



Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

CONTENTS—Continued

PETROLEUM ADMINISTRATION FOR WAR:	Page
Petroleum industry; supply program for District 3.....	12843
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
American Light & Traction Co., et al.....	12858
Metropolitan Edison Co., et al.....	12857
WAR CONTRACTS PRICE ADJUSTMENT BOARD:	
Renegotiation regulations:	
Agreements and statements.....	12847
Authority and organization.....	12845
Forms.....	12847
Procedure.....	12845
Impasse.....	12847
Renegotiable business and costs, determination.....	12846
Text of statutes, orders, joint regulations and directives.....	12850
WAR PRODUCTION BOARD:	
Certification to Attorney General; supply program in District 3, approval of petroleum directive' (Cert. 208).....	12858
Controlled materials plan; allotment symbols not requiring quarterly identification (CMP Reg. 1, Int. 25).....	12833
Cotton fabric, preference ratings and restrictions (M-317A).....	12834
Knit underwear, sweat shirts and T shirts (L-247, Rev.).....	12834

CONTENTS—Continued

WAR PRODUCTION BOARD—Con.	Page
Packing quotas, unlimited for certain items in Sch. I (M-61, Dir. 6).....	12834
Paperboard (M-378).....	12841
Phthalic alkyd resins (M-139, Rev.; M-300, Sch. 59) (2 documents).....	12833, 12838
Suspension orders:	
Gaultney, Charles.....	12832
Guardian Steel Corp.....	12833
Textile, clothing and leather (M-328B, Sch. A to Supp. VIII).....	12840

2. In the military area prescribed under the authority of this order, the military commander may, whenever military necessity therefor exists and the military commander so finds:

a. Establish blackout and curfew periods and restrict and regulate the actions of all persons during such period.

b. Establish air raid precautions.

c. Regulate the conduct of enemy aliens.

d. Evacuate or exclude, and detain incident thereto, any or all persons from the military area or from any part thereof, whenever the evacuation or exclusion, or the detention incident thereto, is necessary to prevent espionage or sabotage, and the military commander so finds.

e. Regulate or prohibit possession or use of firearms or other weapons.

f. Define, for the purposes of this order, what shall constitute military service with the armed forces of nations other than the United States and require all persons who have had such military service with the armed forces of nations other than the United States to register such military service.

g. Issue regulations to assure adequate protection of the following: ports and harbors, docks and stevedoring, barges, tugs and floating equipment, transportation of ship cargoes and passengers, and disposition of all cargoes until removed from dock areas at docks and wharves.

h. Regulate, restrict, or prohibit travel within, into, or from the military area whenever such regulation, restriction, or prohibition is necessary for military security, and the military commander so finds.

i. Whenever necessary to prevent espionage or sabotage, and the military commander so finds, regulate the publication of any newspapers and periodicals that are published in a foreign language or in dual languages, regulate, restrict, or prohibit the possession or use of radio transmission sets or the transmission of information (by any means other than newspapers) between the military area and points outside of the said area, and between the islands within the said military area.

3. Whenever the military commander finds it to be in the interests of national defense and the successful prosecution of the war, he may, to the extent that

he deems it necessary to carry out the purposes of this order, perform the functions and exercise power and authority conferred on the President by Title III of the Second War Powers Act, 1942 (50 U.S.C., app. 633) insofar as they relate to priorities and allocation of the following in the Territory of Hawaii: Ports and harbors, dockage and stevedoring, barges, tugs, floating equipment and all travel facilities; and fixing of over-all quotas to vessels of all commercial cargo.

4. Nothing in this order shall be construed to modify or revoke any of the provisions of Executive Order No. 9060, dated February 19, 1942. Any designation of the military commander and of the Territory of Hawaii or any part thereof as a military area under paragraph 1 hereof shall constitute designation of such military commander as the military commander, and of such Territory or such part thereof as a military area for the purposes of the said Executive Order No. 9066, and shall vest the military commander with the powers provided in that order.

5. Unless sooner terminated, the authority herein conferred shall expire thirty days after the cessation of hostilities between the Empire of Japan and the United States.

6. All prior Executive orders, insofar as they are in conflict herewith, are amended accordingly.

7. This order shall become effective on October 24th, 1944.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
October 18, 1944.

[F. R. Doc. 44-16385; Filed, Oct. 24, 1944;
4:23 p. m.]

Regulations

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 50 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-642]

CHARLES GAULTNEY

Charles Gaultney, 3637 Globe Avenue, Los Angeles, California, is a general building contractor. On or about July 26, 1943, he began construction consisting of remodeling and rebuilding two old service station structures for conversion into a combination dwelling and nursery, at an estimated cost of \$425; the actual cost proved to be \$1,800. On or about September 20, 1943, he began construction consisting of remodeling and renovating a four-tenant store building, estimated at \$300; the actual cost proved to be \$1,360. On or about September 21, 1943, he began construction of a barn,

the cost of which proved to be over \$1,400. On or about September 28, 1943, he began construction of an addition to an industrial plant (with a productive floor area of less than 10,000 feet), the cost of which proved to be \$566. On or about October 11, 1943, he began construction of an addition to an industrial plant (with a productive area of less than 10,000 feet), at an estimated cost of between \$1,200 and \$1,300; the actual cost proved to be \$1,800. The first, second, fourth and fifth jobs exceeded the \$200 limit provided by Conservation Order L-41 for such construction, and the third job (the barn) exceeded the \$1,000 limit provided by Conservation Order L-41 for such construction, without authorization from the War Production Board. Mr. Gaultney was aware of WPB restrictions on construction and carrying on this construction without authorization constituted grossly negligent violations of Order L-41.

These violations have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.642 Suspension Order No. S-642.

(a) Deliveries of material to Charles Gaultney shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Charles Gaultney of any material or product, the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) No authorization to commence construction under the provisions of Order L-41, shall be granted to Charles Gaultney, unless hereafter specifically authorized in writing by the War Production Board.

(d) The restrictions and prohibitions contained herein shall apply to Charles Gaultney, his successors and assigns or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

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

(f) This order shall take effect on October 24, 1944, and shall expire on January 24, 1945.

Issued this 14th day of October 1944.

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

[F. R. Doc. 44-16386; Filed, Oct. 24, 1944, 4:29 p. m.]

PART 1010—SUSPENSION ORDERS
[Suspension Order S-360, Revocation]

GUARDIAN STEEL CORP.

Suspension Order No. S-360 was issued against the Guardian Steel Corporation at 11675 East Eight Mile Road, Detroit, Michigan, which is engaged in the business of maintaining and operating a steel warehouse at that address. The respondent appealed from the provisions of the Suspension Order and a new hearing was granted by the Deputy Chief Compliance Commissioner on August 21, 1943. There was a hearing before Compliance Commissioner John B. Waite on October 22, 1943, and on October 29, 1943 the case was closed by Commissioner Waite.

The Deputy Chief Compliance Commissioner has directed that the Suspension Order be revoked as of October 29, 1943.

In view of the foregoing:

It is hereby ordered, That: § 1010.360 Suspension Order No. S-360 be revoked retroactive to October 29, 1943.

Issued this 24th day of October 1944.

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

[F. R. Doc. 44-16388; Filed, Oct. 24, 1944; 4:29 p. m.]

PART 1204—PHTHALIC ALKYD RESINS

[General Preference Order M-139, Revocation]

Section - 1204.1 General Preference Order M-139 is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Symbol	Use	Order
SO.....	Small order procedure.....	CMP Regulation 1.
P-1.....	Petroleum industry—production.....	P-63-b.
F-51.....	Petroleum industry—special production.....	P-63-b.
MRO.....	Maintenance, repair and operating supplies.....	CMP Regulations 5 and 5A.
MRO-P-3.....	do.....	P-63-b.
MRO-P-47.....	Petroleum industry MRO (Serial number) Maintenance, repair and operating supplies—civilian aircraft.....	P-47.
MRO-P-59.....	Maintenance, repair and operating supplies—chemicals.....	P-59.
MRO-P-63-e.....	Maintenance, repair and operating supplies—petroleum industry consumer accounts.....	P-63-e.
MRO-P-133.....	Maintenance, repair and operating supplies—electronic equipment.....	P-133.
MRO-P-136.....	Maintenance, repair and operating supplies—scrap yards (serialized).....	P-136.
MRO-P-141.....	Maintenance, repair and operating supplies—public sanitary sewer facilities.....	P-141.
S-1.....	Industrial repairmen.....	CMP Regulation 9A.
S-2.....	Extension of public sanitary sewer facilities.....	P-141.
S-8.....	Iron and steel producers.....	P-63.
T-7.....	(Serial number) Transportation systems.....	P-142.
V-9.....	Laboratories.....	P-43.
S-4.....	For steel only for rural water well drillers.....	P-143.
U-9.....	Utilities—under orders.....	U-1, U-3, U-4.
V-3.....	Retailers and repair shops.....	CMP Regulations 9 and 9A.
F-6.....	Construction and facilities.....	CMP Regulation 6, Direction 1.
W-6.....	Construction and facilities—Army.....	CMP Regulation 6, Direction 3 (CMPL-593).
N-0.....	Construction and facilities—Navy.....	CMP Regulation 6, Direction 3 (CMPL-593).
H-(Program No.).....	Construction and facilities—housing.....	P-63-e (WPB-2866).
U-2 ¹	Construction and facilities—utilities.....	CMP Regulation 6, Direction 4 (WPB-2774).
WH.....	Orders placed by warehouses.....	M-21-b-1 and M-21-b-2.
FX.....	Steel producers exchange.....	CMP Regulation 1, Direction 6.
AM.....	Purchase of aluminum ingot and powder.....	Direction 49 to CMP Regulation 1 and M-1-g.
E-2.....	MRO purchased for foreign countries.....	Direction 53 to CMP Regulation 1.
E-4.....	Discarded, offgrade, idle, and excess steel purchases.....	

¹ In some cases a quarterly limitation is placed on the operator who places the order. However, a controlled material supplier does not need to require a quarterly designation on any order bearing the symbol F-5.

² In some cases the WPB-2774 authorization gives specific quantities for specific quarters. A controlled materials supplier does not need to require quarterly designation on any order bearing the symbol U-2.

Issued this 25th day of October 1944.

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

[F. R. Doc. 44-16400; Filed, Oct. 25, 1944; 11:12 a. m.]

Alkyd resins are subject to allocation under General Allocation Order M-300 as Appendix A materials, subject to Schedule 59 issued simultaneously with this revocation.

Prior to November 1, 1944, alkyd resins may be delivered, accepted and used in accordance with authorizations issued under Order M-139 (revoked).

Issued this 25th day of October 1944.

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

[F. R. Doc. 44-16402; Filed, Oct. 25, 1944; 11:12 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 25 as Amended Oct. 25, 1944]

ALLOTMENT SYMBOLS THAT DO NOT REQUIRE QUARTERLY IDENTIFICATION

The following interpretation is issued with respect to CMP Regulation 1:

Paragraph (5) of CMP Regulation No. 1 explains that in placing an authorized controlled material order the quarterly identification (which is explained in paragraph (c) (6) (1)), must be added. In certain cases, where allotments are not made, a consumer is entitled to place an authorized controlled material order without using the quarterly identification. However, in such a case, the order must still bear the requested delivery date. A list of the symbols which can be used to place an authorized controlled material order without the quarterly identification, the purpose for which such symbols are used, and the related order follows:

NOTE: "MRO-P-89 * * *" added Oct. 25, 1944; "S-8" amended Oct. 25, 1944.

PART 3246—KNIT UNDERWEAR, SWEAT SHIRTS AND T SHIRTS

[Limitation Order L-247, Revocation]

Section 3246.1 *Limitation Order L-247* is revoked.

This revocation does not affect any liabilities incurred under this order.

The manufacture of knit underwear, sweat shirts and T shirts remains subject to all other applicable regulations and orders of the War Production Board.

Issued this 25th day of October 1944.

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

[F. R. Doc. 44-16401; Filed, Oct. 25, 1944; 11:12 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-81, Direction 6]

UNLIMITED PACKING QUOTAS FOR ITEMS 11, 12, 13 AND 14 TO SCHEDULE I

The following direction is issued pursuant to Conservation Order M-81:

(a) Notwithstanding the provisions of paragraph (b) of this order putting packing quotas on an annual basis and specifying specific percentages for various items, the packing quotas for items 11 (grapefruit, segments), 12 (grapefruit juice), 13 (orange juice) and 14 (orange-grapefruit juice, blended) of Schedule I shall become unlimited as of the date of this direction and shall remain unlimited until this direction is revoked.

Issued this 24th day of October 1944.

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

[F. R. Doc. 44-16387; Filed, Oct. 24, 1944; 4:29 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Supplementary Order M-317A as Amended Oct. 23, 1944]

COTTON FABRIC PREFERENCE RATINGS AND RESTRICTIONS

§ 3290.115a *Supplementary Order M-317A—(a) Contents of this order.* This order M-317A is supplementary to Order M-317 and contains Preference Rating Schedules and Distribution Schedules referred to in that order. These schedules apply only to cotton fabrics. (Cotton fabrics are included in the definition of "cotton textiles" in Order M-317.) Restrictions on the production of cotton fabrics appear in Order L-99.

Issued this 23d day of October 1944.

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

AA-2X COTTON FABRIC PREFERENCE RATING SCHEDULE

NOTE: Table amended Oct. 23, 1944.

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

Group	Column I	Column II	Column III
1	Processor.....	Drill. Jean. Leno bag fabrics. Osnaburg. Other special bag fabrics. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C.	New textile bags as defined in Conservation Order M-221, and for a use there permitted. Paper lined bags. Multi-wall paper bags. Spiral tube shipping containers. Barrel covers.
2	Processor.	Flannel, canton. Print cloth. Sheetings: Class A. Class C. Soft-filled, for napping.	Buffing wheels or buffs.
3	Processor.	Drill. Jean. Print cloth of less than 80 sley. Sheeting: Class C. Twill.	Coated abrasive products.
4	Processor.	Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Special, not listed in column IV of Limitation Order L-99. Special pipe covering fabrics: 38" 64 x 30 4.38. 37" 72 x 20 4.60. Tobacco cloth.	Magnesia, asbestos, fibre glass and other pipe covering.
5	Processor.	Covert. Denim. Drill. Moleskin. Print cloth. Sateen. Sheetings: Class A. Class B. Class C. Suede. Twill. Tobacco cloth.	Safety equipment specifically designed to furnish protection against specific occupational hazards (other than weather) as defined and limited in Limitation Order L-114.
6	Processor.	Drill. Felt, table, double napped. Flannel, canton. Flannel, outing. Meads cloth. Moleskin. Print cloth. Sheetings: Class O. Soft-filled for napping. Tobacco cloth. Twill. Velveteen.	Surgical dressings such as bandage, gauze, adhesive tape, plasters, etc.

AA-2X COTTON FABRIC PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
7	Processor.	Drill. Flannel. Netting, knitted. Print cloth. Sateen. Sheeting: Class O. Twill.	Rubber gloves as defined and limited in Rubber Order R-1, as amended December 4, 1943, Schedule A, Code 18.
8	Processor.	Drill. Jean. Osnaburg. Print cloth of less than 80 sley. Sateen. Sheetings: Class A. Class O. Twill.	Rubber hose and tubing for safety and industrial purposes (including mine and shiphold ventilating tubing and fire hose). Rubber packing and gaskets, and other mechanical rubber products, as defined and limited in Rubber Order R-1, as amended December 4, 1943, Schedule A, Code Nos. 11 and 12. Fabric packings and gaskets.
9	Processor. User.	Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class O.	Chafar fabrics, slippers, head wraps, liner and wrapper fabrics used in the manufacture of tires and other rubber products.
10	Processor.	Drill. Lawn. Osnaburg. Print cloth. Sheeting: Class O. Tubing, industrial. Window shade cloth.	Cloth and non-selvage tape, of the following kinds for industrial uses only: Carton tape. Corrugated or fibreboard box stay tape. Varnished cambric tape. Varnished cambric cloth for use in Rubber Industry. Holland cloth for use in Rubber Industry. Separator cloth. Insulating tape. Cable wrapping tape. Friction tape. Pressure sensitive tape. This rating for the cotton textiles in Column II for use in the manufacture of gummed cloth tape, and sealing, supporting and identifying tape is cancelled, and all applications or extensions as to deliveries not made by May 29, 1944, are cancelled.
11	Processor.	Sheeting: Class B.	Varnished cambric to be used only for camelbacks (See Group 10 for list of other fabrics which may be purchased with this rating for varnished cambric irrespective of use).
12	Processor.	Drill. Lawn. Print cloth. Sheetings: Class A. Class B. Class O. Twill.	Fabric reinforced laminated plastics.

AA-2X COTTON FABRIC PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
13	Merchant. User.	Drill. Flannel, canton. Jean. Lawn. Print cloth of less than 80 sley. Sheetings: Class B. Class C. Soft-filled for napping. Tobacco cloth. Twill.	Filter and wrapping cloths used in the manufacture of chemicals and chemical products.
14	Processor.	Print cloth of less than 80 sley.	Blasting caps and fuses.
15	Processor. Merchant. User.	Drill. Flannel. Leno bag fabrics. Osnaburgs. Print cloth of less than 80 sley. Sheetings: Bed. Class A. Class B. Class C. Ticking, woven stripe. Tobacco cloth. Twill.	Agricultural and food processing uses. Farm equipment: Horse collars and pads. Back bands. Fly nets. Horse and cow blankets. Dairy products equipment. Crop cultivation and harvesting uses. Meat packers supplies. Glass cloth and incubator crinoline for poultry raising and other farm uses. Filter cloths required in the production of sugar, honey, and vegetable oils.
16	Processor.	Osnaburg. Print cloth. Sheetings: Class C.	Membrano waterproofing (asphalt saturated fabric).
17	Processor.	Print cloth of less than 80 sley. Sheetings: Class C. Tobacco cloth.	Waterproof wrapping materials (non-oxidizing cloths impregnated and laminated fabrics).
18	Processor.	Lawn. Print cloth. Sheetings: Bed. Class B. Class C. Window shade cloth.	Tracing cloth. Maps for military or military training use.
19	Processor. Merchant.	Drill. Sheetings: Class C. Sateen. Twill.	Dust arresters used in manufacturing plants.
20	Processor.	Lawn. Typewriter ribbon cloth.	Typewriter or duplicating ribbons.

AA-3 COTTON FABRIC PREFERENCE RATING SCHEDULE

NOTE: Table amended Oct. 23, 1944. Preference rating AA-3 is assigned for each group to the processor and user in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III. All purchase orders for cotton fabric bearing a preference rating of AA-4 assigned by Order M-317 and on Form WEB-2342 which were unfilled on August 28, 1944 were re-rated AA-3. NOTE: The AA-4 preference rating assigned in Order M-385 for woven cotton fabrics may only be applied or extended to a producer of colored yarn fabrics.

