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Regulations

TITLE 6—AGRICULTURAL CREDIT

**Chapter III—War Food Administration
 (Farm Security Administration)**

PART 300—GENERAL

DELEGATION OF AUTHORITY TO ASSISTANT ADMINISTRATOR WITH RESPECT TO REAL ESTATE AND REAL ESTATE LENDING AND SERVICING AND RURAL REHABILITATION LENDING AND SERVICING

Section 300.15 of Title 6, Code of Federal Regulations, is amended and modified to read as follows:

§ 300.15 *Delegation of authority to Assistant Administrator with respect to real estate lending and servicing and rural rehabilitation loans.* By virtue of the authority vested in the Administrator of Farm Security Administration by the War Food Administrator in Memorandum No. 37, dated March 13, 1944 (9 F.R. 2840-2841) and the Delegation of Authority, dated August 2, 1944 (9 F.R. 9389) there is hereby delegated to C. Stott Noble, Assistant Administrator of Farm Security Administration:

(a) The power and authority, subject to the jurisdiction and control of the Administrator, to do all things the Administrator is required or empowered to do which are necessary or advisable to administer and supervise the activities of Farm Security Administration under the respective jurisdictions of: (1) the Farm Ownership Division, the Project Sales Division, and the Engineering Division pertaining to real estate, real estate lending and servicing, the liquidation of Resettlement projects and Rural Rehabilitation projects for Resettlement purposes, including but not limited to land-leasing, land-purchasing associations and defense relocation corporations, except the power and authority to compromise claims pursuant to section 41 (g) of the Bankhead-Jones Farm Tenant Act; and (2) the Rural Rehabilitation Division, pertaining to making and servicing rural rehabilitation loans, including but not limited to joint-ownership and master-borrower loans.

(b) This delegation shall: (1) supersede the delegation of authority to the Assistant Administrator issued August 19, 1944 (9 F.R. 10239), and (2) revoke or modify other existing authorizations and instructions only to the extent such other authorizations and instructions are in conflict herewith.

(c) In his discretion, the Assistant Administrator may redelegate any of the power or authority granted herein to subordinates under his jurisdiction and may revoke or modify existing authorities within the scope of this delegation.

(d) In the absence of the Assistant Administrator, or in the event of his inability to carry out the authority herein delegated, such authority may be exercised by the Acting Assistant Administrator serving in his place and stead.

(e) This delegation shall have effect as of December 17, 1944, and shall remain in effect until revoked or modified by subsequent delegations.

Issued this 10th day of January 1945.

FRANK F. WELLS,
 Administrator.

[F. R. Doc. 45-628; Filed, Jan. 12, 1945; 11:16 a. m.]

TITLE 7—AGRICULTURE

**Chapter VII—War Food Administration
 (Agricultural Adjustment)**

PART 701—NATIONAL AGRICULTURAL CONSERVATION PROGRAM

1945 BULLETIN

Payments will be made for participation in the 1945 Agricultural Conservation Program (hereinafter referred to as the 1945 program) in accordance with the provisions of this bulletin and such modifications thereof as may hereafter be made.

- Sec.
 701.601 Distribution of funds.
 701.602 Conservation practice allowances, practices and rates of payment.
 701.603 Division of payments.
 701.604 Increase in small payments.
 701.605 Payments limited to \$19,000.

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NOTICE

Book 1 of the 1943 Supplement to the Code of Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy. This book contains the material in Titles 1-31, including Presidential documents, issued during the period from June 2, 1943, through December 31, 1943.

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701.606	Conservation materials and services.
701.607	General provisions relating to payments.
701.608	Application for payment.
701.609	Appeals.
701.610	State and regional bulletins, instructions and forms.
701.611	Definitions.
701.612	Authority, availability of funds and applicability.

AUTHORITY: §§ 701.601 to 701.612, inclusive, issued under secs. 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended; 49 Stat. 1148, 16 U.S.C. 500g to 590g; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423.

§ 701.601 *Distribution of funds*—(a) *State funds.* Funds available for conservation practices will be distributed among States on the basis of (1) the acreage of cropland, noncrop pasture land and rangeland, (2) conservation needs, (3) materials and facilities available for carrying out conservation practices, and (4) use of cropland in 1945.

(b) *Adjustments.* If the total estimated earnings under the program exceed the total funds available for payment, payments will be reduced equitably in States where the estimated earnings exceed the amount available for use in the State.

