No. 4-F, Amendment No. 8, filed 9:48 p. m.
 Fort Worth Order No. 5-F, Amendment No. 8, filed 9:57 p. m.
 Houston Order No. G-1W, filed 9:44 p. m.
 Houston Order No. 13, filed 9:54 p. m.
 New Orleans Order No. G-19, filed 9:57 p. m.
 New Orleans Order No. G-20, filed 9:56 p. m.
 Oklahoma City Order No. 1-W, filed 9:52 p. m.
 Oklahoma City Order No. 3-F, Amendment No. 8, filed 9:47 p. m.
 Shreveport Order No. 2-F, Amendment No. 5, filed 9:54 p. m.

REGION VI

Green Bay Order No. 2-F, Amendment No. 6, filed 9:50 p. m.
 Green Bay Order No. 2-F, Amendment No. 7, filed 9:42 p. m.
 Green Bay Order No. 3-F, filed 9:52 p. m.
 Green Bay Order No. 3-F, Amendment No. 1, filed 9:42 p. m.
 Moline Order No. 1-W, filed 9:51 p. m.
 Moline Order No. 3-F, Amendment No. 1, filed 9:50 p. m.
 Sloux City Order No. 2-F, Amendment No. 6, filed 9:44 p. m.
 Twin Cities Order No. 1-W, filed 9:43 p. m.
 Twin Cities Order No. 2-W, filed 9:43 p. m.

REGION VII

New Mexico Order No. 2-W, filed 9:41 p. m.

REGION VIII

Fresno Order No. 12, filed 9:46 p. m.
 Fresno Order No. 13, filed 9:46 p. m.
 Nevada Order No. 14, filed 9:42 p. m.
 Nevada Order No. 15, filed 9:41 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-5485; Filed, April 18, 1944;
 11:43 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-39, 54-50]

NORTH AMERICAN LIGHT AND POWER CO.,
 ET AL.

NOTICE OF FILING OF AMENDMENT TO APPLICATION AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of April 1944.

In the matter of North American Light & Power Company Holding-Company System and The North American Company, File No. 59-39; North American Light & Power Company, File No. 54-50.

North American Light & Power Company ("Light & Power"), a registered holding company, and Illinois Traction Company ("Traction"), a registered holding company and a subsidiary of Light & Power, having heretofore filed an application designated as application No. 9 in the above-styled and numbered proceedings, pursuant to the Public Utility Holding Company Act of 1935, relating to the retirement by Traction of its publicly-held preferred stock as a

step in the program of liquidation of Light & Power as directed by the order of the Commission dated December 30, 1941;

Notice is hereby given that an amendment to the aforesaid application No. 9 has been filed by Light & Power and Traction pursuant to the applicable sections of the Act. All interested persons are referred to the said amendment which is on file in the office of the Commission for a statement of the transactions proposed therein, which may be summarized as follows:

In addition to the retirement by Traction of its publicly-held preferred stock, Traction proposes to retire all of its publicly-owned common stock, consisting of 56½ shares, by payment of \$50 per share to the holders thereof. After the publicly-held preferred and common stock is retired, it is proposed that Traction transfer its assets to Light & Power and that Traction thereafter be dissolved;

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that the hearing on application No. 9 be reconvened for the purpose of considering such amendment;

It is ordered, That a hearing on such matter be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, on the 27th day of April, 1944, at 2:00 p. m., e. w. t., in such room as may be designated at such time by the hearing room clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner approved in Rule XVII of the Commission's rules of practice on or before April 24, 1944;

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing ordered herein. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice;

It is further ordered, That the Secretary of this Commission shall serve notice of this hearing by mailing a copy thereof by registered mail to Illinois Traction Company, North American Light & Power Company, and Illinois Power Company, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER;

It is further ordered, That without limiting the scope of the issues presented by said joint application, as amended, particular attention shall be directed at said hearing to the question whether the proposed acquisition at the stipulated price is fair and equitable to the persons affected thereby and otherwise consistent with the applicable standards of the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-5529; Filed, April 19, 1944;
 11:27 a. m.]

[File Nos. 34-9, 34-41, 70-28]

FEDERAL WATER SERVICE CORP., ET AL.