21	Processor. User (non-profit public institutions only).	Blanket lining. Chambray. Corduroy. Cottonsade. Covert. Denim. Denim stripes. Drill. Flannel, woven shirting. Gabardine. Hickory stripe. Jean. Moleskin. Pin check. Poplin. Sheetings: Bed. Class A. Class B. Class C. Soft-filled for napping. Sateen. Suede. Tobacco cloth. Twill (other than three leaf). Whipcord.	Men's and boys' work clothing meaning any garments designed for male workers' wear while engaged in their occupations but only of the type customarily sold as one of the following: Waistband overalls or dungarees. Bib overalls. Overall jumpers or coats. Blanket-lined overall jumpers or coats. One-piece work suits. Work pants. Work breeches. Cossack jackets. Work shirts. Work aprons. Lined work coats. Doctors', dentists', inferners', or ordcrills' gowns, suits, or coats. Druggists' coats. Slaughter house workers' coats. Butchers', fishhandlers' or dairy workers' coats or apron sets. Cooks' coats. Shop and work caps. NOTE: "Workshirt" means a neck-band type shirt with attached collar.
----	--	--	---

AA-3 COTTON FABRIC PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
22	Processor.	Drill. Print cloth. Sheetings: Bed. Class B. Class C.	Oil-skin jackets, coats, hats or apron overalls. Men's and boys' black rubberized raincoats.
23	Processor.	Flannel, mitten. Flannel, colored stripe mitten. Osnaburg. Print cloth of less than 80 sley. Sheetings: Class C. Tubing. Twill.	Work gloves, meaning any type of hand covering designed for workers' wear while engaged in their occupations and of the type customarily sold as such.
24	Processor.	Drill. Flannel, chee. Gabardine. Jean. Netting, knitted. Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Sateen. Twill.	Rubber footwear as defined and limited in Rubber Order R-1. All other footwear as defined and limited in Conservation Order M-217.
25	Processor.	Diaper cloths: Bird-eye. Gauze. Flannellette. Print cloth of less than 80 sley. Sheetings: soft-filled for napping. Tobacco cloth.	Diapers or finished diaper cloth packaged to consumer distribution.
26	Processor.	Tobacco cloth.	Sanitary napkins.

AA-5 COTTON FABRIC PREFERENCE RATING SCHEDULE

NOTE: Table amended Oct. 23, 1944. Preference rating AA-5 is assigned for each group to the processor and user in column I, to obtain deliveries of the cotton textiles in column II, to be used only as specified in column III.

27	User.....	Bedspreads, crinkle. Blankets (including crib). Diapers. Flannellette. Pillow cases. Sheetings: Bed and pillow case. Class A. Class B. Class C. Sheets: Bed. Crib. Towelling: Huck. Terry. Towels: Huck. Terry. Washcloths, terry.	Hospital use.
28	Processor.	Print cloth of less than 80 sley. Tobacco cloth. Window shade cloth.	Book binding cloths.
29	Processor.	Drill. Lawn. Print cloth of less than 80 sley. Sheetings: Bed. Class C. Tobacco cloth. Twill.	Artificial leather used for replacement and maintenance of industrial and public facilities. For manufacture into coated fabrics either for export or for sale to manufacturers of: Book covers. Baby carriages. Bicycle and motor cycle seats. Instrument cases. Infants waterproof pants. Sanitary garments. Crib sheets and mattresses. Allergic mattress covers and pillow cases. Bathmats. Water repellent sheeting or sheets for use on beds only. Play pen pads. High chair pads.

AA-5 COTTON FABRIC PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
			N. B.: This rating is assigned only to processors of coated fabrics. It is not assigned to the manufacturers of end products to obtain coated or uncoated fabrics going into the end products.
30	Processor, Merchant, User.	Cover cloth. Drill. Feed ribbons. Felt, table, double napped. Net, laundry. Sateen. Sheetting, laundry.	Laundry and dry cleaning operating supplies.
31	Processor.	Print cloth of less than 80 sley. Seconds, shorts and remnants of print cloth 80 sley and higher.	Laundry and dry cleaning tags.

DISTRIBUTION SCHEDULE 1—FINE COTTON GOODS

The changes and percentage obligations in columns III, IV, and V are to be calculated from the first of each calendar quarter beginning October 1, 1944.

(a) Column I indicates the corresponding item numbers of the various cotton textiles in this schedule as each appears on Form WPB-633-C (8/10/44).

(b) Column II shows the cotton textiles covered by this schedule.

(c) Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton textiles. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) of Order M-317 (Cotton Textiles for export) may be credited toward this obligation. Export by or for the United States Army, Navy, Maritime Commission, War Shipping Administration, or the American Red Cross may not be credited toward this obligation.

In calculating the export obligation, the producer shall eliminate his production of cotton textile wider than 42". However, if he receives a rated export order for these goods he must treat it as a rated order, and the delivery shall be credited toward his export obligation relative to narrower goods within the same reference number.

(d) Column IV shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against all rated orders (including those specified in column III). The producer, however, is not relieved from the necessity of filling additional rated orders which are served upon him in accordance with War Production Board regulations. Where the percentage in column IV amounts to 100, unless otherwise specified, seconds which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

(e) The provisions and explanations stated in column V, unless otherwise specified, apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. Piece goods referred to in column V, include seconds, shorts and remnants, but not rags.

NOTE: Distribution Schedule 1 amended Oct. 23, 1944.

Reference No.	Column I	Column II	Column III	Column IV	Column V
1	10, 11.....	Combed broadcloths, 37" 128 x 68 and 37" 136 x 60.	15	35	
2	12.....	All other combed broadcloths.	20	30	
3	13.....	Dimities.....	15	15	
4	16, 17.....	Fancy handkerchief fabrics.			
5	25.....	40" 76 x 72 9.00 yd. combed lawn.	10	20	
6	18 through 24, 26, 27.	All other lawns (combed, part combed, and carded).	7½	50	
7	28 through 31.	Marquissettes.....	12½	12½	
8	34.....	Oxfords (except sleeping bag oxford—PQD 444).	10	10	
9	35.....	Piques.....	5	5	
10	36.....	Pongees.....			
11	38, 39.....	Combed poplins (except wind resistant type II—PQD-1A).	10	30	
12	41.....	Combed and part combed sateens (except wind resistant 9 oz.—PQD-245D).	10	25	
		Carded sateens (average yarns finer than 36s)			
13	42.....	Narrow (undef 42").....	10	10	
14	43.....	Wide (42" and wider).....			
15	44.....	Combed sheeting including made up sheets and pillow cases.			
16	45.....	Shirtings (Jacquard, gray dobby and colored yarns).	15	15	
17	54, 57.....	Albert and carded twills..	10	10	
18	55.....	Combed gabardines.....	10	20	

DISTRIBUTION SCHEDULE 1—FINE COTTON GOODS—Continued

NOTE: Distribution Schedule 1 amended Oct. 23, 1944.

Reference No.	Column I	Column II	Column III	Column IV	Column V
		Carded sateens (average yarns finer than 36s)—Continued			
19	56.....	All other combed twills except those specified in Ref. No. 25.	10	60	
20	58.....	Tracing cloth.....			
21	59.....	Typewriter ribbon cloth.....		60	
22	60.....	Volles.....	15	15	
23	61, 62 and 160 in Form WPB-653-B.	Combination cotton and rayon fabrics, 60% or more cotton.	15	15	
24	63.....	All other combed, part-combed and fine carded fabrics (yarns finer than 36s).	10	10	
25	1 through 9, 14, 15, 32, 33, 37, 40, 46, 47 through 53, 56.	Airplane fabrics and balloon cloths; combed ducks; escape boat cloth; insect netting; marquisette (PQD-260); wind resistant poplins, type II (PQD-1A); oxford for sleeping bags (PQD-444); wind resistant sateens 9 oz. (PQD-245-D); twills, combed, Army 6 oz. shirting twill (6-31), Army 8.2 oz. uniform twill (6-201b), Navy twills, Marine Corps twills (Marine Corps specifications).		75	Except for seconds, shorts, remnants and rags, these cotton textiles, as piece goods, may not be delivered by the producer for export.

DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES

The changes and percentage obligations in Columns III, IV, and V are to be calculated from the first of each calendar quarter beginning October 1, 1944.

(a) Column I indicates the corresponding item numbers of the various cotton textiles in this schedule as each appears on Form WPB-633-B (8/10/44).

(b) Column II shows the cotton textiles covered by this schedule.

(c) Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton textiles. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) of Order M-317 (Cotton Textiles for export) may be credited toward this obligation. Export by or for the United States Army, Navy, Maritime Commission, War Shipping Administration, and American Red Cross may not be credited toward this obligation.

(d) Column IV shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against all rated orders (including those specified in Column III). The producer, however, is not relieved from the necessity of filling additional rated orders which are served upon him in accordance with War Production Board regulations. However, where the percentage in Column IV amounts to 100, unless otherwise specified, seconds, shorts, remnants, or rags, which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

(e) The provisions and explanations stated in Column V, unless otherwise specified, apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. Piece goods referred to in Column V include seconds, shorts and remnants, but not rags.

NOTE: Distribution Schedule 2 amended Oct. 23, 1944.

Reference No.	Column I	Column II	Column III	Column IV	Column V
		Sheeting and allied coarse and medium yarn fabrics (approx. 6s to 21s)			
26	1 through 6..	Osnaburgs.....	5	100	See footnote 1.
27	9.....	Leno bag fabrics.....		100	
28	10.....	Special bag fabrics.....		100	
29	11.....	Bale coverings (for cotton, cloth, etc.).			
		Class B sheetings			
30	22.....	40" 48 x 40 3.75 yd.....		100	These cotton textiles as piece goods (other than prison made 31" 5 yd.) may not be delivered by the producer for export except to Canada. (See footnote 1.)
31	23.....	37" 48 x 44 4.00 yd.....		100	
32	24.....	36" 48 x 44 4.00 yd.....		100	
33	25.....	31" 48 x 44 5.00 yd.....		100	
34	28.....	32" 38 to 40 x 38 to 40 6.25 yd.....		100	
35	24.....	40" 44 x 40 4.25 yd.....	40	100	
36	14 through 21, 26 through 29.	All Class A and all other Class B sheetings.	15	100	Shipment to Canada may not be counted as exports for the purpose of complying with the Column III obligations. (See footnote 1.)

DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

NOTE: Distribution Schedule 2 amended Oct. 23, 1944.

Reference No.	Column I	Column II	Column III	Column IV	Column V	
		<i>Class C sheetings</i>				
37	36	40" 56 x 48 4.30 yd.		100	These cotton textiles, as piece goods, may be delivered by the producer only on ratings assigned in Group 10 of the AA-2X Preference Rating Schedule.	
		Ø				
38	34	40" 64 x 64 3.15 yd.		100		
39	35	40" 60 x 52, 56 x 56 3.60 yd.		100		
40	30 through 33, 37 through 39, 41.	All other Class C constructions under 42".	25	65		
41	40, 42	Class C constructions, 42" and wider.		75		
42	43, 44, 45	Bandoleer and Navy mattress cover fabrics and wide sheeting (PQD Spec. 347A).		75		
		<i>Bed sheeting 42" and wider including made up sheets and pillow cases</i>				
43	47	Muslin, Sley of more than 64.	10	25		The Column III obligations may be met by delivery as selected by the producer of 10% of the aggregate production of Reference Numbers 43 and 44. Every producer of sheets and pillow cases from fabric of his own manufacture shall set aside each month 10% of that part of his production not delivered to fill rated orders, and deliver such 10% only to sleeping car companies, hotels, charitable and welfare organizations not operated for profit, or to merchants who certify in writing that the item will be sold to such purchasers.
44	46, 48, 49	All other bed sheetings	10	25		
		<i>Pillow tubings</i>				
45	50	Pillow tubings				
46	50	Industrial tubing		75		
47	51	Carded poplins (sheeting yarns)	10	50		
48	52	Army 8.5 oz. herringbone twill (Army specification No. 6-261).		100		
49	53	Marine Corps 9 oz. herringbone twill (Marine Corps specification).		100		
50	54 through 61.	Other three leaf herringbone twills, all drills and jeans.	20	90		
51	62	Three leaf pocketing twills 39" 2.58 or 3.00 yd. (Sheeting yarns.)	20	20		
52	63	Three leaf silesia twills (sheeting yarns).		40		
53	64	Four leaf twill fabrics 8.2 oz. carded uniform twill type IV.	5	65		
54	65	All four leaf tent twill constructions (U. S. Army specifications).		100		
55	66	Navy twills (Specification 27T2a—Type C).		100		
56	67, 68	All other four leaf twills less than 42 inches.	20	60		
57	69, 70	All other four leaf twills 42" and wider.		60		
		<i>Warp and filling sateens (Sheeting yarns)</i>				
58	71	Narrow (less than 42")	10	10	May not be used for industrial purposes.	
59	72	Wide (42" and wider)		65		
60	73	All other carded twills and sateens.	20	20		
61	74	Carded gabardines	10	10		
62	75	Birdseye diaper cloth				
		<i>Print cloth yarn fabrics (approximately 28s to 42s)</i>				
63	76	Print cloth yarn fabrics of window shade quality, all counts.		20		
64	77, 83, 84	Plain print cloths, 80 sley and higher.		100		

*DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

NOTE: Distribution Schedule 2 amended Oct. 23, 1944.

Reference No.	Column I	Column II	Column III	Column IV	Column V
		<i>Print cloth yarn fabrics (approximately 28s to 42s)</i>			
65	78	37" 63 x 72 4.75 yd. and pro rata widths.		75	These cotton textiles, as piece goods, may be delivered by the producer only on ratings assigned under Group I of the AA-2X Preference Rating Schedule.
66	78	37" 63 x 64 4.85 yd. and pro rata widths.	12½	60	
67	79, 80, 81	33½" 64 x 66 5.20 yd. and pro rata widths 37" and wider, and 33½" 64 x 60 6.35 yd. and pro rata widths.	10	60	
68	81	Pro rata widths to 5.70 yd. under 35".		100	
69	82	33½" 60 x 48, 6.25 yd. and pro rata widths.	15	20	
70	83	All other plain print cloths less than 80 sley under 35".	10	40	
71	85	All other plain print cloths less than 80 sley 35" and wider.	20	20	
72	86	Popama checks		100	
73	87	Gauze diaper cloth			
74	88	All other fancy print cloths.	20	20	
75	89	Bandage cloth—33½" 44 x 60 8.60 and pro rata widths.		75	
76	90	Bandage cloths, all other constructions (69 to 72 threads per square inch).	10	75	
77	91	Tobacco and check cloths: All widths 20 x 12 constructions.	7½	60	
78	92	All widths, 17 to 18 sley, 12 to 14 pick.	10	100	
79	93	All other constructions	10	20	
80	94 through 97.	Carded broadcloth, plain and fancy.	12½	60	
81	98	Carded poplins (print cloth warp yarns) plain and fancy.	12½	60	
82	99	Three leaf twills (print cloth yarns).	10	10	
		<i>Colored yarn fabrics (basis 25")</i>			
83	100 through 103.	2.45 yd. and heavier		100	These cotton textiles, as piece goods, may not be delivered by the producer for export on contracts accepted by the producer after Oct. 23, 1944.
84	104 through 107.	3.00 yd. and lighter	5	5	
85	108	Pinstripes, pinchecks, hickory stripes, etc.	10	60	
86	109 through 112.	Cottonade and cutting covers.	10	60	
87	113	Whipcords and bedford cards.	5	60	
88	114	Ginghams	20	20	
89	115, 116	Seersuckers	25	25	
90	117, 118	All other cotton cuttings	10	10	
91	119, 120	Cotton and rayon cuttings, 2½, or more cotton.	10	10	
92	121 through 123.	Shirting covers.	20	60	
93	124	Chambrays—35" 3.60 yd.		100	
94	125	All other chambrays and shirtings.	12½	12½	
95	126	Bed tickings	10	10	
		<i>Towels, Toweling, Dishcloths, Washcloths and Bathings</i>			
96	127	Turkish & terry woven	2½	35	Except for prison made these cotton textiles, as piece goods, may not be delivered by the producer for export.
97	128	Huck	2½	20	
98	129	Damask and jacquard woven, other than terry.	2½	2½	
99	130	Dish towels and other twill and plain woven towels (including all cotton, part linen and part rayon).	2½	2½	
100	131	Dishcloths			

Phthalic anhydride content—Continued.

	Specifications
None -----	16. Those protective coatings commonly designated in the trade as baking wrinkle finishes or baking wrinkle enamels including materials produced in conformance with U. S. Army Specification 3-188, which replaces TAC-ES-680b, Classes 541 and 542 (Wrinkle Finish).
None -----	17. U. S. Army, T-1760 (Enamel, Lustreless, for Coating Metal).
None -----	18. U. S. Army, 3-162 B and C, Grades I and II (Lacquer, Enamel, Lustreless).
None -----	19. U. S. Navy, 52-P-23 (INT) (Paint, Inside, Semi-Gloss, White, Fire-Retardant).
None -----	20. U. S. Army, TAC-ES-680b, Class 101; AXS-750; Corps of Engineers, T-1600 (Primers).
None -----	21. U. S. Army, TAC-ES-680b, Class 102; AXS-751 (Refinishing Primers).
None -----	22. U. S. Army, TAC-ES-680b, Classes 200 to 239 inclusive; AXS-752; AXS-753; Corps of Engineers, T-1599 (Lustreless Enamels).
None -----	23. U. S. Army, TAC-ES-680b, Classes 300 to 399 inclusive (Gloss Enamels).
None -----	24. U. S. Army, TAC-ES-680b, Classes 439 to 440 Semi-Gloss Enamels).
None -----	25. U. S. Navy, 52P26 (INT) (Primer, Metal (Brown)).
None -----	26. U. S. Army, 14105C (Lacquer Cellulose Nitrate, Camouflage).
None -----	27. U. S. Army, 14109B (Enamel, Camouflage, Quick-Drying).
None -----	28. U. S. Navy, 52E4 (INT) (Enamel, Light Gray, Machinery).

(g) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 19th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-59. The unit of measure is pounds (solvent free). In Table I fill in only the aggregate quantity requested (without specifying customers' names) for delivery on exempt small orders. In Table II, Column 8, applicant should list his separate producing plants and opposite each plant in Columns 9 through 14, inclusive, report one applicable lump sum (solvent free) for all grades. Leave Columns 15 and 16 blank.

(h) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-59, and one copy to the supplier. On copy sent to the supplier, fill in only the heading and Columns 2 and 3. The unit of measure is pounds (solvent free).

Column 1. Leave blank.

Columns 2, 3 and 4. Information called for in these columns falls into four groups, viz. (a) Indirect military orders for certain end uses (referred to as List A end uses); (b) Direct military orders for all end uses; (c) Indirect military orders for end uses other than List A end uses, and civilian orders for all end uses; and (d) Export.

To avoid the necessity of giving specific information for most indirect mili-

tary orders, broken down according to each purchase order, applicants may lump their requested allocations to fill indirect military orders for the end uses in List A appearing at the end of these instructions. This is the first group. Requested allocations to fill purchase orders in the remaining three groups must be broken down in greater detail. For the purposes of these instructions, the following definitions are applicable: (i) "Direct military order" means any purchase order for alkyd resins, or a product containing alkyd resins, to be delivered to the United States Army, Navy, Marine Corps, or Coast Guard; (ii) "Indirect military order" means any purchase order for a product containing alkyd resins to be used on, or incorporated in material or equipment delivered, or to be delivered to, the United States Army, Navy, Marine Corps, Coast Guard, Maritime Commission or War Shipping Administration; (iii) "civilian order" means any purchase order for alkyd resins, or a product containing alkyd resins, which is not a "direct military order" or an "indirect military order".

Information called for in Columns 2, 3 and 4 should be separated into these four groups and set forth on Form WPB-2945 in the order indicated below. Each group should be preceded by the heading describing the group. Primary product and end use information for other than List A End Uses should be described in accordance with WPB I-217.

GROUP 1—INDIRECT MILITARY ORDERS FOR LIST A END USES

Orders on hand. In Column 2 specify a lump sum (solvent free basis) for each primary product listed in Column 3 covered by indirect military orders on hand for List A end uses. In Column 4 specify "orders on hand".

Anticipated orders. In Column 2 specify a lump sum for each primary product listed in Column 3 to be delivered on anticipated indirect military orders for List A end uses. In Column 4 specify "anticipated orders".