§ 701.602 *Conservation practice allowances, practices, and rates of payment*—(a) *Farm allowances.* (1) Farm allowances for one or more practices may be established in any State or area within a State upon the recommendation of the State committee and regional director and the approval of the Agricultural Adjustment Agency for the purpose of limiting payments, materials or services to the available funds. Farm allowances shall be based upon factors which will provide for the equitable distribution of payments, materials and services among farms, on the basis of individual farm conservation needs. Payment for practices performed with conservation materials or services, other than services furnished by a county agricultural conservation association, shall have priority over payment for other practices.

(2) *Combination of farm allowances.* Producers in any local area may agree in writing, with approval of the State committee, to perform designated amounts of practices which the State committee determines are necessary to conserve or improve the agricultural resources of the community, and where applicable, to combine all or any part of their farm allowances for this purpose. For purposes of payment, practices carried out under such an approved written agreement will be regarded as having been carried out on the farms of the producers who performed the practices.

(b) *Conservation practices*—(1) *Basis for approval.* In any State or area the conservation practices for which payment will be made shall be those practices which are recommended by the State committee and regional director and approved by the Agricultural Adjustment Agency as practices best adapted to achieve sound soil and water conserva-

tion and use, and which will not be carried out in desired volume unless payment is made therefor. Practices to be approved will include only those which maintain or increase soil fertility; control and prevent soil erosion caused by wind or water; encourage conservation and better agricultural use of water; or conserve and increase range and pasture forage. In order to encourage the performance of practices which are needed most on all farms or on groups of farms in a county, the county committee, with the approval of the State committee, may designate from the practices approved for the State or area, those practices which will be applicable on all farms or designated groups of farms in the country.

(2) *Practices carried out with State or Federal aid.* The extent of any practice shall not be reduced because it is carried out with materials or services furnished by the Agricultural Adjustment Agency, equipment furnished by the Soil Conservation Service, materials or services furnished by an agency of a State to another agency of the same State, or trees purchased from a Clark-McNary Cooperative State Nursery. In other cases of State or Federal aid, the total extent of any practice performed shall be reduced for purposes of payment by not less than the percentage of the total cost of the practice which the county committee determines was furnished by a State or Federal agency.

(c) *Rates of payment.* In any area the rate of payment for carrying out any practice shall be the rate recommended by the State committee and the regional director and approved by the Agricultural Adjustment Agency. The rates of payment for the application of lime, phosphate, potash, gypsum, boron and mulching materials shall not exceed 80 percent of the estimated average cost of the materials on a farmyard delivery basis. The rates of payment for construction and engineering practices shall not exceed 80 percent of the estimated average cost of construction. The rates of payment for other practices shall not exceed 80 percent of the estimated average cost of performing the practices except where a higher rate of payment is justified on the basis of need for the practice in the area, or lack of familiarity on the part of farmers with the practice.

§ 701.603 *Division of payments.* The payment earned in carrying out practices with conservation materials or services, excluding services furnished by the county agricultural conservation association, shall be paid to the producer to whom the materials or services are furnished. The payment earned in carrying out other practices shall be paid to the producer who carried out the practices. If more than one producer contributed to the carrying out of such practices, the payment shall be divided in the proportion that the county committee determines the producers contributed to the carrying out of the practices. In making this determination, the county committee shall take into consideration the value of the labor, equipment, or material contributed by each producer toward the carrying out of each practice on a particular acreage, assuming that

each contributed equally unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion. In case of the death, incompetency, or disappearance of any producer, his share of the payment shall be paid to his successor, determined in accordance with the provisions of the regulations in ACP-122, as amended.

§ 701.604 *Increase in small payments.* The payment computed for any person with respect to any farm shall be increased as follows:

- (a) Any payment amounting to 71 cents or less shall be increased to \$1.
- (b) Any payment amounting to more than 71 cents but less than \$1 shall be increased by 40 percent.
- (c) Any payment amounting to \$1 or more shall be increased in accordance with the following schedule:

Amount of payment computed:	Increase in payment:
\$1.00 to \$1.50	09.09
1.50 to 2.00	13.64
2.00 to 2.50	18.18
2.50 to 3.00	22.73
3.00 to 3.50	27.27
3.50 to 4.00	31.82
4.00 to 4.50	36.36
4.50 to 5.00	40.91
5.00 to 5.50	45.45
5.50 to 6.00	50.00
6.00 to 6.50	54.55
6.50 to 7.00	59.09
7.00 to 7.50	63.64
7.50 to 8.00	68.18
8.00 to 8.50	72.73
8.50 to 9.00	77.27
9.00 to 9.50	81.82
9.50 to 10.00	86.36
10.00 to 10.50	90.91
10.50 to 11.00	95.45
11.00 to 11.50	100.00
11.50 to 12.00	104.55
12.00 to 12.50	109.09
12.50 to 13.00	113.64
13.00 to 13.50	118.18
13.50 to 14.00	122.73
14.00 to 14.50	127.27
14.50 to 15.00	131.82
15.00 to 15.50	136.36
15.50 to 16.00	140.91
16.00 to 16.50	145.45
16.50 to 17.00	150.00
17.00 to 17.50	154.55
17.50 to 18.00	159.09
18.00 to 18.50	163.64
18.50 to 19.00	168.18
19.00 to 19.50	172.73
19.50 to 20.00	177.27
20.00 to 20.50	181.82
20.50 to 21.00	186.36
21.00 to 21.50	190.91
21.50 to 22.00	195.45
22.00 to 22.50	200.00
22.50 to 23.00	204.55
23.00 to 23.50	209.09
23.50 to 24.00	213.64
24.00 to 24.50	218.18
24.50 to 25.00	222.73
25.00 to 25.50	227.27
25.50 to 26.00	231.82
26.00 to 26.50	236.36
26.50 to 27.00	240.91
27.00 to 27.50	245.45
27.50 to 28.00	250.00
28.00 to 28.50	254.55
28.50 to 29.00	259.09
29.00 to 29.50	263.64
29.50 to 30.00	268.18
30.00 to 30.50	272.73
30.50 to 31.00	277.27
31.00 to 31.50	281.82
31.50 to 32.00	286.36
32.00 to 32.50	290.91
32.50 to 33.00	295.45
33.00 to 33.50	300.00
33.50 to 34.00	304.55
34.00 to 34.50	309.09
34.50 to 35.00	313.64
35.00 to 35.50	318.18
35.50 to 36.00	322.73
36.00 to 36.50	327.27
36.50 to 37.00	331.82
37.00 to 37.50	336.36
37.50 to 38.00	340.91
38.00 to 38.50	345.45
38.50 to 39.00	350.00
39.00 to 39.50	354.55
39.50 to 40.00	359.09
40.00 to 40.50	363.64
40.50 to 41.00	368.18
41.00 to 41.50	372.73
41.50 to 42.00	377.27
42.00 to 42.50	381.82
42.50 to 43.00	386.36
43.00 to 43.50	390.91
43.50 to 44.00	395.45
44.00 to 44.50	400.00
44.50 to 45.00	404.55
45.00 to 45.50	409.09
45.50 to 46.00	413.64
46.00 to 46.50	418.18
46.50 to 47.00	422.73
47.00 to 47.50	427.27
47.50 to 48.00	431.82
48.00 to 48.50	436.36
48.50 to 49.00	440.91
49.00 to 49.50	445.45
49.50 to 50.00	450.00
50.00 to 50.50	454.55
50.50 to 51.00	459.09
51.00 to 51.50	463.64
51.50 to 52.00	468.18
52.00 to 52.50	472.73
52.50 to 53.00	477.27
53.00 to 53.50	481.82
53.50 to 54.00	486.36
54.00 to 54.50	490.91
54.50 to 55.00	495.45
55.00 to 55.50	500.00
55.50 to 56.00	504.55
56.00 to 56.50	509.09
56.50 to 57.00	513.64
57.00 to 57.50	518.18
57.50 to 58.00	522.73
58.00 to 58.50	527.27
58.50 to 59.00	531.82
59.00 to 59.50	536.36
59.50 to 60.00	540.91
60.00 to 60.50	545.45
60.50 to 61.00	550.00
61.00 to 61.50	554.55
61.50 to 62.00	559.09
62.00 to 62.50	563.64
62.50 to 63.00	568.18
63.00 to 63.50	572.73
63.50 to 64.00	577.27
64.00 to 64.50	581.82
64.50 to 65.00	586.36
65.00 to 65.50	590.91
65.50 to 66.00	595.45
66.00 to 66.50	600.00
66.50 to 67.00	604.55
67.00 to 67.50	609.09
67.50 to 68.00	613.64
68.00 to 68.50	618.18
68.50 to 69.00	622.73
69.00 to 69.50	627.27
69.50 to 70.00	631.82
70.00 to 70.50	636.36
70.50 to 71.00	640.91
71.00 to 71.50	645.45
71.50 to 72.00	650.00
72.00 to 72.50	654.55
72.50 to 73.00	659.09
73.00 to 73.50	663.64
73.50 to 74.00	668.18
74.00 to 74.50	672.73
74.50 to 75.00	677.27
75.00 to 75.50	681.82
75.50 to 76.00	686.36
76.00 to 76.50	690.91
76.50 to 77.00	695.45
77.00 to 77.50	700.00
77.50 to 78.00	704.55
78.00 to 78.50	709.09
78.50 to 79.00	713.64
79.00 to 79.50	718.18
79.50 to 80.00	722.73
80.00 to 80.50	727.27
80.50 to 81.00	731.82
81.00 to 81.50	736.36
81.50 to 82.00	740.91
82.00 to 82.50	745.45
82.50 to 83.00	750.00
83.00 to 83.50	754.55
83.50 to 84.00	759.09
84.00 to 84.50	763.64
84.50 to 85.00	768.18
85.00 to 85.50	772.73
85.50 to 86.00	777.27
86.00 to 86.50	781.82
86.50 to 87.00	786.36
87.00 to 87.50	790.91
87.50 to 88.00	795.45
88.00 to 88.50	800.00
88.50 to 89.00	804.55
89.00 to 89.50	809.09
89.50 to 90.00	813.64
90.00 to 90.50	818.18
90.50 to 91.00	822.73
91.00 to 91.50	827.27
91.50 to 92.00	831.82
92.00 to 92.50	836.36
92.50 to 93.00	840.91
93.00 to 93.50	845.45
93.50 to 94.00	850.00
94.00 to 94.50	854.55
94.50 to 95.00	859.09
95.00 to 95.50	863.64
95.50 to 96.00	868.18
96.00 to 96.50	872.73
96.50 to 97.00	877.27
97.00 to 97.50	881.82
97.50 to 98.00	886.36
98.00 to 98.50	890.91
98.50 to 99.00	895.45
99.00 to 99.50	900.00
99.50 to 100.00	904.55