ORDER DENYING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of April, A. D. 1944.

In the matter of Federal Water Service Corporation, Utility Operators Company, Federal Water and Gas Corporation, File Nos. 34-9, 34-41, 70-28.

Federal Water and Gas Corporation having filed an application for the Commission's approval of an amendment to a plan of reorganization of the applicant's predecessor, Federal Water Service Corporation, under the Public Utility Holding Company Act of 1935;

A hearing having been held after appropriate notice, and the Commission being duly advised and having this day issued its findings and opinion herein;

On the basis of said findings and opinion, and pursuant to the provisions of sections 7 (d) (6), 7 (e) and 11 (e) of said act,

It is ordered, That said application be and hereby is denied.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-5530; Filed, April 19, 1944;
 11:27 a. m.]

[File No. 70-885]

NEW JERSEY 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 17th day of April 1944.

Notice is hereby given that an application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New Jersey Power & Light Company, a subsidiary of NY PA NJ Utilities Company, a registered holding company.

All interested persons are referred to said document, which is on file in the offices of this Commission, for a statement of the transactions therein proposed, which are summarized below:

1. New Jersey Power & Light Company proposes to issue and sell at competitive bidding, pursuant to Rule U-50, \$9,000,000 principal amount of its First Mortgage Bonds, due March 1, 1974, and 30,000 shares of its Cumulative Preferred Stock, par value \$100 per share, the interest rate of the Bonds and the dividend rate of the Preferred Stock to be determined by competitive bidding, the filing indicating that no bids less than par will be considered for these securities, and further, that the interest rate on the Bonds must not exceed 3½% per annum and the dividend on the Preferred Stock must not exceed 5% per annum.

2. The proceeds from the sale of the above-described securities, together with such amounts from the general funds of New Jersey Power & Light Company as

may be required, are to be applied to the redemption at 105% of the principal amount thereof plus accrued interest to the date of redemption of all of the company's outstanding First Mortgage Gold Bonds, 4½% Series, due 1960, which, as at February 29, 1944 were outstanding in the principal amount of \$9,000,000, and to redeem at \$110 per share, plus accrued dividends to the date of redemption, all of the company's outstanding \$6 Cumulative Preferred Stock. As at February 29, 1944, there were outstanding 33,060 shares of this stock.

3. New Jersey Power & Light Company also proposes to donate to its wholly-owned subsidiary, New Jersey Northern Gas Company, an inactive company, \$16,000 principal amount of First Mortgage 5% Bonds, due 1952, of that company; whereupon these bonds are to be retired and cancelled.

4. The applicant-declarant proposes in connection with the instant transactions to charge to earned surplus an amount of \$1,650,000 to create a reserve for electric and gas plant adjustments for the purpose of absorbing the write-off of the excess amount over original cost of utility plant as the same may finally be determined and has not previously been provided for; to charge to earned surplus an amount of \$1,267,589.22 representing un-amortized debt discount and expense of \$486,989.22 relating to bonds now outstanding and premium on bonds and preferred stock proposed to be redeemed in the amounts of \$450,000 and \$330,600 respectively; to transfer from stated value for common stock to capital surplus the amount of \$2,535,000; and to transfer the deficit of earned surplus in the amount of \$2,587,461.62 to capital surplus. All of these undertakings are to be as at February 29, 1944 and will result in the elimination of all earned surplus as at that date and leave a balance of \$273,700.41 remaining in capital surplus. It is stated in the filing that this balance is to be available for the absorption of any and all losses not otherwise provided for which may be inherent in the stated amounts of applicant-declarant's assets, liabilities and reserves immediately prior to February 29, 1944.

The application-declaration indicates that NY PA NJ Utilities Company, the owner of the entire common stock of New Jersey Power & Light Company, also owns 12,068 shares of \$6 Cumulative Preferred Stock of New Jersey Power & Light Company, this stock being carried at \$1,197,080.81, purporting to be the cost to NY PA NJ Utilities Company of said stock.