GROUP 2—DIRECT MILITARY ORDERS FOR ALL END USES

Orders on hand only. In Column 2 specify exact poundage (solvent free basis) for each primary product listed in Column 3 for each separate end use described in Column 4. In addition, contract and specification numbers must be stated in Column 4 for each separate end use. War Production Board will not entertain applications for allocations of alkyd resins to fill anticipated direct military orders.

GROUP 3—INDIRECT MILITARY ORDERS FOR END USES OTHER THAN LIST A END USES, AND CIVILIAN ORDERS FOR ALL END USES

Orders on hand only. In Column 2 specify exact poundage (solvent free basis) for each primary product listed in Column 3 for each end use described in Column 4. In addition, contract and specification numbers must be stated in Column 4 opposite each primary product to be delivered on an indirect military order. War Production Board will not entertain applications for allocation of alkyd resins for anticipated indirect military orders for end uses other than those appearing in List A, or for anticipated civilian orders.

GROUP 4—EXPORT

Orders on hand only. In column 2 specify exact poundage (solvent free basis) for each primary product listed in Column 3 which is to be exported. Opposite in Column 4, specify the name of each individual, company, or governmental agency to whom or for whose account the alkyd resins or products containing alkyd resins will be exported, and the country of destination. If shipment is for Lend-Lease, specify Lend-Lease, contract or serial number. If the shipment is not for Lend-Lease or not destined for Canada, Form WPB-2945 must first be sent to Foreign Economic Administration together with an application for an export license. If the export license is granted, Foreign Economic Administration will then affix the export license number to Form WPB-2945 and forward it to War Production Board. War Production Board will not entertain applications for allocations of alkyd resins for anticipated export orders.

Columns 11 through 16. Fill in all columns showing a total quantity in pounds for all grades on a solvent free basis.

Columns 17 through 25. Leave blank.

LIST A—END USES

- 0102 Heavy arms and weapons including parts (such as Cannons, Howitzers, Mortars, Gunmounts)
- 0104 Firing control equipment—except Radar
- 0112 Shells, 20 mm. and over.
- 0113 Grenades
- 0114 Torpedoes
- 0115 Bombs and Component parts—except photoflash bombs

LIST A—END USES—Continued

- 0116 Mines and Depth Charges
- 0117 Pyrotechnic ammunition (such as flares, signal, photoflash bombs)
- 0118 Smoke generators
- 0131 Ammunition boxes & chests—ordnance (except aircraft)—metal
- 0133 Ammunition racks
- 0134 Bomb racks
- 0135 Cartridge tanks
- 0201 Body and wing—metal
- 0202 Body and wing—wood & fabric
- 0203 Propellers
- 0204 Motors, generators and engines (airplanes)
- 0205 Fuel tanks & cells (airplane)
- 0210 Instruments other than radio and radar for aircraft
- 0221 Ammunition boxes & chests (airplane)—metal
- 0226 Parachute parts
- 0228 Landing mats
- *0301 Ships and vessels (all types), hulls exterior (on War Shipping Administration purchase orders, primer only)
- 0302 Ships and vessels (all types), hulls interior primer
- 0304 Ships and vessels (all types), decks and superstructure primer
- *0305 Ships and vessels (all types), decks and superstructure topcoat (on War Shipping Administration orders, primer only)
- *0311 Life Rafts (on War Shipping Administration orders, primer only)
- 0312 Invasion barges
- 0313 Landing boats, steel
- 0314 Landing boats, plywood
- 0315 Barges, except invasion, wood
- 0316 Barges, except invasion, steel
- 0317 Barges, except invasion, concrete
- 0318 Watercraft, except landing boats, plywood, interior
- 0319 Watercraft, except landing boats, plywood, exterior
- 0326 Mine laying and sweeping equipment
- 0329 Dry docks, floating, steel
- 0330 Buoys
- 0331 Navigation instruments
- 0332 Hawsers and cables
- 0333 Anchors
- 0334 Propulsion motors, Diesel and other internal combustion engines, except airplane
- 0335 Locomotives (including parts)
- 0340 Railroad freight cars, new, exterior
- 0346 Railroad tank cars, exterior
- 0355 Tanks, jeeps and peeps (including mechanical parts), interior
- 0357 Ambulances, including parts
- 0358 Trucks, new, including parts
- 0359 Trucks, maintenance, including parts
- 0360 Automobiles, including parts
- 0362 Trailers & carts
- 0365 Motorcycles & bicycles
- 0366 Skis
- 0401 Searchlights
- 0402 Lanterns and flashlights
- 0410 Cable and wire insulation
- 0411 Bonded mica for insulation purposes
- 0412 Armature lead-in wire
- 0413 Condensers
- 0437 Transcription records
- 0439 Walkie Talkie sets
- 0440 Radio cabinets
- 0442 Radio tubes
- 0449 Surface coatings includes cambric
- 0450 Varnish for impregnation of coils and wound apparatus

*Note that these code descriptions are narrower than the corresponding descriptions appearing in WPB I-217. All other code descriptions in List A are the same as those in WPB I-217.

LIST A—END USES—Continued

- 0451 Wire enamel
- 0452 Insulation where dielectric properties required
- 0502 Compressors (air and gas) and pumps
- 0506 Cranes, derricks, hoists and winches, new
- 0508 Industrial trucks and tractors (including trailers for tractors), new
- 0524 Lubricating equipment
- 0525 Water softening equipment
- 0550 Dredging, excavating, construction and road machinery
- 0556 Welding machinery and equipment
- 0558 Fine mechanical tools (such as calipers, gauges, indicators, levels, etc.)
- 0559 Testing and measuring devices
- 0571 Tool kits
- 0733 Varnished cambric
- 0738 Map and engineering drawing cloth
- 0802 X-ray equipment
- 0816 Surgical and medical instruments
- 0817 Optical instruments including lenses
- 0818 Scientific instruments
- 0819 Sun goggles
- 0823 Orthopedic appliances
- 0828 Fire fighting equipment
- 0901 Camera and camera parts
- 0902 Projectors and enlargers, (including parts)
- 0904 Reels and cans
- 0905 Developing and printing apparatus (including parts)
- 0906 Aero paper and film
- 0907 Sensitized tracing cloth
- 0908 Sensitized photo copy and blue print papers
- 0913 Photo templates
- 1014 Map and engineering drawing (printing ink)
- 1016 Stencils
- 1101 Tracing paper and cloth (except sensitized paper and-cloth)
- *1201 Bedsteads and bunks, primer
- *1204 Lockers—Navy (metal only), primer
- 1302 Mess table tops
- 1310 Laundry equipment and accessories
- 1311 Refrigerators and coolers
- 1404 Hardware and locks
- 1407 Plumbing (such as metal or non-metal sanitary ware, pipe and pipe fittings, low pressure valves, etc.)
- 1426 Nissen huts
- 1427 Hospital operating rooms
- 1511 Glass containers, including closures and parts—(foods, medicinal, chemical, only)
- 1513 Canteens, water and blitz cans, exterior
- 1514 Gasoline and water drums, interior
- 1612 Helmets
- 1613 Helmet liners
- 1615 Identification tags and plates—metal
- 1625 Map and chart covers and holders

(i) Budget Bureau approval. The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) Communications to War Production Board. Reports and communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-59.

Issued this 25th day of October 1944.

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

[F. R. Doc. 44-16403; Filed, Oct. 25, 1944; 11:12 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule A to Supp. VIII]

The following Supplement VIII to Schedule A is issued pursuant to Conservation Order M-328B. (§ 3290.120a).

CHILDREN'S APPAREL PROGRAM No. 3

Item No.	Items	Size ranges	Minimum yds. per dozen	Price ranges per dozen up to and including
1	Creepers, rompers, crawlers.	6 months to 2 years.	11	\$9.50
2	Two-piece button-on pajamas with extra pants.	1 to 4.....	24	10.50
3	Gowns.....	1 to 3.....	12	4.50
4	One-piece pajamas without feet.	2 to 8.....	10½	8.50
5	Two-piece jacket-type pajamas.	3 to 8.....	20	10.50
6	Gowns.....	2 to 8.....	17	7.50
7	Jacket type pajamas.	8 to 16.....	35	12.00
8	Gowns.....	8 to 16.....	31	10.50
9	Infants' gowns.....	Infants.....	8	4.50
10	Infants' kimonos.....	Infants.....	8	4.50
11	Infants' gertudes.....	Infants.....	6	4.50
12	Two-piece button-on pajamas.	1 to 4.....	22	10.50
13	One-piece pajamas....	2 to 8.....	10½	8.50
14	Jacket-type pajamas....	8 to 16.....	35	13.50
15	Kimonos.....	Infants.....	10	4.50
16	Gowns.....	Infants.....	10	4.50
17	Gertudes.....	Infants.....	7½	4.50
18	Infants' dresses.....	0 to 1 year.	10	9.75
19	Toddler's dresses.....	1 to 3.....	12	10.50
20	Children's dresses.....	3 to 6X.....	18	10.50
21	Overalls and coveralls.	1 to 4.....	10½	9.00
22	Overalls and coveralls.	1 to 4.....	10½	10.50
23	Overalls and coveralls.	2 to 6X.....	12½	9.00
24	Overalls and coveralls.	2 to 6X.....	12½	10.50
25	Boys' wash suits, toddlers'.	1 to 4.....	13	9.25
26	Boys' wash suits, juvenile.	2 to 6X....	16½	10.50
27	Underwear, girls' panties.	2 to 12.....	5½	3.75
28	Slips, toddlers'.....	1 to 3.....	6½	3.75
29	Slips, girls' (Gertude type).	2 to 14.....	10½	6.75
30	Slips, girls' (shoulder strap).	10 to 10.....	15	9.75
31	Girls' blouses.....	1 to 6.....	8	8.50
32	Girls' blouses.....	7 to 14.....	13½	9.75
33	Boys' shirts and blouses.	3 to 10.....	13	8.50
34	Boys' Shirts, Neck Band Sizes.	11 to 14½.	23	10.50
35	Boys' Pants, Short....	4 to 10.....	12	12.00
36	Boys' Pants, Long or Knickers.	4 to 18.....	18	10.50
37	Boys' Underwear, Shorts.	6 to 16.....	9½	3.25
38	Children's Dresses....	7 to 14.....	20	15.75

Item No. and Materials—Minimum construction allowed:	Size distribution per dozen (1st line indicates size; 2nd line specifies the number of each size)
1. Carded Poplin 100 x 44; Carded Broadcloth 100 x 60.	Even.
2. Outing Flannels; Print Cloth 64 x 56, Plissed.	1-2-3-4. 2-4-4-2.
3. Outing Flannels; Print Cloth 64 x 56, Plissed.	Normal Industry Practice
4. Outing Flannels; Print Cloth 64 x 56, Plissed.	2-4-6-8. 2-2-4-4.
5. Outing Flannels; Print Cloth 64 x 56, Plissed.	Normal Industry Practice.

Item No. and Materials— Minimum construction allowed:	Size distribution per dozen (1st line indicates size; 2nd line specifies the number of each size)
6. Outing Flannels; Print Cloth 64 x 56, Plissed.	Normal Industry Practice.
7. Outing Flannels; Print Cloth 64 x 56, Plissed.	8-10-12-14-16. 2- 2- 3- 3- 2.
8. Outing Flannels; Print Cloth 64 x 56, Plissed.	8-10-12-14-16. 2- 2- 3- 3- 2.
9. Outing Flannels; Print Cloth 64 x 56, Plissed.	Normal Industry Practice.
10. Outing Flannels; Print Cloth 64 x 56, Plissed.	Normal Industry Practice.
11. Outing Flannels; Print Cloth 64 x 56, Plissed.	Normal Industry Practice.
12. Outing Flannels; Print Cloth 64 x 56, Plissed.	Normal Industry Practice.
13. Outing Flannels; Print Cloth 64 x 56, Plissed.	2-4-6-8. 2-2-4-4.
14. Outing Flannels; Print Cloth 64 x 56, Plissed.	8-10-12-14-16. 2- 2- 3- 3- 2.
15. Outing Flannels; Print Cloth 64 x 56, Plissed.	Normal Industry Practice.
16. Outing Flannels; Print Cloth 64 x 56, Plissed.	Normal Industry Practice.
17. Outing Flannels; Print Cloth 64 x 56, Plissed.	Normal Industry Practice.
18. Lawns 76 x 72; Lawns 96 x 100; Batiste; Carded Broadcloth 100 x 60.	Even.
19. Carded Poplin 100 x 44; Carded Broad- cloth 80 x 60; Print Cloth 68 x 64; Lawns 76 x 72; Carded Broad- cloth 100 x 60.	1-2-3. 2-4-6.
20. Carded Poplin 100 x 44; Carded Broad- cloth 80 x 60; Print Cloth 68 x 64; Carded Broad- cloth 100 x 60.	3-4-5-6-8X. 1-2-3-3-3.
21. Sport Denim; Chambray— Lighter than 3.90 yd. Three-leaf Twills.	1-2-3-4. 3-3-3-3.
22. Sport Denim; Chambray— Lighter than 3.90 yd. Three-leaf Twills.	1-2-3-4. 3-3-3-3.
23. Sport Denim; Chambray— Lighter than 3.90 yd.; Three-leaf Twills.	2-3-4-5-6-8. 1-2-2-2-2-3.
24. Sport Denim, Chambray— Lighter than 3.90 yd.; Three-leaf Twills.	2-3-4-5-6-8. 1-2-2-2-2-3.
25. Carded Poplin 100 x 44; Carded Broad- cloth 100 x 60; Print Cloth 68 x 64; Carded Broad- cloth 112 x 60; Carded Broad- cloth 80 x 60.	Normal Industry Practice.

Item No. and Materials— Minimum construction allowed:	Size distribution per dozen (1st line indicates size; 2nd line specifies the number of each size)
26. Carded Poplin 100 x 44; Carded Broad- cloth 100 x 60; Print Cloth 68 x 64; Carded Broad- cloth 112 x 60; Carded Broad- cloth 80 x 60.	Normal Industry Practice.
27. Carded Broadcloth 100 x 60; Carded Broadcloth 60 x 60.	2-4-6-8-10-12. 1-2-2-3- 2- 2.
28. Lawns 76 x 72; Carded Broad- cloth 80 x 60.	1-2-3. 4-4-4.
29. Lawns 76 x 72; Carded Broad- cloth 80 x 60; Carded Broad- cloth 100 x 60; Print Cloth 68 x 64.	2-4-6-8-10-12-14. 1-2-2-3- 2- 1- 1.
30. Lawns 76 x 72; Carded Broad- cloth 100 x 60; Print Cloth 68 x 64.	10-12-14-16. 1- 4- 4- 3.
31. Carded Broadcloth 100 x 60; Carded Broadcloth 80 x 60; Dimity.	Normal Industry Practice.
32. Carded Poplin 100 x 44; Carded Broad- cloth 80 x 60; Dimity; Carded Broadcloth 100 x 60.	7-8-10-12-14. 2-2- 3- 3- 2.
33. Carded Broadcloth 100 x 60; Print Cloth 68 x 64; Carded Broad- cloth 80 x 60; Print Cloth 72 x 68; Print Cloth 70 x 67.	3-4-6-8-10. 2-2-3-3- 2.
34. Carded Broadcloth 100 x 60; Print Cloth 68 x 64; Carded Broad- cloth 80 x 60; Print Cloth 72 x 68; Print Cloth 70 x 67.	Normal Industry Practice.
35. Corduroy-----	Normal Industry Practice.
36. Corduroy-----	Normal Industry Practice.
37. Print Cloth 64 x 56.	Normal Industry Practice.
38. Carded Broadcloth 100 x 60; Print Cloth 68 x 64; Broadcloth 80 x 60; Carded Poplin 100 x 44; Print Cloth 70 x 67; Chambray less than 3.90 weight.	Normal Industry Practice.

calling price for the item; or the highest price per dozen listed above for the item.

Each applicant whose application is granted is required to produce the items in accordance with the following minimum standards and specifications:

- Yardage limitations.** The minimum linear yardage per dozen garments for 35" to 38" finished goods shall be as specified in the column headed "minimum yardage", based on the size assortment specified in the column headed "size distribution per dozen". Other size assortments are permissible but pro rata yardage shall apply.
- Seams, stitching, and construction.** All structural seams shall be made with not less than 10 stitches per inch, except overlock stitch which shall be made with not less than 8 stitches per inch. No raw edges of fabric will be permitted in seams, and all seams must be so constructed as to minimize raveling. For all fabrics, except flannellette, a seam overlap allowance of not less than 3/8" from the edge of the cut material to the inner stitch shall be provided. The inner stitch is defined as the first line of stitching joining two pieces of fabric. Seams shall be finished at least by pinking. When pinked, a fabric allowance of not less than 3/8" clear after pinking shall be provided. For flannellette, the minimum construction shall be overlock seam, with 1/2" allowance; plain pinked seams shall not be permitted in flannellette.
- Workmanship.** These garments shall be made in accordance with the manufacturer's standards previously established for the similar or nearest higher price range of cotton garment manufactured during the six month period between July 1, 1943 and December 31, 1943. Such standards shall apply to workmanship, inspection, pressing, folding, and other operations involved from the receipt of the goods to the preparations of the completed garments for marketing.

Additional rules applicable to granting assistance

- Applications of any person able to produce a particular item within the price range permitted in this Program, will be entertained.
- If the applications exceed the quantity of production of a particular item required, grants of priority assistance will be made on the basis of the percentage of each application needed to fill the requirements.
- Paragraphs (d) (1) and (d) (2) of Conservation Order M-322B do not apply to this Program.
- Applications that are not completely and accurately filled out may be denied.
- Each applicant is required to state in his application with respect to each item for which he applies, the quantity of the particular construction of fabrics he has in inventory at the time of making the application.

Issued this 25th day of October 1944.

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

[F. R. Doc. 44-16404; Filed, Oct. 25, 1944; 11:12 a. m.]

PART 3305—PAPERBOARD
[Conservation Order M-378 as Amended Oct. 25, 1944]

PAPERBOARD

The fulfillment of requirements for the defense of the United States has created shortages in the supply of paperboard and of materials entering into the production of paperboard for defense, for

Application Form WPB-3732,
Filing date: November 8, 1944.

These items are required to be produced during December 1944 and January and February 1945.

Priorities assistance will be given only for materials specified above with respect to each item.

Applicants should base their estimated production on their present labor and machinery.

The items must be produced for sale by the applicant at or below the lower of the following two prices: The applicant's OPA

private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3305.1 *Conservation Order M-378—(a) What this order does.* This order deals with the production and use of paperboard. It requires producers of paperboard to set aside a reserve production, subject to direction by the War Production Board and provides for credits against that reserve production. It limits the inventories of users of paperboard.

(b) *Definition.* For the purpose of this order "paperboard" means the types and grades of paperboard classified under caption numbers 221,000 through 269,000, except 224,001 through 224,005 (solid sulphite and sulphate pulp boards), 224,008 (milk bottle plug cap board), 241,000 through 249,000 (nonbending cardboards), 253,000 (pressboard), 261,100 (homogeneous wallboard), 261,200 (hard pressed wallboard), and 262,000 (insulating building board), in Form WPB-514, as currently revised, in sheet or roll form and whether or not lined, pasted or specially treated. It does not include containerboard as defined in Order M-290.

(c) *Reserve production.* Each manufacturer of paper or paperboard shall reserve for the month of June, 1944, and for each succeeding month thereafter, time and supplies sufficient to produce within each month the amount of paperboard designated by the War Production Board as his reserve production. The amount so designated for June, 1944, and for each month thereafter, until the War Production Board determines otherwise, is forty percent of the average monthly finished production of paperboard which each manufacturer reported to the War Production Board on Form WPB-514 for the most recent three calendar quarters.