* Increase to \$200.
 * No increase.

§ 701.605 *Payments limited to \$10,000*—(a) *Individuals, partnerships, and estates.* The total of all payments made in connection with the 1945 program to any individual, partnership, or estate with respect to farms, ranching units, and turpentine places located within a single State, territory, or possession, shall not exceed the sum of \$10,000.

(b) *Others.* The total of all payments made in connection with the 1945 program to any person other than an individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000.

(c) *Evasion.* All or any part of any payment which has been or otherwise would be made to any person under the 1945 program may be withheld or required to be refunded if he has adapted or participated in adopting any scheme or device designed to evade, or which has the effect of evading, the provisions of this section.

§ 701.606 *Conservation materials and services*—(a) *Availability.* Lumber materials, phosphate, seeds, and other farming materials or services may be furnished by the Agricultural Adjustment Agency to producers for carrying out approved practices.

(b) *Deductions for materials and services.* Wherever materials or services are furnished, a deduction therefor shall be made in an amount determined by the Agricultural Adjustment Agency. If the producer incurs any such material or services, an additional deduction for the material or services incurred equal to the amount of the original deduction for the material or services shall be made. The deduction for materials or services shall be made from any payment to the person who obtained the materials or services, but if the amount of the materials or services exceed the amount of payment for the producer, the amount of the difference shall be paid by the producer to the Treasurer of the United States.

(c) *Materials and services in lieu of payment.* Notwithstanding any other provision in the bulletin, materials or services furnished will be in lieu of the entire payment for the farm, (1) if materials or services are furnished against the farm allowance and the increase in small payment, or (2) if the only practices performed on the farm are carried out with conservation materials or services other than services furnished by a county agricultural conservation association or other farm materials the credit value of which exceeds the cost to the Agricultural Adjustment Agency.

§ 701.607 *General provisions relating to payments*—(a) *Breaking out permanent vegetation cover.* In any area designated by the Agricultural Adjustment Agency as an area subject to serious wind erosion, a deduction of \$2.00 shall be made for each acre of native sod or any other permanent vegetative cover broken out during the 1945 program year without the approval of the county committee if the county committee finds, in accordance with stand-

ards approved by the State committee, that the land broken out is not suited to the continuing production of cultivated crops and will become a wind erosion hazard to the community. The deduction shall be made from the payment of the person responsible for breaking out the land after the payment has been increased in accordance with the provisions of § 701.604.