The application-declaration has designated sections 6 (a), 6 (b), 7, 12 (c), and 12 (f), and Rules U-42, U-45, and U-50 as being applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said application-declaration should not be granted or permitted to become effective except pur-

suant 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 May 1, 1944, at 10 a. m., e. w. t., at the offices of the Securities and Exchange Commission, Eighteenth and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. 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 April 27, 1944, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated for that purpose, shall preside at the hearings in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said 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 filing, particular attention be directed at such hearing to the following matters and questions:

1. Whether the proposed transactions are appropriate and in the public interest and the interest of investors and consumers;

2. The propriety of the proposed accounting treatment on the books of New Jersey Power & Light Company in connection with the proposed transactions;

3. Whether, and if so, to what extent, NY PA NJ Utilities Company as a holder of preferred stock of New Jersey Power & Light Company should be permitted to participate in the proceeds of the re-funding;

4. Whether the proposed transactions comply with all the provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder; and

5. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. BUBOIS,
Secretary.

[F. R. Doc. 44-5528; Filed, April 19, 1944;
11:27 a. m.]

WAR PRODUCTION BOARD.

[Certificate No. 201]

SHELL DEVELOPMENT Co., ET AL.

APPROVAL OF PROPOSAL FOR CROSS LICENSE
AND LICENSING ARRANGEMENT

The ATTORNEY GENERAL:

I submit herewith a proposal for a cross license and licensing arrangement

in connection with catalytic refining, between Shell Development Company, Standard Oil Development Company, Texaco Development Corporation, Standard Oil Company (Indiana), Universal Oil Products Company and the M. W. Kellogg Company. The proposal is detailed in the following instruments, attached hereto:

(1) Copy of the proposed agreement between the companies above-named, dated as of August 7, 1942.²

(2) Copies of a letter from the President of the Texaco Development Corporation to the Chief Counsel of the Petroleum Administration for War dated January 6, 1944,² amending the agreement referred to in (1) above in certain respects, and letters bearing various dates directed to the Chief Counsel of the Petroleum Administration for War by the other parties to the agreement concurring in the amendment described in the letter of the Texaco Development Corporation.²

(3) Copies of a letter from the President of Texaco Development Corporation dated July 14, 1943,² a letter from the President of Texaco Development Corporation dated November 12, 1943,² and letters from the other parties to the agreement,² all directed to the Chief Counsel of the Petroleum Administration for War, giving certain information concerning the patent position of the licensor group within the field of catalytic refining.

(4) A memorandum to me from the Petroleum Administrator for War dated November 4, 1943,² in which the Petroleum Administrator states that he believes the course of conduct proposed in the cross license and licensing agreement to be requisite to the prosecution of the war and that the royalties set forth in the agreement are reasonable. This memorandum is supplemented by a copy of a memorandum from the Chief Counsel of the Petroleum Administration for War dated October 12, 1943,² approving the proposed cross license and licensing agreement, and a summary of the agreement, undated.

(5) Copies of a letter from the Defense Plant Corporation dated October 6, 1943,² a letter from the Defense Supplies Corporation dated October 6, 1943,² and a letter from the War Department dated August 9, 1943,² directed to the Petroleum Administration for War, concerning the agreement referred to in (1) above.

It is my understanding that, with respect to catalytic refining patents, if any, which are vested in the Alien Property Custodian pursuant to Vesting Order No. 1, licenses will be available under the provisions of the final judgment entered March 25, 1942, and the supplemental judgment entered April 7, 1943, in the matter of United States of America v. Standard Oil Company (New Jersey),

²Filed with the Division of the Federal Register.

et al., in the United States District Court for the District of New Jersey.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the proposal; and after consultation with you I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with my approval as herein expressed is requisite to the prosecution of the war.

Nothing in my approval of the above proposal is to be construed as derogating from, or in any way modifying, rights and obligations under the final judgment entered March 25, 1942, and the supplemental judgment entered April 7, 1943, in the matter of *United States of America v. Standard Oil Company (New Jersey), et al.*, in the United States District Court for the District of New Jersey.

Nothing in this approval, furthermore, is to be construed as authorizing or re-

quiring the doing of any act or thing, or the omission to do any act or thing, in violation of the Antitrust laws of the United States or the Federal Trade Commission Act after the termination of the present war and an additional period of six months thereafter.

DONALD M. NELSON,
Chairman.

APRIL 14, 1944.

[F. R. Doc. 44-5526; Filed, April 19, 1944;
11:12 a. m.]