(d) *Direction of reserve production.* On or before the 15th day of any month, the War Production Board may direct any manufacturer to employ his reserve, subject to the provisions of paragraph (e), to produce any grades of paperboard which the manufacturer is able to produce and in any quantity not exceeding the tonnage of his reserve production. The War Production Board may require a manufacturer to sell and deliver his reserve production to any person. Any order taken by a manufacturer at the direction of the War Production Board shall reduce his reserve production by the amount of finished production represented by that order. If a manufacturer is not directed by the War Production Board as to the disposition of part or all of his reserve production on or before the 15th day of the month in which such production is reserved, he may employ the production for which no directions have been received in any way he wishes that is consistent with the

provisions of this and other orders of the War Production Board.

(d-1) *Only ground for refusal to fulfil directions of the War Production Board.* All directions to produce and deliver reserve production must be fulfilled by a manufacturer unless the person to whom the manufacturer is directed to sell is unwilling or unable to meet regularly established prices and terms of sale or payment as provided in paragraph (e) (1) of § 944.2 of Priorities Regulation 1; but there shall be no discrimination against such person in establishing such prices or terms.

(e) *Production for federal agencies—*
(1) *Certifying as to orders received.* Any manufacturer who has accepted an order for paperboard, directly or through another person, to be produced for the account of any of the agencies or uses listed in paragraph (e) (3), shall immediately certify such acceptance in triplicate on Form WPB-3270, including the other information called for therein. Thereafter any change in the certified order which involves cancellation or an alteration in the quantity or month of manufacture shall be certified immediately by the manufacturer to the War Production Board on Form WPB-3270. If expressly requested by the War Production Board, a manufacturer shall identify the tonnage of paperboard already certified on Form WPB-3270 by giving the government department order numbers, or if certain tonnage cannot be identified directly with a government order number, then the CMP allotment symbol and the name of the purchaser of the paperboard may be given.

(2) *Credit against reserve production.* If a manufacturer accepts an order from one of the seventeen agencies or uses listed in paragraph (e) (3) and properly certifies that fact to the War Production Board on Form WPB-3270, the War Production Board will credit the tonnage in his order against any unused portion of his reserve production for the month in which the tonnage is to be produced, and will notify him. The manufacturer shall produce such orders according to his schedule as so reported to the War Production Board.

(3) *List of agencies or uses.* The agencies or uses referred to in paragraph (e) (1) are:

1. United States Army.
2. United States Army Map Service.
3. United States Army Air Forces.
4. United States Navy.
5. The United States Marine Corps.
6. The United States Coast Guard.
7. The United States Maritime Commission and War Shipping Administration.
8. Lend-Lease Administration—Foreign Economic Administration.
9. Panama Canal.
10. Bureau of Public Debt.
11. United States Government Printing Office.

12. United States Bureau of Engraving and Printing.
13. Procurement Division of the United States Treasury.
14. Office of Economic Warfare—Foreign Economic Administration (orders with an O. E. W. or F. E. A. approved export license).
15. United States Post Office.
16. Rubber Reserve Company.
17. Producers of products or parts thereof for any of the 16 procurement activities listed above to the extent that the paperboard is to be used exclusively as a component part of the product or part thereof, or is to be used exclusively for the necessary packaging of the product or part thereof, to be delivered on a contract or purchase order issued by such activity.

Miscellaneous

NOTE: Paragraphs (f) through (n), inclusive, formerly paragraphs (i), (j), (k), (l), (m), (o), (p), (q) and (r), redesignated Oct. 25, 1944. Former paragraphs (f), (g), (h) and (n) deleted.

(f) *Inventory restrictions.* No person shall knowingly deliver to any person, and no person shall accept delivery of, any quantity of paperboard, if the total inventory in the hands of the person accepting delivery is, or by virtue of the acceptance will become, either (a) in excess of 60 tons, or (b) in excess of his reasonably anticipated requirements for the next sixty days, whichever is greater. No person shall order any quantity of paperboard for delivery to him, or for his account, on any future date, if receipt thereof on that date would increase his inventory of such paperboard to more than the amount permitted in the first sentence of this paragraph.

The restrictions of this paragraph apply equally to paperboard of foreign and domestic origin, and to intra-company deliveries as defined in § 944.12 of Priorities Regulation 1.

(g) *Delivery of waste.* No person shall require any customer to deliver waste in return for paperboard shipped on any order.

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

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

(j) *Reports.* The reporting requirement of paragraph (e) of this order has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942. All persons affected by this order shall execute and file with the War Production Board such other reports and questionnaires as may be required, subject to the approval of the Bureau of the Budget.

(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 fur-

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

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

(m) *Appeals.* An appeal from the provisions of this order may be made by a letter stating informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

(n) *Communications to War Production Board.* All reports required to be filed hereunder, all appeals and all other communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Paperboard Division, Washington 25, D. C., Ref: M-378.

Issued this 25th day of October 1944.

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

[F. R. Doc. 44-16405; Filed, Oct. 25, 1944;
11:12 a. m.]

PART 1335—CHEMICALS

[RPS 42, Amdt. 6]

PARAFFIN WAX

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

Revised Price Schedule No. 42 is amended in the following respects:

1. Section 1335.460 (g) is amended by striking out the next to the last sentence which reads as follows, "In January, 1943, and at six month intervals thereafter, Paragon Products Corporation shall file with the Office of Price Administration in Washington, D. C., a detailed profit and loss statement covering the preceding six months, which statement shall contain a breakdown of cost operations."

2. Section 1335.460 (h) is amended by striking out the next to the last sentence which reads as follows: "In January, 1943, and at six month intervals thereafter, Paragon Wax Refining, Inc., shall file with the Office of Price Administration, at Washington, D. C., a detailed profit and loss statement covering the preceding six months, which statement shall contain a breakdown of cost operations."

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

This amendment shall become effective October 30, 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16413; Filed, Oct. 25, 1944;
11:29 a. m.]

PART 1381—SOFTWOOD LUMBER

[2d Rev. MPR 19, Amdt. 5]

SOUTHERN PINE LUMBER

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

Second Revised Maximum Price Regulation 19 is hereby amended in the following respects:

1. In section 5, a new paragraph (g) is added to read as follows:

(g) *Pallet stock sold on Government contracts and subcontracts.* Under this paragraph, and regardless of maximum prices established in the tables of this regulation for short lengths, the lumber branch may authorize maximum prices for pallet stock sold on Government contracts and subcontracts only, based on cost of remanufacture from longer stock. Specific maximum prices for pallet stock will be authorized by letter or telegram; and no person may charge for pallet stock prices higher than the regular f. o. b. mill prices established in this regulation for short lengths, unless and until he has received such authority from the Lumber Branch.

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

(c) *New distributors.* Any person who cannot meet the requirements of a "direct-mill distributor", as defined in paragraph (b) (1) (i) of this section 6, may make special application to the Lumber Branch, Office of Price Administration, Washington 25, D. C. He may be given permission to qualify as a "direct-mill distributor", if he meets the following tests: He must provide evidence from banks or others, showing adequate financial responsibility. He must also fill orders totalling at least 1,000,000 board feet, to be delivered within six months from date of issuance of temporary "escrow" registration by the Lumber Branch, on allocations from the Central Procuring Agency or on sales to persons holding prime contracts with government agencies for which CPA previously purchased lumber. (Persons who were given permission by the Lumber Branch to qualify as new distributors and assigned escrow authorization numbers after April 15, 1944 and prior to October 30, 1944 may have an additional three months in which to complete delivery of 1,000,000 feet of lumber as provided in this section.) Final authorization will not be granted until the entire 1,000,000 feet of lumber has been successfully de-

livered within the designated period. Until final authorization is granted, the 6 percent or 4 percent addition to the maximum price, as the case may be, must be held in escrow by a bank or other third party, on all sales of lumber made by the distributor, and if the quantity is not successfully delivered within the designated period, the 6 percent or 4 percent addition must be returned to the buyers.

The authorization will not be granted if it appears that the purpose of the application is to evade the regulation by interposing an unnecessary middleman in the distribution of lumber, who will not in fact render the services characteristically rendered by the type of distributor in question.

3. Article IV, Appendix A, Table 10 is hereby amended by adding a sub-footnote to the column, Grade No. 1, as follows:

¹ Grade No. 1 fence lath may contain up to 20% of Grade No. 2.

This amendment shall become effective October 30, 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16409; Filed, Oct. 25, 1944;
11:27 a. m.]

Chapter XIII—Petroleum Administration for War

[Petroleum Dir. 78]

PART 1577—PETROLEUM INDUSTRY—DISTRICT THREE

SUPPLY PROGRAM IN DISTRICT THREE

The fulfillment of the requirements for the defense of the United States has created a shortage of facilities for the transportation of petroleum and shortages in the supply of petroleum and petroleum products, and the following directive is deemed necessary for the prosecution of the war.

§ 1577.1 *Petroleum Directive 78—(a) Committees.* (1) Wherever reference is made herein to the General Committee or to any other committee, the reference is to a committee in District Three appointed in connection with the activities of the Petroleum Administration for War, unless otherwise specified.

(2) Wherever reference is made herein to any committee, the reference shall include any new committee which may take over the functions of the committee so mentioned.

(3) A statistical subcommittee shall be appointed by the Petroleum Administration for War which, unless otherwise specified by the Petroleum Administration for War, shall be composed of seven persons, five nominated by the chairmen of the functional committees (one nominee by each chairman) and two nominated by the general committee. The general committee shall also nominate, and the Petroleum Administration for War shall appoint, one of the seven to be chairman of such subcommittee. Until

the appointments have been made, the statistical subcommittee created under Recommendation No. 33, § 1500.22, and Plan 15, shall continue to function. The duties of the statistical subcommittee shall be to obtain, analyze, and keep current all pertinent facts, figures, and other data desired by the Petroleum Administration for War, the general committee, and other committees.

(4) The functions hereby assigned to various committees shall be performed by them in collaboration with a staff representative of the Petroleum Administration for War designated for the purpose.

(b) *Supply program*—(1) *Preliminary supply program*. The appropriate division of the Petroleum Administration for War will prepare each month (or at such other intervals as it sees fit) a preliminary supply program, setting forth a statement of operating objectives for the ensuing month or such other period as the division deems proper. The objectives may be expressed in a preliminary statistical program of supply, demand, and shipments, or by a statement of desired changes in the order of their importance. Copies of the preliminary supply program will be sent to the appropriate committees for the purposes hereinafter indicated.

(2) *Revised supply program*. On a day specified by the appropriate division of the Petroleum Administration for War, representatives and officials of the Petroleum Administration for War will meet with representatives of the general committee and other appropriate committees, as well as with representatives of committees from other Districts. The purpose of the meeting will be to discuss the prospective program and desirable or necessary changes therein. Thereafter, the appropriate division of the Petroleum Administration for War will prepare and issue a Petroleum Supply Program for the ensuing period.

(3) *Statement of availability of products for transportation out of District Three*. Based upon such Petroleum Supply Program, forecast data shall be assembled in the following manner: The Refining Committee shall prepare a monthly statement (or a statement covering any other period, as requested by the Petroleum Administration for War) showing for each refinery in District Three its anticipated input and its anticipated output of critical war products and other products. The Supply and Transportation Committee shall prepare a monthly statement (or a statement covering any other period, as requested by the Petroleum Administration for War) showing for each refinery in District Three the estimated quantity of products available for shipment and the contemplated disposition of such available products.

These statements shall be prepared in such form and detail as may be specified by the Petroleum Administration for War from time to time. All refiners operating in District Three are requested to cooperate with the committee in furnishing such information as is necessary or desirable for the preparation of

the above statements in the required form.

Copies of all of the above reports shall be sent to the Director in Charge of District Three, the appropriate division of the Petroleum Administration for War in Washington, D. C., the Directors in Charge of Districts One and Two, and the General Committee, District Three.

(c) *Refinery operations*. Whenever the Petroleum Administration for War decides that it is necessary to regulate the throughput of refineries in District Three, it may instruct the Refining Committee to prepare recommendations as to the standards to be used in effecting the regulation. The Petroleum Administration for War may instruct the Refining Committee to prepare for and submit to the Petroleum Administration for War schedules of operations for refineries in District Three in accordance with the standards which will be prescribed, from time to time, by the Petroleum Administration for War. The schedules prepared by the Refining Committee shall be submitted to the Petroleum Administration for War, which shall make such changes, if any, as it sees fit. No schedule shall become effective until the Petroleum Administration for War directs that it be effective.

(d) *Distribution of transportation facilities*. In the event that the Petroleum Administration for War shall determine that it is necessary to regulate or schedule the movement of petroleum or petroleum products from District Three, it may instruct the Supply and Transportation Committee to prepare recommendations in the form of schedules for the use of the available transportation facilities. The schedules shall be prepared to assign available transportation facilities in the following order:

- (1) To move all available war products,
- (2) To move non-war products to the extent necessary to prevent interference with production and transportation of war products, and
- (3) To allocate upon an equitable basis, so far as practicable, the balance of available facilities to move the balance of non-war products.

The schedules shall be submitted to the Petroleum Administration for War, which shall make such changes, if any, as it sees fit. No schedule shall become effective until the Petroleum Administration for War directs that it be effective.

(e) *Crude petroleum, natural gas, and special petroleum liquids*. Whenever so instructed by the Petroleum Administration for War, the Refining Committee shall prepare a statement of estimates of the requirements of all District Three refineries for crude petroleum, natural gas, and natural gasoline, setting forth special needs for crudes of particular grades or origins, as well as needs for the products of cycling, and of casinghead and natural gasoline plants. These statements shall be submitted to the Petroleum Administration for War, with copies to the Chairmen of the Production Committee and the Natural Gas and Natural Gasoline Committee. Upon the

basis of the information in the statements of the Refining Committee, the Production Committee and the Natural Gas and Natural Gasoline Committee shall, if so instructed by the Petroleum Administration for War, submit estimates to the Petroleum Administration for War as to the ability of District Three to supply such requirements, stating the location, quantity, and grade of materials available, together with other appropriate data.

(f) *Transfers of products*—(1) *Definitions as used in this paragraph (f)*. (i) "Major non-war products" means kerosene, gas and distillate oil, fuel oils, and civilian motor gasoline, excluding aviation gasoline.

(ii) "Base period" means such period as may be designated by the Petroleum Administration for War.

(2) *Scope of application*. The terms of this paragraph (f) shall be applied initially only to refineries located in what is designated by the United States Bureau of Mines as the Texas Gulf Coast and the Louisiana Gulf Coast, but its provisions shall be extended to include other refineries in District Three upon direction of the Petroleum Administration for War.

(3) *Right to transfer*. Where compliance with any one or more recommendations, directives, instructions, or orders of the Petroleum Administration for War, rather than voluntary changes in yields made by an operator for his own convenience, causes any refinery to lose percentage participation in the output of major non-war products in relation to the base period, and other refineries to gain in relation to the base period, each refinery which has lost percentage participation may secure products in the manner hereinafter set forth:

(i) *Loss of aggregate production*. If any refinery's crude runs have been reduced as a result of compliance with instructions of the Petroleum Administration for War so that its aggregate production of all four major non-war products has been reduced to such an extent that its percentage participation in such output for the refineries covered is less than three-fourths of its percentage in the base period, then the refinery shall have the option to buy, from refineries whose percentage participation has improved compared with the base period, a volume sufficient to raise its percentage participation to three-fourths of the base period. The volume shall be distributed between the four major non-war products in the ratio determined by the current average yields (as calculated by the Refining Committee) of the refineries which have improved their percentage participation in relation to the base period. Subject to approval by the District Director in Charge before any action is consummated, the Refining Committee shall arrange to make such products available from refineries which have improved their percentage participation in relation to the base period, and the amount to be supplied by each plant shall be allocated on a practical and equitable basis.

Example. Aggregate production of non-war products at refineries covered was 500,000 b/d in the base period. Refinery "A" had 20,000 b/d or 4% of the aggregate production in the base period. Aggregate production currently is 400,000 b/d, but Refinery "A" is producing 8,000 b/d or 2% of the aggregate. Refinery "A" is entitled to purchase 4,000 b/d required to raise its percentage participation to 3%, which is three-fourths of its base period percentage participation. The 4,000 b/d is to be divided among the four major non-war products on the basis of the current average yields of the sellers. The selling companies will be those whose percentage participation in output of their non-war products is greater now than in the base period.

In the event of purchases of products under this provision, the Petroleum Administration for War shall establish appropriate specifications, and may request that the Refining Committee for District Three make recommendations with respect to these specifications. The terms of any purchase and sale made pursuant to this paragraph (f) (3) (i) shall be negotiated between the parties thereto. If the parties cannot agree upon a price, it shall be determined by the Petroleum Administration for War. In determining such prices, the Petroleum Administration for War shall take into account the following factors:

(a) The delivered cost of crude at the plants required to sell under this directive,

(b) A total manufacturing cost not to exceed the average for the plants entitled to purchase the products, and

(c) Refinery losses.

The Petroleum Administration for War may request the Refining Committee to compile and submit data with respect to the above factors. Such prices shall not exceed the prices fixed in any applicable schedule or regulation of the Price Administrator.

(ii) *Loss of production of one product.*

In the event that a plant has had its operations so changed as a result of compliance with the actions of the Petroleum Administration for War that the ratio of its production of any one or more of the four major nonwar products to the total quantity of such product manufactured by the refineries covered is less than 75% of such ratio in the base period, the Refining Committee (subject to approval by the District Director in Charge before any action is consummated) shall undertake to make available quantities of such product from refineries producing such product currently at rates in excess of the average in relation to the base period.

Prices at which the above purchases are to be made shall be the applicable ceiling prices under the schedules and regulations of the Price Administrator, unless the purchaser and seller shall agree upon lower prices.

(g) *Sales, exchanges, and loans of petroleum and petroleum products, and joint use of facilities.* Subject to the approval of the Director in Charge of District Three, obtained prior to the consummation of any arrangement for the sale, exchange, or loan of crude petroleum, natural gasoline, or petroleum

products, or for the joint use of facilities as provided for herein, the appropriate functional committee or subcommittee shall arrange for sales, exchanges, or loans of any crude petroleum, natural gasoline, or petroleum products, and for the joint use of facilities among those engaged in the petroleum industry in District Three in all cases which, within available supplies and capacities, will:

(1) Assure adequate supplies of crude petroleum and petroleum products for shipment outside District Three to meet military and essential civilian requirements in accordance with the supply program of the Petroleum Administration for War; or

(2) Assure a supply of crude petroleum, other charging stock, or petroleum products for the required operation of special refinery equipment used in the manufacture of war products; or

(3) Assure a supply of petroleum products required for blending with other petroleum products into finished war products; or

(4) Assure a suitable supply of non-war products to persons within the petroleum industry whose normal supply is reduced by supplying war products, or by operations under this directive; or

(5) Assure the use of available facilities to any person within the petroleum industry whose normal facilities or methods of handling supplies are affected by war demands or operations under this directive; or

(6) Assure the most efficient use of storage and transportation facilities.

(h) *Terms of sales, exchanges, and loans of petroleum and petroleum products, and joint use of facilities.* The terms of any such agreement authorized under and made pursuant to paragraph (g) of this directive shall be determined by negotiation between the parties thereto: *Provided:*

(1) That no rate agreed upon shall exceed the rate authorized by any applicable tariff approved by any governmental agency having jurisdiction of such rate; and

(2) That no price agreed upon shall exceed the price fixed in any applicable schedule or regulation of the Price Administrator.