(b) *Failure to maintain practices under previous programs.* If the county committee determines that any conservation practice carried out under previous agricultural conservation programs is not maintained in accordance with good farming practices or the effectiveness of any such practice is destroyed during the 1945 program year, a deduction shall be made for the extent of the practice destroyed or not maintained. The deduction rate shall be the 1945 practice rate, or if the practice is not offered in 1945, the practice rate in effect during the year the practice was performed. The deduction shall be made from the payment of the person responsible for destroying or not maintaining the practice after the payment has been increased in accordance with the provisions of § 701.604.

(c) *Practices defeating purposes of programs.* If the State committee finds that any producer has adopted or participated in any practice which tends to defeat the purposes of the 1945 or previous programs, it may withhold or require to be refunded all or any part of any payment which has been or would be computed for such person.

(d) *Depriving others of payment.* If the State committee finds that any person has employed any scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under the program, it may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require him to refund in whole or in part, the amount of any payment which has been or would otherwise be made to him in connection with the 1945 program.

(e) *Failure to carry out approved erosion control measures.* Payment will not be made to any person with respect to any farm which he owns or operates in a county if the county committee finds that he has been negligent and careless in his farming operations by failing to carry out approved erosion-control measures on land under his control to the extent that any part of such land has become an erosion hazard during the 1945 program year to other land in the community.

(f) *Payment computed and made without regard to claims.* Any payment or share of payment shall be computed and made without regard to questions of title under State law without deduction of claims for advances (except as provided in paragraph (g) of this section, and except for indebtedness to the United States subject to set-off under orders issued by the War Food Administrator), and without regard to any claim or lien against any crop, or proceeds

thereof, in favor of the owner or any other creditor.

(g) *Assignments.* Any person who may be entitled to any payment in connection with the 1945 program may assign his payment in whole or in part as security for cash loaned or advances made for the purpose of financing the making of a crop in 1945. No assignment will be recognized unless it is made in writing on Form ACP-69 and in accordance with the instructions (ACP-70) issued by the Agricultural Adjustment Agency.

§ 701.608 *Application for payment—*

(a) *Persons eligible to file applications.* Except where conservation materials or services are furnished in lieu of the entire payment for the farm, an application for payment with respect to a farm may be made by any producer who is entitled to share in the payment for carrying out approved practices.

(b) *Time and manner of filing application and information required.* Payment will be made only upon application submitted on the prescribed form to the county office. Where conservation materials or services are furnished by the Agricultural Adjustment Agency, there need be reported on the application for payment with respect to such materials and services only the total credit and deduction value of the materials and services furnished. Payment may be withheld from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another. Any application for payment may be rejected if any form or information required of the applicant is not submitted to the county office within the time fixed by the regional director, which time shall not be later than December 31, 1946. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms or required information, and any time limit fixed shall afford a full and fair opportunity to those eligible to file the form or information within the period prescribed. Such notice shall be given by mailing notice to the office of each county committee and making copies available to the press.

§ 701.609 *Appeals.* Any producer may, within 15 days after notice thereof is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination in any matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify him of its decision in writing within 15 days after receipt of written request for reconsideration. If the producer is dissatisfied with the decision of the county committee he may, within 15 days after the decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify him of its decision in writing within 30 days after the submission of the appeal. If he is dissatisfied with the decision of the State committee, he may, within 15 days after its decision is forwarded to

or made available to him, request the regional director to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each other producer on the farm who may be adversely affected by the decision.

§ 701.610 *State and regional bulletins, instructions, and forms.* The Agricultural Adjustment Agency is authorized to make determinations and to prepare and issue State and regional bulletins, instructions and forms required in administering the 1945 program.

§ 701.611 *Definitions.* For the purposes of the 1945 program:

(a) *Officials.* (1) "War Food Administrator" means the Administrator of the War Food Administration.

(2) "Chief" means the Chief of the Agricultural Adjustment Agency.

(3) "Regional director" means the director of the division of the Agricultural Adjustment Agency in charge of the agricultural conservation programs in the region to which that division relates.

(4) "State committee" or "State agricultural conservation committee" means the group of persons designated within any State to assist in the administration of the agricultural conservation program in that State.