(i) *Application for exception.* Any person affected by this directive or by any schedule or action of the Petroleum Administration for War provided for hereunder, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may make application for an exception to the Petroleum Administrator for War.

(j) *Effective date.* This directive shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued this 14th day of October 1944.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 44-16383; Filed, Oct. 25, 1944; 9:47 a. m.]

Chapter XIV—War Contracts Price Adjustment Board

RENEGOTIATION REGULATIONS

The changes and additions to Parts 1601, 1602, 1603, 1605, 1606, 1607, and 1608 of this chapter set forth below are also contained in Revision 11 of the Renegotiation Regulations, dated October 6, 1944.

ALBERT J. BROWNING,
Brigadier General,
General Staff Corps,
Chairman.

PART 1601—AUTHORITY AND ORGANIZATION FOR RENEGOTIATION

SUBPART E—PRELIMINARY MATERIAL

Section 1601.128 is amended to read as follows:

§ 1601.128 *Copies of Renegotiation Regulations.* The Renegotiation Regulations, along with current supplements embodying additions and amendments thereto as published in the FEDERAL REGISTER, are available in loose leaf form for a subscription price of \$2.00 from the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C. [RR 123]

PART 1602—PROCEDURE FOR RENEGOTIATION

SUBPART A—ASSIGNMENTS FOR RENEGOTIATION AND CANCELLATIONS

In § 1602.205 the fourth sentence of paragraph (a) is amended, and a sentence is added at the end of paragraph (b), as follows:

§ 1602.205 *Reassignment of cases—*
(a) *When cases reassigned.* The War Contracts Board will reassign a case to another Department or Service if it appears that efficiency of renegotiation procedure will be promoted thereby. Such reassignments may be based upon inter-company affiliations or transactions, substantial predominance of interest or the principle of assignment by product classification. Reassignments may be suggested by the Departments, Services, or other Agencies. The use of the form set forth at § 1607.703 (c) is recommended for this purpose, and all requests for reassignment shall contain a statement of the name and address of the office at which the file for the fiscal year under review may be obtained. Reassignments may also be initiated by the War Contracts Board or by the Assignments and Statistics Branch of its own motion. A case will not be withdrawn from any Department without that Department's approval except by express direction of the War Contracts Board, nor will a reassignment become effective if objection to such reassignment is filed in writing by a Department with the Assignments and Statistics Branch within 10 days following receipt of such reassignment unless such objection is overruled by action of the War Contracts Board. The Assignments and Statistics Branch may withdraw an assignment from a War Department Service without its approval. [RR 205.1]

(b) *Transfer of information on reassignments.* Upon notice that a case has been reassigned, there will be transmitted directly to the Department or Service holding the reassignment all information obtained from the contractor relating to the fiscal period subject to renegotiation. Upon request, the file will be transmitted directly to the field or section office to which the reassignment is made. [RR 205.2]

PART 1603—DETERMINATION OF RENEGOTIABLE BUSINESS AND COSTS

SUBPART C—CONTRACTS AND SUBCONTRACTS WITHIN THE SCOPE OF THE 1943 ACT

1. In § 1603.332, paragraph (f) is amended and paragraph (j) is added, as follows:

§ 1603.332 *Contracts with the Departments.* * * *

(f) *Army Post Exchange and Army Exchange Service contracts.* Contracts with Army Post Exchanges or with the Army Exchange Service are not subject to statutory renegotiations. Contracts entered into by the Quartermaster Corps are War Department contracts and are subject to renegotiation even though some or all of the articles contracted for are intended to be and are assigned to or resold to an Army Post Exchange or the Army Exchange Service. [RR 332.6]

(j) *Contracts involving named departments and Departments or agencies other than named Departments.* In connection with centralized government procurement, certain of the named Departments and other governmental agencies execute contracts pursuant to which the articles contracted for may be delivered to and paid for by other departments or agencies. As a general rule, the negotiability of such contracts depends upon whether the contract is with a named Department and not upon whether a named Department receives delivery of, or pays for, the articles purchased. The following situations are illustrative of the foregoing principle:

(1) The War Department purchases articles under contracts which state that the contract is for general utilization by all arms, services and bureaus, and that deliveries and payments will be made in accordance with instructions to be issued subsequently. The War Department then authorizes the other interested agencies or departments to issue instructions to certain designated contractors for a specified quantity of the articles, and notifies the contractor of such authorizations. The War Department retains the right to rescind or change the allocation made to the other agencies or departments. Such contracts are subject to renegotiation unless the War Department contract is clearly replaced by a contract with an agency other than a named Department.

(2) Food Distribution Administration manages centralized procurement of certain foods. Food Distribution Administration executes the contracts, allocates the available supply to other

interested departments or agencies (including certain of the named Departments) and is reimbursed by such interested departments or agencies. Since Food Distribution Administration is not a named Department, such contracts are not subject to renegotiation. [RR 332.10]

2. In § 1603.333 (d), a sentence is added at the end of subparagraph (1), as follows:

§ 1603.333 *General interpretation of subcontracts.* * * *

(d) *General effect of interpretation.*

(1) In general it is intended to include as subject to statutory renegotiation the sale of all machinery, equipment, materials and other articles which contribute directly to the actual production of an end item or an article incorporated therein, in connection with the physical handling of the item from the time of entry of the component materials to departure of the item from the plant in question and to include all machinery which similarly contributed directly to the actual production of other machinery so used. Packaging materials and containers are regarded as a component part of the end product when they are used to package or contain the end product and are delivered with the end product to a Department; on the other hand, sales of packaging materials and containers which are not ultimately delivered to a Department are excluded from statutory renegotiation. (See §§ 1603.333 (c) (1), 1603.344 (e), and 1603.347 (b) (1) and (3).)

3. In § 1603.335 (b), subparagraph (6) is amended to read as follows:

§ 1603.335 *Contracts and subcontracts involving real property.* * * *

(b) *Agreements for fixtures, construction and improvements on real property.* * * *

(6) Attention is directed to the mandatory and discretionary exemption of contracts or subcontracts for the construction of buildings, structures, improvements or other similar facilities and the regulations relating thereto. (See §§ 1603.346, 1603.347, 1603.355 (c) and 1603.356.) [RR 335.2]

SUBPART D—MANDATORY EXEMPTIONS AND EXCLUSIONS FROM RENEGOTIATION

1. Paragraph (e) is added to § 1603.344 as follows:

§ 1603.344 *Contracts and subcontracts for certain raw materials and agricultural commodities.* * * *

(e) *Packaging materials and containers.* If there are delivered to a Department end products, contracts for which are exempted from renegotiation under subsections (i) (1) (B) or (C) of the 1943 Act relating to certain raw materials or agricultural commodities, the exemption of the end products extends to and includes the packages or containers in which the end products are delivered to the Department. (See § 1603.333 (c) (1) and (d) (1), and § 1603.347 (b) (1) and (3).) [RR 344.5]

2. In § 1603.346 (b) subparagraphs (1) (ii) and (2) are amended to read as follows:

§ 1603.346 *Construction contracts awarded as a result of competitive bidding.* * * *

(b) *Interpretation and application of exemption.* (1) * * *

(ii) The contract is for the construction of a building, structure, improvement or similar facility. A contract will be deemed to be for the construction of a building, structure, improvement or similar facility if the subject matter of the contract is the construction or installation of the whole or any integral part of building, structure, improvement or similar facility. The exemption has, however, no applicability to contracts for the furnishing of materials or supplies, as such, even if such materials or supplies are to be used in the construction of a building, structure, improvement or similar facility; nor has the exemption any applicability to contracts for the furnishing of machinery or equipment which has or may have a productive function in connection with processing.

(2) In distinguishing a contract for the construction of a building, structure, improvement or similar facility from a contract for the furnishing of machinery or equipment as described in subparagraph (1) (ii) of this paragraph, regard is to be had to the subject matter of the contract. To the extent that the subject matter of the contract involves the furnishing or the furnishing and installation of machinery or equipment which has or may have use in processing, within the principles stated in § 1603.333 (c), the contract will not be deemed to be a contract for the construction of a building, structure, improvement or similar facility, but will be regarded as a contract for the furnishing of machinery or equipment, in accordance with the principles set forth in § 1603.335 (b) (2) and (5). In a case where the construction or installation of the whole or any integral part of a building, structure, improvement or similar facility and the furnishing of machinery or equipment are embraced within a single contract, the undertaking for the construction or installation of the whole or any integral part of the building, structure, improvement or similar facility may be severed from the undertaking to furnish the machinery or equipment and an appropriate finding made as to that portion of the entire contract which may properly be deemed exempt.

3. In § 1603.347 (b), subparagraph (3) is added as follows:

§ 1603.347 *Subcontracts under exempt contracts and subcontracts* * * *

(b) *Interpretation and application of exemption.* * * *

(3) Subcontracts for the furnishing of packaging materials and containers in which there are delivered materials or products which are exempt from renegotiation under the provisions of subsec-

tions (1) (1) (B) or (C) of the 1943 Act relating to certain raw materials or agricultural commodities or which are otherwise exempt under paragraph (1) (1) of the 1943 Act (see §§ 1603.333 (c) (1) and (d) (1), 1603.344 (e), and 1603.347 (b) (1)) constitute subcontracts under exempt prime contracts and are exempt from renegotiation under the provisions of subsection (1) (1) (F) of the 1943 Act. [RR 347.2]

SUBPART E—PERMISSIVE EXEMPTIONS FROM RENEGOTIATION

1. In § 1603.352 (b) a sentence is added at the end of subparagraph (3), as follows:

§ 1603.352 *Contracts and subcontracts where profits determinable when price established.* * * *

(b) *Exemptions.* * * *

(3) For an exemption relating to certain contracts and subcontracts involving electric power, gas, transportation and communications and subcontracts thereunder, see § 1608.842. For an exemption relating to perishable foods, see § 1608.843. [RR 352.2]

2. In § 1603.355 (c), a sentence is added at the end of subparagraph (1) and subparagraph (1) (i) is amended, so that subparagraph (1) reads as follows:

§ 1603.355 *Contracts and subcontracts when effective competition is likely to exist.* * * *

(c) *Application of exemption to construction contracts and subcontracts:*

(1) The War Contracts Board has found that competitive conditions affecting the making of construction contracts and subcontracts entered into subsequent to June 30, 1943, were such as to result in effective competition with respect to the contract or subcontract price where all of the following conditions exist:

(i) The contract or subcontract is for the construction of a building, structure, improvement or similar facility. A contract or subcontract will be deemed to be for the construction of a building, structure, improvement or similar facility if the subject matter thereof is the construction or installation of the whole or any integral part of a building, structure, improvement or similar facility. The exemption has, however, no applicability to contracts or subcontracts for the furnishing of materials or supplies, as such, even if such materials or supplies are to be used in the construction of a building, structure, improvement or similar facility; nor has the exemption any applicability to contracts or subcontracts for the furnishing of machinery or equipment which has or may have a productive function in connection with processing;

(ii) The contract or subcontract did not constitute a substitute for or a revision or extension of an existing contract or subcontract entered into on or before June 30, 1943;

(iii) The work covered by the contract was substantially the same as the work for which the bids were requested;

(iv) Bids were received from two or more independent, responsible and qualified bidders in actual competition with each other; and

(v) The contract or subcontract was let to the lowest qualified bidder, at a price not in excess of the low bid;

or where the subcontract is a construction contract which (a) meets the conditions prescribed in subdivision (1) above, and (b) is a subcontract under a contract or subcontract exempt from renegotiation under the foregoing provisions of this § 1603.355 (c). Accordingly, the War Contracts Price Adjustment Board, in accordance with subsection (1) (4) of the Renegotiation Act, has exempted such contracts and subcontracts from all of the provisions of the act.

SUBPART H—COSTS ALLOCABLE AND ALLOWABLE AGAINST RENEGOTIABLE BUSINESS

In § 1603.382 (c) subparagraph (2) is amended to read as follows:

§ 1603.382 *Salaries, wages and other compensation.* * * *

(c) *Wage and salary stabilization.* * * *

(2) The Director of Economic Stabilization has issued regulations effective October 27, 1942 and amended regulations effective August 28, 1943.

PART 1605—AGREEMENTS AND STATEMENTS

SUBPART A—AGREEMENTS AND CLEARANCES

In § 1605.502, the third sentence of paragraph (e) (3) is amended, and a sentence is added at the end of paragraph (f), as follows:

§ 1605.502 *Standard form of agreement.* * * *

(e) *Article 4: Terms of payment.* * * *

(3) Responsibility for the collection of, and for the maintenance of records concerning, any amounts due the RFC Price Adjustment Board under renegotiation agreements, shall rest with the RFC Price Adjustment Board, and any such agreements providing for refunds to the RFC under the 1943 Act shall be referred to the RFC Price Adjustment Board for the collection of that portion of the refund payable to that Board. The Department conducting the renegotiation will retain responsibility for the collection of only that portion of the refund which is payable into the Treasury of the United States. In such cases, an authenticated copy of the renegotiation agreement and tax credit computation letter shall be forwarded to the RFC Price Adjustment Board. The Assignments and Statistics Branch should be promptly notified of any default in the collection of any installment due under such agreements and the enforcement of the obligations under the agreement properly coordinated under the supervision of the War Contracts Price Adjustment Board.

(f) *Article 5: Article requiring elimination of additional excessive profits.*

The provision set forth in § 1607.741 (a) of these regulations is designed to protect the interest of the Government if by reason of reduction of certain costs shown as paid or incurred, in the financial data submitted by the contractor, the profits of the contractor for the period covered by the renegotiation from

contracts or subcontracts subject to the Renegotiation Act of 1943 are increased. This article should be omitted if the amount of excessive profits to be refunded is limited by the provisions of § 1603.348 (c) and the renegotiation agreement contains the paragraph set forth in the footnote to Article 1 in the Standard Form of Agreement set forth in § 1607.741 (a). [RR 502.6]

PART 1606—IMPASSE PROCEDURE

SUBPART E—FAILURE TO AGREE

In § 1606.626 (b), subparagraph (3) is added as follows:

§ 1606.626 *Elimination of excessive profits determined by order.* * * *

(b) *No delay in elimination of excessive profits determined by order.* * * *

(3) Interest at the rate of 6% per annum accrues upon the amount determined as excessive profits to be eliminated less the tax credit, if any, from and after the date fixed in the demand for payment. (See §§ 1607.746 (c) and 1607.747 (b).) [RR 626.2]

PART 1607—FORMS FOR RENEGOTIATION

SUBPART A—FORMS RELATING TO IDENTIFICATION, ASSIGNMENT AND CANCELLATION OF CASES

In § 1607.703 (c), item 3 is added as follows:

§ 1607.703 *Assignment forms.* * * *

(c) *Form No. 103 (Suggestion for Re-assignment).* * * *

3. The file for the fiscal year under review is available at _____

[RR 703.3]

SUBPART D—FORMS RELATING TO AGREEMENTS AND UNILATERAL DETERMINATIONS

1. Section 1607.741 (a) is amended by adding a reference at the end of footnote 3 and adding footnote 4 to paragraph 5, so that paragraph (a) reads as follows:

§ 1607.741 *Agreement forms—(a) Standard Form of Agreement.*

WAR CONTRACTS PRICE ADJUSTMENT BOARD

(Department)

RENEGOTIATION AGREEMENT

This agreement is entered into as of the _____ day of _____, 194____, by and between the United States of America (hereinafter referred to as "the Government") and _____

_____ a corporation organized and existing under the laws of the state of _____

_____ co-partners, doing business under the firm name of _____

_____ a sole proprietor, doing business under the name of _____

having its principal office at _____ (hereinafter referred to as "the Contractor").

1. *Profits to be eliminated.* As a result of renegotiation pursuant to the Renegotiation Act, the Government and the Contractor hereby determine and agree that _____

dollars (\$ _____) of the profits derived by the Contractor from contracts and _____

¹Delete inapplicable language.

subcontracts of the Contractor which are subject to renegotiation under the Renegotiation Act (hereinafter referred to as "said contracts and subcontracts") represent the amount of profits received or accrued under said contracts and subcontracts during the Contractor's fiscal year ended....., 194... (hereinafter referred to as "said fiscal year") which pursuant to the Renegotiation Act should be eliminated.²

2. *Warranty.* This agreement has been entered into in reliance, among other things, upon the representations of the Contractor, including the financial and other data submitted by the Contractor upon the basis of which the statement set forth in Exhibit "A" annexed hereto and made a part hereof was prepared.

The Contractor warrants that the representations made by it to the Government in connection with this renegotiation are true and correct to the best knowledge, information and belief of the Contractor and that to its best knowledge, information and belief, the Contractor has disclosed all material facts required to make the Contractor's representations complete and not misleading.

3. *Tax credit under section 3806 of the Internal Revenue Code.* The Contractor represents that the profits, the amount of which is agreed in Article 1 hereof to be eliminated, were included in income in the Contractor's Federal income and excess profits tax returns for said fiscal year and that the Contractor has applied or will promptly apply for a computation by the Bureau of Internal Revenue, based upon the assessments made to the date of such computation, of the amount by which the taxes of the Contractor for said fiscal year payable under Chapters 1, 2A, 2B, 2D, and 2E of the Internal Revenue Code are decreased by reason of the application of section 3806 of the Internal Revenue Code. The amount, if any, so computed will be allowed as a credit against the amount of profits agreed in Article 1 to be eliminated.

4. *Terms of payment.* The Contractor agrees to pay to the Government the sum ofdollars (\$.....), being the amount determined in Article 1 hereof to be eliminated, as follows:

Payment shall be made by check to the order of the Treasurer of the United States and forwarded.....³ All unpaid installments hereunder may at the option of the Government be declared and thereupon shall become immediately due and

² If the amount of excessive profits to be refunded is limited by the provisions of § 1603.348 (c) of the Renegotiation Regulations, the following sentence will be added:

"The amount of profits to be eliminated hereby has been determined by taking into consideration the application of the \$500,000 or the \$25,000 limitation set forth in subsection (c) (6) of the Renegotiation Act as interpreted by § 1603.348 (c) of the Renegotiation Regulations."

³ In the event that the profits to be eliminated were derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company and the total amounts received or accrued under such prime contracts exceeded \$50,000, payment of the excessive profits under such prime contracts to the Reconstruction Finance Corporation Price Adjustment Board is required. If such situation exists, insert here—"to the extent of \$....., less the prorata portion of the tax credit, if any, applicable thereto, and by check to the order of and forwarded to the Reconstruction Finance Corporation Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C., to the extent of \$....., less the prorata portion of the tax credit, if any, applicable thereto." (See §§ 1603.323 and 1605.502 (e).)

payable, in the event of a default continuing for twenty days in the payment of any amount required to be paid under this agreement. Interest at the rate provided by law in the District of Columbia as the rate which is applicable in the absence of express contract as to the rate of interest, shall accrue and shall be payable upon each payment due under this agreement from and after the due date thereof, whether original or accelerated.

5. *Additional profits to be eliminated.*⁴ If, as a result of the elimination of the amount of profits determined pursuant to Article 1 hereof, the Contractor shall either receive a refund (whether by repayment or credit) or shall recognize a reduction in its liability (by giving effect thereto on its books) in respect of any item which was allowed as an item of cost in the determination of such profits, then promptly thereafter, the Contractor shall pay to the Government, as additional profits which should be eliminated a sum equal to the amount of such refund or reduction in liability, by the delivery to of a check payable to the order of the Treasurer of the United States in such amount.

In the elimination of said additional profits the Contractor shall be allowed the tax credit, if any, provided by section 3806 of the Internal Revenue Code.

6. *Covenant against contingent fees.* The Contractor warrants that it has not employed any person to solicit or secure this agreement upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Government the right to annul this agreement.

7. *Officials not to benefit.* No member of or delegate to Congress or resident commissioner or any other person in the employ or service of the United States shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

8. *Discharge of liability.* This agreement shall be final and conclusive according to its terms, and performance by the Contractor in accordance herewith shall be in full discharge of all liability of the Contractor under the Renegotiation Act for excessive profits received or accrued under said contracts and subcontracts for the fiscal year covered hereby and, except upon a showing of fraud or malfeasance or a willful misrepresentation of a material fact, this agreement shall not for the purposes of the Renegotiation Act be reopened as to the matters agreed upon, and shall not be modified by any officer, employee, or agent of the United States, and this agreement and any determination made in accordance herewith shall not be annulled, modified, set aside, or disregarded in any suit, action or proceeding.

9. *Renegotiation rebate.* Nothing contained in this agreement shall prejudice any right which the Contractor may have to recover a renegotiation rebate pursuant to subsection (a) (4) (D) of the Renegotiation Act.

10. *Execution of agreement.* This agreement has been duly executed by or on behalf of the Contractor pursuant to proper authority and by or on behalf of the Government by the War Contracts Price Adjustment Board by its duly authorized representative to whom authority to execute this agreement has been delegated by the War Contracts Price Adjustment Board pursuant to subsection (d) (4) of the Renegotiation Act.

⁴ When the amount of excessive profits to be refunded is limited by the provisions of § 1603.348 (c) and the renegotiation agreement contains the paragraph set forth in the footnote to Article 1, Article 5 should be omitted.

In witness whereof, the parties hereto have executed this agreement in..... counterparts as of the day and year above written.

(Corporate Seal if a Corporation)

By.....
(Title of Officer)

[RR 741.1]

2. In § 1607.746, the last sentence of the fourth paragraph of paragraph (a) is amended, and paragraph (c) is amended by changing the last two paragraphs and adding a reference at the end of footnote 1. Paragraphs (a) and (c), as amended, read as follows:

§ 1607.746 *Unilateral determination; delegated authority*—(a) *Order under delegated authority determining excessive profits.*

ORDER UNDER DELEGATED AUTHORITY DETERMINING EXCESSIVE PROFITS

Pursuant to authority duly delegated by the War Contracts Price Adjustment Board, a renegotiation proceeding was duly commenced with (hereinafter called the "Contractor") with respect to the aggregate of the amounts received or accrued by the Contractor under contracts with the Departments and subcontracts as defined in the Renegotiation Act (such contracts and subcontracts being hereinafter collectively referred to as "said contracts") for the Contractor's fiscal year ended (hereinafter called "said fiscal year").

In connection with such renegotiation proceeding, a conference was held with the Contractor at or in connection with which there were submitted by the Contractor and obtained from governmental or other reliable sources, certain financial, operating and other data relating to the Contractor's business and the Contractor's profits derived from said contracts with the Departments and such contracts during said fiscal year. At and in connection with such conference the Contractor has been afforded full opportunity to submit such additional information and to present such contentions as the Contractor deemed material to a determination of excessive profits within the meaning of the Renegotiation Act.

In determining the excessive profits hereinafter determined, due consideration has been given to all such financial, operating and other data and information so furnished or obtained, to each of the contentions so presented, and to all of the factors referred to in subsection (a) (4) (A) of the Renegotiation Act.

As a result of such renegotiation it is hereby determined that Dollars (\$.....) represents the portion of the Contractor's profits derived from said contracts with the Departments and subcontracts for said fiscal year, which is excessive within the meaning of the Renegotiation Act. After proper adjustment on account of taxes, other than Federal taxes, measured by income which are attributable to that portion of the Contractor's profits derived from said contracts with the Departments and subcontracts for said fiscal year which is not excessive, it is hereby determined that the amount of excessive profits of the Contractor for said fiscal year which should be eliminated is Dollars (\$.....).

This order will be deemed the determination of the War Contracts Price Adjustment Board upon the conditions prescribed in subsection (d) (5) of the Renegotiation Act. If, and as soon as, this order shall be deemed the determination of the War Contracts Price Adjustment Board, pursuant to subsection (d) (5) of the Renegotiation Act, then

(Secretary of a Department)

official or officials in such Department to whom the power, function and duty of exercising such authority and carrying out such direction may be or have been delegated or successively redelegated) is hereby authorized and directed to take such action (including the authorization and direction of any other Secretary or Secretaries to take such action) as is provided by the Renegotiation Act and as he deems appropriate to eliminate such excessive profits to be eliminated.

In connection with the payment or discharge by any means of such excessive profits to be eliminated, the Renegotiation Act provides that the Contractor shall be allowed the applicable credit, if any, for Federal income and excess profits taxes as provided in section 8606 of the Internal Revenue Code.

Dated: _____
 Issued and entered on _____, 194__

 Title
 Acting on behalf of the War Contracts Price Adjustment Board created by Renegotiation Act, under due delegations of authority made pursuant to subsection (d) (4) of the Renegotiation Act.

[RR 746.1]

(c) Notice of order having become the determination of the War Contracts Price Adjustment Board.

NOTICE OF ORDER HAVING BECOME THE DETERMINATION OF THE WAR CONTRACTS PRICE ADJUSTMENT BOARD

----- 194__
 GENTLEMEN: You are hereby notified that no review having been initiated by the War Contracts Price Adjustment Board, either on your request or on its own motion, of the order dated, issued and entered on _____ 194__, pursuant to renegotiation under the Renegotiation Act, by _____ acting on behalf of the War Contracts Price Adjustment Board in accordance with authority delegated by it, determining that of your profits derived from contracts with the Departments and subcontracts for your fiscal year ended _____ Dollars (\$_____) represents excessive profits which should be eliminated, such order is deemed the determination of the War Contracts Price Adjustment Board.

A copy of such order is enclosed herewith. This notice is being mailed to you by registered mail on _____

Demand is hereby made for the payment of the amount of such excessive profits to be eliminated less the tax credit, if any, referred to in such order. Any check should be drawn to the order of the Treasurer of the United States and delivered to _____

Interest will accrue at the rate of 6% per annum from and after _____ (here insert date approximately fifteen days from the date such order is deemed the determination of the War Contracts Price Adjustment Board) on any amount due under such order and unpaid.

Yours very truly,

WAR CONTRACTS PRICE ADJUSTMENT BOARD,

By _____

 Title

Acting on behalf of the

 (Secretary of a Department)

¹In the event that the profits to be eliminated were derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company and the total amounts received or accrued under such prime contracts exceeded \$50,000, appropriate provision should be made so that the portion of the profits eliminated allocable to such

prime contracts is paid by check payable and delivered to the Reconstruction Finance Corporation Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C. (See §§ 1603.323 and 1605.502 (e).)

²Insert address within Department to which the Contractor is assigned for renegotiation.

³Countersignature on behalf of the Secretary of a Department to which the Contractor is assigned for renegotiation.

[RR 746.3]

3. Section 1607.747 (b) is amended by changing the last two paragraphs and adding a reference at the end of footnote 1, so that paragraph (b), as amended, reads as follows:

§ 1607.747 Action by the War Contracts Price Adjustment Board after review. * * *

(b) Notice.

NOTICE OF DETERMINATION BY ORDER ENTERED BY WAR CONTRACTS PRICE ADJUSTMENT BOARD UPON REVIEW

----- 194__
 GENTLEMEN: You are hereby notified that upon review of an order dated, issued and entered on _____ 194__, by _____ acting on behalf of the War Contracts Price Adjustment Board in accordance with authority delegated by it, pursuant to renegotiation under the Renegotiation Act, the War Contracts Price Adjustment Board has issued and entered its order determining that of your profits derived from contracts with the Departments and subcontracts for your fiscal year ended _____ Dollars (\$_____) represents excessive profits which should be eliminated.

A copy of such order is enclosed herewith. This notice is being mailed to you by registered mail on _____

Demand is hereby made for the payment of the amount of such excessive profits to be eliminated less the tax credit, if any, referred to in such order. Any check should be drawn to the order of the Treasurer of the United States and delivered to _____

Interest will accrue at the rate of 6% per annum from and after _____ (here insert date approximately fifteen days from the date of such order) on any amount due under such order and unpaid.

Yours very truly,

WAR CONTRACTS PRICE ADJUSTMENT BOARD,

By _____

 (Title)

Acting on behalf of the

 (Secretary of a Department)

¹In the event that the profits to be eliminated were derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company and the total amounts received or accrued under such prime contracts exceeded \$50,000, appropriate provision should be made so that the portion of the profits eliminated allocable to such prime contracts is paid by check payable and delivered to the Reconstruction Finance Corporation Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C. (See §§ 1603.323 and 1605.502 (e).)

²Insert address within Department to which the Contractor is assigned for renegotiation.

³Countersignature on behalf of the Secretary of a Department to which the Contractor is assigned for renegotiation.

[RR 747.2]

4. Section 1607.748 (b) is amended by adding a reference at the end of footnote

1. The paragraph, as amended, reads as follows:

§ 1607.748 Withholding orders. * * *

(b) Direction to a contractor to pay over amounts withheld. *

----- 194__
 GENTLEMEN: Pursuant to direction issued under subsection (c) (2) of the Renegotiation Act you have, as you have reported to the undersigned, withheld for the account of the United States from amounts otherwise due to _____ the sum of \$_____.

You are hereby authorized and directed to pay over said sum to the United States by delivery to the undersigned of a check in said amount, payable to the order of the Treasurer of the United States.¹

As provided in said subsection (c) (2) of the Renegotiation Act you are indemnified by the United States against all claims by said _____

on account of such amount withheld. Yours very truly,

 Title
 Acting on behalf of the

 (Secretary of a Department)

¹In the event that the profits to be eliminated were derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company and the total amounts received or accrued under such prime contracts exceeded \$50,000, appropriate provision should be made so that the portion of the profits eliminated allocable to such prime contracts is paid by check payable and delivered to the Reconstruction Finance Corporation Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C. (See §§ 1603.323 and 1605.502 (e).)

[RR 748.2]

SUBPART I—ADDRESSES

1. In § 1607.792, the address of the office of the General Counsel, Navy Department, is added as the third entry, as follows:

§ 1607.792 Departmental Price Adjustment Boards.

 Office of the General Counsel, Navy Department, Services and Sales Renegotiation Section, Washington 25, D. C., Tel. Republic 7400, Ext. 61463.

2. In § 1607.794 (b) subparagraph (1) is deleted, subparagraph (4) is amended, and subparagraphs (2) through (5) are redesignated (1) through (4), as follows:

§ 1607.794 Navy Department. * * *

(b) Services and Sales Renegotiation Section.

(1) Office of the General Counsel, Navy Department, Services and Sales Renegotiation Section, Washington Divisional Office, Washington 25, D. C., Tel. Republic 7400, Ext. 61263.

(2) Office of the General Counsel, Navy Department, Services and Sales Renegotiation Section, New York Divisional Office, Room 310, 630 Fifth Avenue, New York 20, New York, Tel. Columbus 5-3851.

(3) Office of the General Counsel, Navy Department, Services and Sales Renegotiation Section, Chicago Divisional Office, Room 893-811, U. S. Custom House, 610 South Canal Street, Chicago 7, Illinois, Tel. Wabash 3860.

(4) Office of the General Counsel, Navy Department, Services and Sales Renegotiation Section, Los Angeles Divisional Office, Room 807, Van Nuys Building, Seventh and Spring Streets, Los Angeles 14, California, Tel. Tucker 1351.

[RR 794.2]

PART 1608—TEXT OF STATUTES, ORDERS,
JOINT REGULATIONS AND DIRECTIVES

SUBPART D—EXEMPTIONS

In § 1608.845 (a), subparagraph (5) is amended and subparagraph (9) is added, as follows:

§ 1608.845 *Standard commercial article exemption.* (a) * * *

(5) Paper of the following types and grades, sold by paper mills: Groundwood and free sheet uncoated and coated book papers (including but not limited to free sheet and groundwood offset, envelope and tablet papers); Mimeograph and duplicating (both groundwood and free sheet); Bond, writing and ledger, including opaque circular; Manifold and onion skin; Cover and text; Index and Bristol; Map paper; Post card paper; Blue print base stock.

(9) Wheat flour.

Note: This exemption applies only to sales by the person milling the flour. Wheat flour includes granular flour and farina; white wheat flour; products of the milling of durum wheat including whole durum flour and semolina; and blends of the foregoing. Bleached, bromated, enriched, phosphated and self-rising wheat flour are considered flour for purposes of this exemption.

[RR 845]

[F. R. Doc. 44-16331; Filed, Oct. 23, 1944; 1:20 p. m.]

Chapter XVIII—Office of Economic
Stabilization

[Directive 14, Amdt. 1]

PART 4004—PRICE STABILIZATION;
MAXIMUM PRICES

ROUGH RICE, 1944

Directive No. 14 (9 F.R. 12281) dealing with maximum prices for rough and milled rice is amended to read as follows:

Conferences having been held among the War Food Administration, the Office of Price Administration, and the Office of Economic Stabilization on the question whether the maximum prices on rough rice produced in the southern states embodied in MPR 518 should be increased or removed completely; and

The War Food Administration having recommended that those maximum prices either be removed or increased by 10% and certain carrying charges be allowed; and

The Office of Price Administration having represented that any such increases in maximum prices for rough rice would require corresponding increases in maximum prices for milled rice and having indicated that it proposed the following changes in maximum prices for rough rice produced in the southern states:

Name	Present	New
Rexoro and Texas Patna.....	Per barrel \$7.05	Per barrel \$7.30
Nira.....	6.05	7.00
Fortuna.....	6.15	6.40
Edith.....	6.10	6.40
Blue Rose.....	6.15	6.15
Southern Pearl.....	6.15	6.20
Lady Wright.....	6.00	5.90
Zenith.....	6.15	5.90
Early Prolific.....	5.60	5.50
Prelude.....	6.10	6.25
Arkansas Rose.....	6.15	6.15

and the Director of Economic Stabilization being advised that substantial portion of the crop of Blue Rose, Southern Pearl, Zenith, Early Prolific, and Lady Wright varieties of rough rice have moved to market, that the War Food Administration agrees to the proposed changes in the maximum prices for the Edith, Fortuna, Nira, Rexoro, and Texas Patna varieties of rough rice, and that the proposed changes in maximum prices for the latter varieties will result in prices which are fair and equitable to producers and (in view of the present maximum prices for milled rice) to millers;

It is hereby found that adoption of those changes in the maximum prices for the Edith, Fortuna, Nira, Rexoro, and Texas Patna varieties produced in the southern states is necessary to effectuate the policy of Executive Orders 9250 and 9328.

Therefore, the Office of Price Administration is authorized and directed to establish maximum prices for the following varieties of rough rice produced in the southern states as follows:

Name:	Price (per barrel)
Rexoro and Texas Patna.....	\$7.30
Nira.....	7.00
Fortuna.....	6.40
Edith.....	6.40

and to make no changes either in maximum prices for milled rice or in maximum prices for other varieties of rough rice.

(E.O. 9250 and E.O. 9328)

Effective date: October 21, 1944.

Issued this 24th day of October 1944.

FRED M. VINSON,

Economic Stabilization Director.

[F. R. Doc. 44-16390; Filed, Oct. 25, 1944; 9:45 a. m.]

Chapter XXI—Office of War Mobilization
and Reconversion

TERMINATION OF WAR CONTRACTS

PROCESSING OF UNCOMPLETED ITEMS; RETENTION OF WORK-IN-PROCESS BY CONTRACTOR; TAKING OVER OF CONTRACTS BY OTHER AGENCIES OR GOVERNMENTS

By virtue of the authority vested in me by section 101 (c) (2) and pursuant to section 202 of the War Mobilization and Reconversion Act of 1944, I hereby prescribe the following regulations relating to the termination of war contracts:

1. Production under war contracts should not be continued for items or quantities beyond military needs, and processing will be stopped immediately upon notification of termination covering the items concerned, regardless of the state of completion thereof, except where it is considered that additional processing is required for reasons of safety, to clear or avoid damage to production equipment, or to avoid immediate complete spoilage of work-in-process having a definite commercial value. Such additional processing should be carried out to the first practical stop-work stage: *Provided*, That no new materials will be introduced into the process for the purpose of producing a completed article, except to the extent required by the above. Contracting agen-

cies should agree, to the greatest extent practicable, with contractors in advance of termination or specify in the notice of termination, the points or stages at which work under a terminated war contract is to be stopped.

2. Where, in advance of termination, the contractor agrees to retain work-in-process for the purpose of continuing production for his own account, work will be halted as necessary and the inventory checked at such points or stages of production agreed to in accordance with paragraph (1) above. The agreed retention values of the work-in-process to be retained by the contractor shall be an amount which, in the opinion of the contracting officer from available data, is greater than the net proceeds that could reasonably be expected to be obtained if the work-in-process were offered for general sale and would result in a savings in the amount which would otherwise have been payable by the Government as fair compensation for the termination of the contract. Where a contractor and the contracting agency are unable to agree upon a reasonable retention value, contracting agencies are authorized to continue production to prevent an undue loss to the Government on the production to date: *Provided*, That in the opinion of the contracting agency from available data, the realizable values of the work-in-process if work were halted immediately, plus the cost of additional processing to get a usable end product or component, would be less than the amount obtainable at such stage at which there is a reasonable ascertainable use or opportunity to dispose of the item.

3. Where the end item is desired for use by any responsible governmental agency other than the contracting agency or by responsible civilian agencies for use in civil relief for liberated and occupied countries, work-in-process should be completed to the extent desired by such agencies. Such completion should be authorized, however, only when advance arrangements have been made with these governmental or civilian agencies to take over specific contracts at the contract price.

JAMES F. BYRNES,
*Director of War Mobilization
and Reconversion.*

OCTOBER 24, 1944.

[F. R. Doc. 44-16417; Filed, Oct. 24, 1944; 5:05 p. m.]

Notices

FEDERAL TRADE COMMISSION.

[Docket No. 4989]

SORBTEX FOUNDATION, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of October A. D., 1944.

This matter being at issue and ready for the taking of testimony, and pursu-

ant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, October 30, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 337, Post Office Building, Richmond, Virginia.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the commission.

By the Commission,

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-16406; Filed, Oct. 25, 1944;
11:24 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 610]

RECONSIGNMENT OF CELERY AT KANSAS CITY, Mo.

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, October 21, 1944, by the Utah Celery Cooperative of car PFE 52195, celery, now on the Union Pacific to same consignee at Chicago, Illinois, via Wabash.

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 21st day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16395; Filed, Oct. 25, 1944;
11:05 a. m.]

[S. O. 70-A, Special Permit 611]

RECONSIGNMENT OF GRAPES 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, October 21, 1944, by Auster Company of car MDT 17629, table grapes, now on the Santa Fe (21st St.) to Cohen & Wolf, Philadelphia, Pa. (B&O).

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 21st day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16396; Filed, Oct. 25, 1944;
11:05 a. m.]

[S. O. 70-A, Special Permit 612]

RECONSIGNMENT OF PEARS AT CHICAGO

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, October 21, 1944, by Auster Company of car PFE 74662, pears, now on the Chicago Produce Terminal to Wolf & Cohen, Philadelphia, Pa. (B&O).

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 21st day of October 1944.

V. C. CLINGER,
Director,
Bureau of Supplies.

[F. R. Doc. 44-16397; Filed, Oct. 25, 1944;
11:05 a. m.]

[S. O. 70-A, Special Permit 613]

RECONSIGNMENT OF ONIONS 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, October 21, 1944, by National Produce Company of car PFE 74153, onions, now on the Wood Street Terminal, to L. G. and A. N. Altmeier, Pittsburgh, Pennsylvania (B&O).

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 21st day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16398; Filed, Oct. 25, 1944;
11:05 a. m.]

[S. O. 70-A, Special Permit 614]

RECONSIGNMENT OF APPLES AT KANSAS CITY, Mo.

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, October 21, 1944, by L. Yukon & Son of car PFE 52015, apples, now on the Union Pacific Railroad to Hall Wholesale Company, Monett, Missouri, (Frisco), with stop at Joplin, Missouri, for part unloading by same consignee.

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 21st day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16399; Filed, Oct. 25, 1944;
11:05 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 64, Order 161]

MOORE CORP.

APPROVAL OF MAXIMUM PRICES

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, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and in accordance with section 10 of Maximum Price Regulation No. 64, and section 9.3 of Revised Supplementary Regulation No. 14; *It is ordered:*

(a) The Moore Corporation, Joliet, Illinois, may sell and deliver the following models of stoves which it manufactures at prices no higher than those arrived at by adding the amount of the permitted increase for the particular model of stove listed below to its maximum net prices to each class of purchaser in effect prior to the issuance of this order:

Model No.	Description	Permitted increase in maximum prices
20-1	Gas heater.....	\$3.65
30-1	Gas heater.....	.12
600	Coal heater.....	13.84
611	Coal heater.....	7.62
614	Coal heater.....	7.89
721	Coal heater.....	6.14
724	Coal heater.....	7.17
725	Coal heater.....	8.39
403	Gas range—Elite.....	8.78
5241	Comb. oil and gas range—Mt. Vernon.....	11.63
3121	Bungalow range—Clipper.....	15.90
3123	Coal range—Century.....	9.83
323	Coal range—Franklin.....	15.15
123	Coal range—La Salle.....	9.13
523	Coal range—Pittsburgher.....	7.20
5041	Comb. coal and gas range—Monticello.....	4.39
4121	Comb. coal and gas range—Hyde Park.....	16.34

The maximum prices so determined are subject to the same terms, discounts, allowances, and other price differentials in effect during the period January 15—June 1, 1941 on sales by the manufacturer to each class of purchaser.

(b) Wholesale distributors and retailers whose present maximum prices for the stoves listed above were established under the General Maximum Price Regulation or Maximum Price Regulation No. 210, as the case may be, may sell and deliver the listed models at prices no higher than those arrived at by adding to their established maximum prices in effect for each stove prior to the effective date of this order, the dollars-and-cents amount by which the manufacturer is permitted to increase his price for each model of stove by the adjustment granted herein. The sum of these two figures shall be the seller's new maximum price for the particular model.

(c) At the time of or prior to the first invoice after the effective date of this order, for the sale of any stove for which a maximum price is established by this order, to each purchaser for resale, The Moore Corporation and every wholesale distributor shall notify the purchaser of the method set by this order for deter-

mining maximum prices for resales by the purchaser. This notice may be given in any convenient form, and must set forth specifically the dollars-and-cents amounts by which the purchaser for resale may increase his previously established maximum prices in accordance with the terms of this order. In addition, within 10 days after issuing each different notification required under this paragraph, the manufacturer may file a copy thereof with the Office of Price Administration, Washington, D. C.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 25th day of October 1944.

Issued this 24th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16383; Filed, Oct. 24, 1944; 4:11 p. m.]

[MPR 188, Order 2645]

RYDER-TAAFFE MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a nursery chair manufactured by Ryder-Taaffe Manufacturing Company, 820 Metropolitan Life Building, Minneapolis, Minnesota.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Nursery chair.....	HI Lo.	Each \$1.89	Each \$2.37

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated August 15, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales

during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Nursery chair.....	HI Lo.....	Each \$2.37

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated August 15, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16416; Filed, Oct. 25, 1944; 11:30 a. m.]

[MPR 188, Order 2657]

TOCCOA CONSTRUCTION CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile set, a wall shelf, and a corner what-not manufactured by Toccoa Construction Company, Toccoa, Georgia.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile set.....	9E-4.....	Each \$3.84	Each \$4.89
		Per dozen \$46.08	Per dozen \$58.68
Wall shelf.....	9E-3.....	\$10.56	\$13.20
Corner what-not.....	9E-2.....	10.56	13.20

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application dated August 8, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile set.....	9E-4.....	Each \$4.89
		Per dozen \$58.68
Wall shelf.....	9E-3.....	13.20
Corner what-not.....	9E-2.....	13.20

These prices are for the articles described in the manufacturer's application dated August 8, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16411; Filed, Oct. 25, 1944; 11:28 a. m.]

[MPR 188, Order 2C58]

COLIN & COMPANY

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of a youth's bed and a juvenile set manufactured by Colin & Company, 4161 Beck Avenue, North Hollywood, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Youth's bed.....	H. D. B.....	Each \$18.63	Each \$18.60
Juvenile set.....	H. D. J. S.....	8.24	9.70

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated August 5, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Youth's bed.....	H. D. B.....	Each \$18.60
Juvenile set.....	H. D. J. S.....	9.70

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated August 5, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16412; Filed, Oct. 25, 1944; 11:23 a. m.]

[MPR 188, Order 2659]

MYLAN FURNITURE CO.

APPROVAL OF MAXIMUM PRICES

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, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and pursuant to § 1499.158 of MPR 188, It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of a card table manufactured by Mylan Furniture Company, 666 Lake Shore Drive, Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Card table.....	200	Each \$3.14	Each \$3.70

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated August 19, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Card table.....	300	Each \$3.70

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated August 19, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16410; Filed, Oct. 25, 1944; 11:28 a. m.]

[MPR 188, Order 2660]

CARLYLE A. JOHNSON

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of a child's rocker manufactured by Carlyle A. Johnson, 3859 Minnehaha Avenue South, Minneapolis, Minnesota.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's rocker.....	140 M	Each \$1.80	Each \$1.88

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated August 24, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Child's rocker.....	140 M	Each \$1.88

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated August 24, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16416; Filed, Oct. 25, 1944; 11:29 a. m.]

[MPR 188, Order 43 Under 2d Rev. Order A-3]

COMMERCIAL FURNITURE CO.

APPROVAL OF MAXIMUM PRICES

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, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Manufacturer's maximum prices.* Commercial Furniture Company, 2739 West Chicago Avenue, Chicago, Illinois, may sell and deliver the wood office furniture of its manufacture at prices no higher than its maximum prices for such sales in effect prior to the effective date of this order, plus 6.4 percent of each such maximum price. This adjustment applies to every item for which a maximum price was established under Maximum Price Regulation No. 188 prior to the effective date of this order, and may be made and collected only if separately stated. The adjusted prices are subject to the manufacturer's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale, who handles the wood office furniture for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of its distribution from the manufacturer to the user, may add to his properly established

maximum prices, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay the manufacturer, provided such amount is separately stated. Such adjusted prices are subject to the seller's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* At the time of or before the first invoice to each purchaser for resale or user of an article covered by this order, at an adjusted price permitted by this order, the seller must furnish the purchaser with a written notice giving the number of this order and fully explaining its terms and conditions.

(d) *Profit and loss statements.* After the effective date of this order, Commercial Furniture Company shall submit to the Office of Price Administration a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16414; Filed, Oct. 25, 1944;
11:29 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on October 21, 1944.

REGION I

Boston Order 1-B-W, Amendment 1, covering dry groceries in certain areas in Massachusetts, filed 2:32 p. m.

Connecticut Order 1-F, Amendment 1, covering fresh fruit and vegetables in certain areas in the Connecticut district, filed 3:11 p. m.

Connecticut Order 4-F, Amendment 4, covering fresh fruit and vegetables in certain areas in the Connecticut district, filed 3:12 p. m.

Providence Order 1-F, Amendment 2, covering fresh fish and seafood in the State of Rhode Island, filed 2:32 p. m.

Providence Order 2-F, Amendment 17, covering fresh fruit and vegetables in Rhode Island, except New Shoreham, filed 2:32 p. m.

Providence Order 2-F, Amendment 18, covering fresh fruit and vegetables in Rhode Island, except New Shoreham, filed 3:11 p. m.

REGION II

Altoona Order 1-F, Amendment 25, covering fresh fruit and vegetables in the Altoona and Johnson War Rationing Board area, filed 10:16 a. m.

Buffalo Order 1-F, Amendment 27, covering fresh fruit and vegetables in certain areas in New York, filed 10:08 a. m.

Buffalo Order 2-F, Amendment 27, covering fresh fruit and vegetables in Rochester, East Rochester, Fairport and Pittsford, filed 10:08 a. m.

Erle Order 15, Amendment 1, covering dry groceries in the Erle district marketing area, filed 10:09 a. m.

Erle Order 5-W, covering dry groceries in the Erle Marketing area, filed 3:03 p. m.

Maryland Order P-1, Amendment 6, covering fresh fish and seafood in the Baltimore, Maryland area, filed 10:07 a. m.

Baltimore Order 4-F, Amendment 6, covering fresh fruit and vegetables in Baltimore district, filed 10:07 a. m.

Baltimore Order 4-F, Amendment 7, covering fresh fruit and vegetables in the Baltimore district, filed 10:14 a. m.

Wilmington Order 5-F, Amendment 1, covering fresh fruit and vegetables in designated area, filed 10:07 a. m.

Baltimore Order 6-F, Amendment 6, covering fresh fruit and vegetables in Hagerstown, filed 10:07 a. m.

Baltimore Order 6-F, Amendment 7, covering fresh fruit and vegetables in Hagerstown, filed 10:14 a. m.

Baltimore Order 26, Amendment 1, covering community food prices in certain areas in Maryland, filed 10:15 a. m.

Camden Order W-3-B, covering dry groceries in certain areas in New Jersey, filed 10:13 a. m.

Camden Order 15, Amendment 2, covering dry groceries in designated areas in New Jersey, filed 10:13 a. m.

District of Columbia Order 2-F, Amendment 4, covering fresh fruit and vegetables in certain designated area.

District of Columbia Order 1-O, Amendment 1, covering prices of eggs, in designated areas, filed 2:59 p. m.

District of Columbia Order 3-F, covering fresh fish and seafood in the Washington, D. C. area, filed 2:34 p. m.

District of Columbia Order 3-W, covering dry groceries in the Washington, D. C. area, filed 3:00 p. m.

District of Columbia Order 10, Amendment 2, covering dry groceries in the Washington, D. C. area, filed 3:00 p. m.

Camden Order 16, Amendment 2, covering dry groceries in area II, N. J., filed 10:13 a. m.

Pittsburgh Order 1-F, Amendment 27, covering fresh fruit and vegetables in Pittsburgh and certain surrounding communities, filed 10:09 a. m.

Philadelphia Order 2-F, Amendment 17, covering fresh fruit and vegetables in certain areas in Pennsylvania, filed 10:09 a. m.

Philadelphia Order 3-F, Amendment 12, covering fresh fruit and vegetables in certain areas in Pennsylvania, filed 10:11 a. m.

Scranton Order P-3, Amendment 1, covering fresh fish and seafood in Lackawanna, Luzerne and Pottsville, filed 10:09 a. m.

Albany Order 1-F, Amendment 28, covering fresh fruit and vegetables in certain cities in New York, filed 3:14 p. m.

Albany Order P-5, covering fresh fish and seafood in certain counties in New York, filed 3:14 p. m.

Binghamton Order 2-F, Amendment 5, covering fresh fruit and vegetables in certain areas in New York, filed 3:01 p. m.

Buffalo Order 11, Amendment 1, covering dry groceries in the Buffalo, N. Y., area, filed 3:01 p. m.

Buffalo Order 12, Amendment 1, covering dry groceries in Monroe and Livingston Counties, N. Y., filed 3:02 p. m.

Newark Order 1-F, Amendment 6, covering fresh fish and seafood in certain area in New Jersey, filed 2:21 p. m.

Philadelphia Order P-2, Amendment 3, covering fresh fish and seafood in the city and County of Philadelphia, filed 2:21 p. m.

Syracuse Order P-2, Amendment 3, covering fresh fish and seafood in certain cities in New York, filed 2:22 p. m.

Syracuse Order P-2, Amendment 4, covering fresh fish and seafood in certain cities in New York, filed 2:22 p. m.

Syracuse Order P-3, Amendment 3, covering fresh fish and seafood in certain counties in New York, filed 2:23 p. m.

Syracuse Order P-3, Amendment 4, covering fresh fish and seafood in certain counties in New York, filed 2:23 p. m.

Williamsport Order 2-F, Amendment 5, covering fresh fruit and vegetables in certain areas in Pennsylvania, filed 2:34 p. m.

Williamsport Order 2-F, Amendment 6, covering fresh fruit and vegetables in certain areas in Pennsylvania, filed 3:03 p. m.

REGION III

Cincinnati Order 1-B, Amendment 1, covering community food prices in certain areas in Ohio, filed 10:19 a. m.

Cincinnati Order 5-W, Amendment 1, covering community food prices in certain counties in Ohio, filed 10:17 a. m.

Cincinnati Order 6-W, Amendment 1, covering community food prices in certain counties in Ohio, filed 10:18 a. m.

Cincinnati Order 14, Amendment 1, covering community food prices in certain counties in Ohio, filed 10:17 a. m.

Cincinnati Order 15, Amendment 1, covering community food prices in certain counties in Ohio, filed 10:17 a. m.

Cincinnati Order 16, Amendment 1, covering community food prices in certain counties in Ohio, filed 10:18 a. m.

Cincinnati Order 17, Amendment 1, covering community food prices in certain counties in Ohio, filed 10:17 a. m.

Indianapolis Order 4-F, Amendment 29, covering fresh fruit and vegetables in Marion, Vigo, and Tipton, filed 10:19 a. m.

Indianapolis Order 5-F, Amendment 29, covering fresh fruit and vegetables in Wayne, Delaware, and Allen, filed 10:19 a. m.

Indianapolis Order 6-F, Amendment 29, covering fresh fruit and vegetables in St. Joseph County, filed 10:20 a. m.

Indianapolis Order 7-F, Amendment 16, covering fresh fruit and vegetables in Vanderburgh County, filed 10:20 a. m.

Indianapolis Order 8-F, Amendment 29, covering fresh fruit and vegetables in certain counties in Indiana, filed 10:20 a. m.

Indianapolis Order 9-F, Amendment 29, covering fresh fruit and vegetables in certain counties in Ohio and Indiana, filed 10:20 a. m.

Indianapolis Order 10-F, Amendment 23, covering fresh fruit and vegetables in certain counties in Indiana, filed 10:21 a. m.

Indianapolis Order 11-F, Amendment 29, covering fresh fruit and vegetables in certain counties in Ohio and Indiana, filed 10:21 a. m.

Indianapolis Order 12-F, Amendment 14, covering fresh fruit and vegetables in certain counties in Indiana, filed 10:21 a. m.

Charleston Order 10-F, Amendment 25, covering fresh fruit and vegetables in certain counties in West Virginia, filed 2:21 p. m.

Charleston Order 11-F, Amendment 12, covering fresh fruit and vegetables in Berkeley, Jefferson and Morgan Counties, West Virginia, filed 2:21 p. m.

Charleston Order 12-F, Amendment 17, covering fresh fruit and vegetables in certain counties in West Virginia, filed 2:20 p. m.

Charleston Order 13-F, Amendment 12, covering fresh fruit and vegetables in designated counties in West Virginia, filed 2:20 p. m.

Charleston Order 14-F, Amendment 1, covering fresh fruit and vegetables in designated counties in West Virginia, filed 2:19 p. m.

Columbus Order 12, Amendment 6, covering community food prices in certain areas in Ohio, filed 2:23 p. m.

Cleveland Order F-3, (Rev.), Amendment 8, covering fresh fruit and vegetables in certain areas in Ohio, filed 2:19 p. m.

Cleveland Rev. Order F-4, Amendment 7, covering fresh fruit and vegetables in certain areas in Ohio, filed 2:19 p. m.

Cleveland Rev. Order F-5, Amendment 3, covering fresh fruit and vegetables in certain areas in Ohio, filed 2:19 p. m.

Detroit Order 1-F, Amendment 42, covering fresh fruit and vegetables in designated counties in Michigan, filed 2:59 p. m.

Lexington Order 2-F, Amendment 46, covering fresh fruit and vegetables in Campbell and Kenton Counties, Ky., filed 2:59 p. m.

Louisville Order 1-F, Amendment 14, covering fresh fruit and vegetables in Jefferson County, Ky., and Clark and Floyd Counties, Indiana, filed 10:06 a. m.

Louisville Order 2-F, Amendment 14, covering fresh fruit and vegetables in McCracken County, Ky., filed 10:06 a. m.

Louisville Order 3-F, Amendment 14, covering fresh fruit and vegetables in Daviess and Henderson Counties, Ky., filed 10:06 a. m.

Columbus Order 3-F, Amendment 43, covering fresh fruit and vegetables in Columbus and Franklin Counties, Ohio, filed 2:23 p. m.

Columbus Order 4-F, Amendment 16, covering fresh fruit and vegetables in certain areas in Ohio, filed 2:23 p. m.

Columbus Order 5-F, Amendment 17, covering fresh fruit and vegetables in certain counties in the Columbus district, filed 2:24 p. m.

REGION IV

Atlanta Order 16, covering community food prices for eggs in the Atlanta district area, filed 10:05 a. m.

Atlanta Order 17, covering community food prices for eggs in the Atlanta district area, filed 10:05 a. m.

Atlanta Order 18, covering community prices for shell eggs in the Atlanta district area, filed 10:05 a. m.

Atlanta Order 19, covering community prices for shell eggs in the Atlanta district area, filed 10:04 a. m.

Atlanta Order 20, covering community prices for shell eggs in the Atlanta district area, filed 10:04 a. m.

Atlanta Order 21, covering community prices for shell eggs in the Atlanta district area, filed 10:04 a. m.

Montgomery Order 16-F, Amendment 13, covering fresh fruit and vegetables in Montgomery County, Ala., filed 10:21 a. m.

Montgomery Order 19-F, Amendment 11, covering fresh fruit and vegetables in Mobile County, Ala., filed 10:22 a. m.

Montgomery Order 17, Amendment 3, covering dry grocery and certain perishables in certain counties in Alabama, filed 10:21 a. m.

Columbia Order 4-F, Amendment 12, covering fresh fruit and vegetables in designated area in South Carolina, filed 10:05 a. m.

Charlotte Order 2-F, Amendment 13, covering fresh fruit and vegetables in named counties in North Carolina, filed 3:14 p. m.

Jacksonville Order 33, covering retail community food prices in specified counties in Florida, filed 3:09 p. m.

Memphis Order 6-F, Amendment 2, covering fresh fruit and vegetables in Memphis and Shelby, Tenn., filed 3:07 p. m.

Montgomery Order 21-F, Amendment 1, covering fresh fruit and vegetables in Montgomery Co., Ala., filed 3:02 p. m.

Montgomery Order 22-F, Amendment 1, covering fresh fruit and vegetables in Houston County, Ala., filed 3:07 p. m.

Roanoke Order 1-F, Amendment 26, covering fresh fruit and vegetables in certain areas in Virginia, filed 3:13 p. m.

Roanoke Order 2-F, Amendment 12, covering fresh fruit and vegetables in certain areas in Virginia, filed 2:33 p. m.

Roanoke Order 2-F, Amendment 13, covering fresh fruit and vegetables in certain areas in Virginia, filed 3:13 p. m.

Roanoke Order 3-F, Amendment 8, covering fresh fruit and vegetables in certain areas in Virginia, filed 3:13 p. m.

Roanoke Order 3-W, covering wholesale food prices in the Roanoke district area, filed 2:24 p. m.

Roanoke Order 3-W, Amendment 1, covering wholesale food prices in the Roanoke district area, filed 2:25 p. m.

Roanoke Order 4-F, Amendment 8, covering fresh fruit and vegetables in certain areas in the Roanoke district, filed 3:13 p. m.

Roanoke Order 5-F, Amendment 7, covering fresh fruit and vegetables in certain areas in the Roanoke district, filed 3:13 p. m.

Roanoke Order 13, covering community food prices in the Roanoke area, filed 2:31 p. m.

Roanoke Order 13, Amendment 1, covering community food prices in the Roanoke area, filed 2:31 p. m.

Roanoke Order 13, Amendment 2, covering community food prices in the Roanoke area, filed 2:27 p. m.

REGION V

Arkansas Order 3-W, Amendment 2, covering dry groceries at wholesale in the State of Arkansas, filed 2:35 p. m.

Arkansas Order 20, Amendment 2, covering dry groceries and perishables in the State of Arkansas, filed 2:34 p. m.

Arkansas Order 21, Amendment 1, covering dry groceries and certain perishables in certain counties in Arkansas, filed 2:35 p. m.

Arkansas Order 22, Amendment 1, covering dry groceries and certain perishables in certain counties in Arkansas, filed 2:35 p. m.

Arkansas Order 6-F, Amendment 26, covering fresh fruit and vegetables in Sebastian and Crawford Counties, Ark., filed 10:19 a. m.

Lubbock Order G-17, Amendment 2, covering community food prices in certain areas in Texas, filed 10:15 a. m.

Tulsa Order 5-F, Amendment 24, covering fresh fruit and vegetables in certain areas in Oklahoma, filed 10:11 a. m.

Tulsa Order 6-F, Amendment 24, covering fresh fruit and vegetables in certain areas in Oklahoma, filed 10:11 a. m.

Tulsa Order 5-F, Amendment 23, covering fresh fruit and vegetables in certain areas in Oklahoma, filed 3:15 p. m.

Tulsa Order 6-F, Amendment 23, covering fresh fruit and vegetables in certain areas in Oklahoma, filed 3:15 p. m.

Houston Order G-3W, Amendment 1, covering wholesale prices of certain items in certain areas in Texas, filed 2:32 p. m.

Houston Order G-16, Amendment 2, covering retail prices of certain items in certain areas in Texas, filed 2:32 p. m.

REGION VI

Chicago Order 2-F, Amendment 33, covering fresh fruit and vegetables in certain counties in Indiana, filed 3:10 p. m.

Chicago Order 2-F, Amendment 34, covering fresh fruit and vegetables in certain counties in Illinois and Indiana, filed 3:09 p. m.

La Crosse Order 1-F, Amendment 34, covering fresh fruit and vegetables in La Crosse and Sparta, Wis., and Winona, Minn., filed 3:19 p. m.

La Crosse Order 1-F, Amendment 38, covering fresh fruit and vegetables in La Crosse and Sparta, Wis., and Winona, Minn., filed 3:10 p. m.

La Crosse Order 2-F, Amendment 10, covering fresh fruit and vegetables in certain areas in La Crosse district, filed 3:10 p. m.

La Crosse Order 3-F, Amendment 34, covering fresh fruit and vegetables in Eau Claire and Chippewa Falls, Wis., filed 3:11 p. m.

La Crosse Order 5-F, Amendment 33, covering fresh fruit and vegetables in Rochester, Minn., filed 3:11 p. m.

Quad-Cities Order 2-F, Amendment 24, covering fresh fruit and vegetables in Illinois and Iowa, filed 10:15 a. m.

Quad-Cities Order 3-F, Amendment 11, covering fresh fruit and vegetables in certain counties in Iowa and Illinois, filed 10:15 a. m.

Quad-Cities Order 3-F, Amendment 10, covering fresh fruit and vegetables in certain counties in Illinois and Iowa, filed 10:18 a. m.

North Platte Order 9-F, covering fresh fruit and vegetables in the North Platte district, filed 10:16 a. m.

North Platte Order 9-F, Amendment 1, covering fresh fruit and vegetables in the North Platte district, filed 10:17 a. m.

Milwaukee Order 2-F, Amendment 35, covering fresh fruit and vegetables in Dane County, filed 2:35 p. m.

Milwaukee Order 5-F, Amendment 34, covering fresh fruit and vegetables in Sheboygan and Fond du Lac Counties, filed 2:18 p. m.

Milwaukee Order 3-F, Amendment 35, covering fresh fruit and vegetables in Milwaukee County and Racine and Kenosha, filed 2:18 p. m.

Peoria Order 2-F, Amendment 24, covering fresh fruit and vegetables in certain areas in Illinois, filed 3:07 p. m.

Peoria Order 3-F, Amendment 24, covering fresh fruit and vegetables in certain areas in Illinois, filed 3:07 p. m.

Peoria Order 4-F, Amendment 19, covering fresh fruit and vegetables in Bloomington and Normal, filed 3:08 p. m.

Peoria Order 5-F, Amendment 7, covering fresh fruit and vegetables in Knoxville and Galesburg in Illinois, filed 3:08 p. m.

REGION VII

New Mexico Order F-1, Amendment 20, covering fresh fruit and vegetables in Albuquerque and Gallup, filed 10:11 a. m.

New Mexico Order F-2, Amendment 14, covering fresh fruit and vegetables in Santa Fe and Las Vegas, filed 10:11 a. m.

New Mexico Order F-4, Amendment 14, covering fresh fruit and vegetables in certain areas in New Mexico, filed 10:12 a. m.

New Mexico Order F-6, Amendment 11, covering fresh fruit and vegetables in certain areas in New Mexico, filed 10:12 a. m.

New Mexico Order F-7, Amendment 3, covering fresh fruit and vegetables in certain areas in New Mexico, filed 10:12 a. m.

Wyoming Order 1-W, Amendment 3, covering wholesale food prices in the Cheyenne area, filed 2:25 p. m.

Wyoming Order 5-W, Amendment 3, covering wholesale community food prices in the Rock Springs area, filed 2:25 p. m.

Wyoming Order 1-F, Amendment 11, covering fresh fruit and vegetables in the Cheyenne area, filed 2:26 p. m.

Wyoming Order 2-F, Amendment 9, covering fresh fruit and vegetables in the Laramie area, filed 2:26 p. m.

Wyoming Order 3-F, Amendment 8, covering fresh fruit and vegetables in the Casper area, filed 2:23 p. m.

Wyoming Order 5-F, Amendment 7, covering fresh fruit and vegetables in the Rock Springs area, filed 2:26 p. m.

Wyoming Order 4-F, Amendment 8, covering fresh fruit and vegetables in the Sheridan area, filed 2:26 p. m.

REGION VIII

Fresno Order 18, Amendment 1, covering community food prices in the Fresno city area, filed 3:16 p. m.

Fresno Order 18, Amendment 2, covering community food prices in the Fresno city area, filed 3:16 p. m.

Fresno Order 18, Amendment 3, covering community food prices in the Fresno city area, filed 3:09 p. m.

Fresno Order 19, Amendment 1, covering community food prices in the Fresno outlying area, filed 3:18 p. m.

Fresno Order 19, Amendment 2, covering community food prices in the Fresno outlying area, filed 3:19 p. m.

Fresno Order 20, Amendment 1, covering community food prices in the Merced county area, filed 3:18 p. m.

Fresno Order 21, Amendment 1, covering community food prices in the Stanislaus county area, filed 3:17 p. m.

Fresno Order 22, Amendment 1, covering community food prices in the Kern county area, filed 3:17 p. m.

Fresno Order 22, Amendment 2, covering community food prices in the Kern county area, filed 3:18 p. m.

Fresno Order 23, Amendment 1, covering community food prices in the Fresno district area, filed 3:16 p. m.

Fresno Order 23, Amendment 2, covering community food prices in the Fresno district area, filed 3:17 p. m.

Fresno Order 23, Amendment 3, covering community food prices in the Fresno district area, filed 3:17 p. m.

Phoenix Order 3-F, Amendment 41, covering fresh fruit and vegetables in area within a 25-mile radius of the post office of Phoenix, filed 2:35 p. m.

Los Angeles Order 1-F, Amendment 37, covering fresh fruit and vegetables in the designated areas in California, filed 10:13 a. m.

Seattle Order 192, covering community food prices in the Everett area, filed 10:13 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-16407; Filed, Oct. 25, 1944; 11:27 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-969]

METROPOLITAN EDISON CO., ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 24th day of October 1944.

In the matter of Metropolitan Edison Co., Staten Island Edison Corp., NY PA NJ Utilities Co., Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corp., File No. 70-969.

Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation ("Agecorp"), a registered holding company; NY PA NJ Utilities Company ("NY PA NJ"), a registered holding company and a subsidiary of Agecorp; Metropolitan Edison Company ("Met Ed") and Staten Island Edison Corporation ("Staten Island"), public-utility company subsidiaries of NY PA NJ, having filed joint applications—declarations, and amendments thereto, pursuant to sections 6(a), 6(b), 7, 12(b), 12(c), 12(d), and 12(f) of the Public Utility Holding Company Act of 1935

("Act") and Rules U-24, U-43, and U-45 promulgated thereunder, regarding the following proposed transactions:

1. NY PA NJ will borrow \$10,000,000 from Guaranty Trust Company of New York ("Guaranty") on six unsecured 2% promissory notes maturing as follows:

6 months after date of issuance..	61,500,000
12 months after date of issuance..	1,500,000
18 months after date of issuance..	1,625,000
24 months after date of issuance..	1,625,000
30 months after date of issuance..	1,875,000
36 months after date of issuance..	1,875,000

Total..... 10,000,000

The promissory notes and the accompanying loan agreement will provide, among other things, that all obligations of NY PA NJ to Agecorp shall be subordinated as to principal and interest to the proposed \$10,000,000 principal amount of promissory notes.

2. Subject to obtaining an appropriate order from the District Court of the United States for the Southern District of New York, Agecorp will donate to NY PA NJ for cancellation the following securities:

Security	Held by	Principal amount	Redemption price
Mohawk Valley 6's 1931.....	Staten Island Edison Corporation.....	\$520,000	\$525,260
Mohawk Valley 6's 1931.....	Associated Electric Company.....	33,450	33,724
NY PA NJ Utilities Company 5's of 1932.....	York Railways Company.....	232,600	234,625
Total.....		786,050	793,609

5. In consideration of the cash payment of \$9,049,900 and the transfer to Met Ed of shares of its Cumulative Preferred Stock, as described in paragraph 3 above, Met Ed will transfer to NY PA NJ for cancellation \$15,778,500 principal amount of The Mohawk Valley Company 6% Consolidated Refunding Gold Bonds, due 1981 (assumed by NY PA NJ), and will transfer to Staten Island, without cost to Staten Island, 100,000 shares of the outstanding 360,000 shares of no par value non-voting common stock of Staten Island. Staten Island will hold such 100,000 shares in its treasury.

6. Met Ed will thereupon issue and sell, pursuant to the competitive bidding re-

The Mohawk Valley Company 6% Consolidated Refunding Gold Bonds, due 1981.....	\$524,000	Principal amount
NY PA NJ Utilities Company 5% Debentures due 1952.....	1,231,000	
	1,855,000	

3. For the consideration described in paragraph 5 below, NY PA NJ will transfer to Met Ed for cancellation, 5,097 shares of Met Ed's \$5 no par value Cumulative Preferred Stock, 81,220 shares of its \$6 no par value Cumulative Preferred Stock, and 9,412 shares of its \$7 no par value Cumulative Preferred Stock, and will pay to Met Ed from the proceeds of the \$10,000,000 bank loan the sum of \$9,049,900 in cash.

4. The remaining \$950,100 of the proceeds of the \$10,000,000 bank loan, together with treasury funds, will be used by NY PA NJ to discharge a promissory note of \$500,000 and accrued interest thereon to Associated Utilities Corporation, an associate company, and to redeem its following bonds held by associate companies:

requirements of Rule U-50, \$24,500,000 principal amount of its First Mortgage Bonds, due 1974, and 125,000 shares of its \$100 par value Cumulative Preferred Stock, the interest rate and dividend rate, respectively, and the respective redemption prices to be fixed by competitive bidding.

7. Met Ed will call for redemption all of its then outstanding bonds (except the \$1,247,500 principal amount of non-callable 5% Gold Bonds, due 1951, of York Haven Water & Power Company assumed by Met Ed) in the principal amount of \$36,725,400, and all its then outstanding preferred stock consisting of 114,897 shares having an aggregate stated value of \$11,489,700 as follows:

	Principal amount or shares to be redeemed	Redemption price	Aggregate redemption price	To be redeemed not later than—
Metropolitan Edison Co., first 4 1/2's, series D, due 1935.....	\$20,800,000	107 1/2%	\$21,855,283	Mar. 1, 1945, 40 days after issuance and sale of the new bonds and new pref. stock.
First 4's, series E, due 1971.....	\$4,634,000	103 1/2%	4,847,040	
First 4's, series G, due 1935.....	\$11,710,000	105 1/2%	12,266,443	
\$7 prior preferred stock cumulative, no par.....	5,724 shs.	\$105	602,670	Jan. 1, 1945.
\$8 prior preferred stock, cumulative, no par.....	91,822 shs.	\$105	9,652,210	
\$7 cumulative preferred stock, no par.....	2,166 shs.	\$110	238,260	
\$6 cumulative preferred stock, no par.....	14,000 shs.	\$110	1,540,000	
\$5 cumulative preferred stock, no par.....	239 shs.	\$110	26,290	
Total.....			\$1,160,603	

8. Met Ed will reduce the stated value of its no par value common stock and effect an accounting reorganization, as of October 31, 1944, so as to enable it, among other things, (a) to provide a reserve for estimated amounts of write-

ups presently reflected in its utility plant account; (b) to eliminate the remaining balance of unamortized debt discount and expense on the outstanding bonds; (c) to charge off the redemption premiums on the bonds in excess of the tax

savings resulting therefrom; (d) to write off premiums on preferred stock to be called; and (e) to dispose of the loss which it states will be sustained on a proposed sale of its gas properties.

Applicants-declarants having requested that the Commission enter an order finding that the proposed transactions are necessary or appropriate to effectuate the provisions of section 11 (b) of the act, and that such order conform to the pertinent requirements of the Internal Revenue Code, as amended, including sections 371 (d), 371 (f), 373 (a), and 1808 (f) thereof, and contain the recitals, specifications, and itemizations therein required; and

A public hearing having been held after appropriate notice at which the security holders of applicants-declarants and other interested persons were afforded opportunity to be heard; and requests for findings, briefs and oral argument having been waived; and

The Commission having considered the record and having entered its findings and opinion herein, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant the applications, as amended, and permit the declarations, as amended, to become effective, subject to certain conditions, and to grant the request of the applicants-declarants as to the suggested recitals:

It is hereby ordered, That, pursuant to the applicable provisions of said act, including sections 6 (a), 6 (b), 7, and 12 thereof, and the rules and regulations promulgated thereunder, the aforesaid applications-declarations, as amended, be, and hereby are, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act, and subject to the further condition that the proposed issuance and sale by Met Ed of the \$24,500,000 principal amount of -----% bonds and the 125,000 shares of -----% \$100 par value Cumulative Preferred Stock, aggregate par value of \$12,500,000, shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain further terms and conditions as may then be deemed appropriate, jurisdiction being reserved with respect to the imposition thereof in connection with the proposed transactions; and

It is further ordered, That the ten (10) day period for inviting bids as provided by Rule U-50, be, and the same hereby is, shortened to a period of not less than five (5) days; and

It is further ordered, That jurisdiction be, and hereby is, reserved over the payment of all legal fees and expenses of all counsel; and

It is further ordered, That the following transactions are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

1. The transfer by Agecorp to NY PA NJ and the acquisition by NY PA NJ of \$584,000 principal amount of The Mohawk Valley Company 6% Consolidated Refunding Gold Bonds, Due 1981, and \$1,281,000 principal amount of NY PA NJ Utilities Company 5% Debentures Due 1952.

2. The issuance and sale by NY PA NJ to Guaranty Trust Company of New York of Promissory Notes aggregating \$10,000,000 to evidence a loan of that amount from Guaranty.

3. The transfer by Met Ed to NY PA NJ and the acquisition by NY PA NJ of \$15,778,500 principal amount of The Mohawk Valley Company 6% Consolidated Refunding Gold Bonds, Due 1981, now held by Met Ed.

4. The transfer by Met Ed to Staten Island and the acquisition by Staten Island of 100,000 shares of the common stock, without par value, of Staten Island, now held by Met Ed.

5. The payment by NY PA NJ to Met Ed and the receipt by Met Ed of \$9,049,900 in cash, and the transfer by NY PA NJ to and the acquisition by Met Ed, for cancellation, of the following shares of Met Ed's preferred stock, now held by NY PA NJ:

5,097 shares, \$5 Cumulative Preferred Stock, no par value
81,220 shares, \$6 Cumulative Preferred Stock, no par value
9,412 shares, \$7 Cumulative Preferred Stock, no par value.

6. The issuance and sale by Met Ed of \$24,500,000 principal amount of its First Mortgage Bonds, -----% Series, due 1974, and of 125,000 shares of its Cumulative Preferred Stock, -----% Series, par value \$100.

7. The redemption by NY PA NJ and the transfer to it of securities owned by companies affiliated with NY PA NJ as follows:

Security	Principal amount	Owned by—
The Mohawk Valley Company 6% consolidated refunding gold bonds.	\$520,000	Staten Island Edison Corporation.
The Mohawk Valley Company 6% consolidated refunding gold bonds.	33,400	Associated Electric Company.
NY PA NJ Utilities Company 5% debentures due 1952.	232,500	York Railways Company.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-16391; Filed, Oct. 25, 1944;
9:45 a. m.]

[File No. 70-816]

AMERICAN LIGHT & TRACTION CO., ET AL.
ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 24th day of October A. D. 1944.

In the matter of American Light & Traction Co., Michigan Consolidated Gas Co., American Production Co., American

Michigan Pipe Line Co., Waverly Co., File No. 70-816.

The Commission having by order dated October 16, 1944 designated October 31, 1944 as the date for reconvening the hearing in the above entitled proceeding for the purpose of adducing evidence with respect to the necessity for advisory services rendered by Dillon, Read & Co., in connection with the recent refunding of the outstanding funded debt and preferred stock of Michigan Consolidated Gas Company and the reasonableness of the proposed fee for such services in the amount of \$30,000; and

The applicants having requested that the hearing in this matter be postponed to November 16, 1944; and the Commission deeming it appropriate under the circumstances that the request for postponement of the hearing be granted:

It is ordered, That the hearing in this matter previously scheduled for October 31, 1944 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania be, and hereby is, postponed to November 16, 1944 at the same hour and place and before the same trial examiner as heretofore designated.

It is further ordered, That the time within which any person desiring to be heard or otherwise to participate in said proceeding shall file his request or application therefor with the Secretary of the Commission, as provided by Rule XVII of the Commission's rules of practice, be, and the same hereby is, extended to November 14, 1944.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-16392; Filed, Oct. 25, 1944;
9:45 a. m.]

WAR PRODUCTION BOARD.

[Certificate 208]

SUPPLY PROGRAM IN DISTRICT THREE

APPROVAL OF P. A. W. DIRECTIVE

The ATTORNEY GENERAL:

I submit herewith Petroleum Directive 78¹ of the Petroleum Administration for War.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the directive; 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 Petroleum Directive 78 is requisite to the prosecution of the war.

Dated: October 14, 1944.

J. A. KRUG,
Chairman,
War Production Board.

[F. R. Doc. 44-16394; Filed, Oct. 25, 1944;
10:19 a. m.]

¹ *Supra*.