(5) "County committee" or "county agricultural conservation committee" means the group of persons elected within any county to assist in the administration of the agricultural conservation programs in that county.

(b) *Regions.* (1) "Northeast Region" means the area included in the States of Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

(2) "East Central Region" means the area included in the States of Delaware, Kentucky, Maryland, North Carolina, Tennessee, Virginia, and West Virginia.

(3) "Southern Region" means the area included in the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, and Texas.

(4) "North Central Region" means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

(5) "Western Region" means the area included in the States of Arizona, California, Colorado, Idaho, Kansas, Montana, Nevada, New Mexico, North Dakota, Oregon, Utah, Washington, and Wyoming.

(c) *Farms.* "Farm" means all adjacent or nearby farm or range land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm or range land which the county committee, in accordance with instructions issued by the Agricultural Adjustment Agency, determines is operated by the same person as part of the same unit in producing range livestock or with respect to the rotation of crops and with

workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(d) *Miscellaneous.* (1) "Person" means an individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(2) "Producer" means any person who as landlord, tenant, or sharecropper, participates in the operation of a farm.

§ 701.612 *Authority, availability of funds and applicability*—(a) *Authority.* This program is approved pursuant to the authority vested in the Secretary of Agriculture under section 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, (49 Stat. 1148, 16 U.S.C. 590g to 590q) and in the War Food Administrator by Executive Order No. 9322, as amended by Executive Order No. 9334.

(b) *Availability of funds.* The provisions of the 1945 program are necessarily subject to such legislation as the Congress of the United States may hereafter enact; the making of the payments herein provided is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation.

The funds provided for the 1945 program will not be available for the payment of applications filed in the county office after December 31, 1946.

(c) *Applicability.* The provisions of the 1945 program contained herein, except § 701.605 are not applicable to (1) Hawaii, Puerto Rico, and Alaska; (2) any department or bureau of the United States Government or any corporation wholly owned by the United States; and (3) grazing lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership, including, but not limited to, grazing lands administered under the Taylor Grazing Act or by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture or by the Bureau of Biological Survey of the United States Department of the Interior.

The program is applicable to (1) privately-owned lands; (2) lands owned by a State or political subdivision or agency thereof; (3) lands owned by corporations which are partly owned by the United States, such as Federal Land Banks and Production Credit Associations; (4) lands temporarily owned by the United States or a corporation wholly owned by

it, which were not acquired or reserved for conservation purposes including lands administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, or by any other Government agency designated by the Agricultural Adjustment Agency; (5) any cropland farmed by private persons which is owned by the United States or a corporation wholly owned by it; and (6) Indian lands except that where grazing operations are carried out on Indian lands administered by the Department of the Interior, such lands are within the scope of the program only if covered by a written agreement approved by the Department of the Interior giving the operator an interest in the grazing and forage growing on the land and a right to occupy the land in order to carry out the grazing operations.

Done at Washington, D. C., this 10th day of January, 1945.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 45-805; Filed, Jan. 11, 1945; 3:57 p. m.]

[Tobacco 913 (Burley) Part I]

PART 724—BURLEY TOBACCO

1945-46 MARKETING QUOTA REGULATIONS

GENERAL

Sec.	
724.711	Definitions.
724.712	Extent of calculations and rule of fractions.
724.713	Instructions and forms.
724.714	Applicability of §§ 724.711 to 724.723, inclusive.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

724.715	Determination of acreage allotments for old farms.
724.716	Reduction of acreage allotments for violations of marketing quota regulations for a prior marketing year.
724.717	Adjustments by county committees.
724.718	Reallocation of retired farm allotments.
724.719	Farms subdivided or combined.
724.720	Determination of normal yields.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

724.721	Determination of acreage allotments for new farms.
724.722	Time for filing application.
724.723	Determination of normal yields.

AUTHORITY: §§ 724.711 to 724.723, inclusive, issued under 52 Stat. 39, 47; 54 Stat. 332; 13 Stat. 1261; 59 Stat. 51; 7 U. S. C. 1939 c.l. 1301 (b), 1313; 52 Stat. 69; 7 U. S. C. 1949 ed. 1376; Public Law 118, 73th Congress, as amended by Public Law 276, 76th Congress; Executive Order 8289 of December 5, 1942; and Executive Order 8323 of March 23, 1943, as amended, by Executive Order 8334 of April 10, 1943, as further amended by Executive Order 8382 of October 23, 1943; 54 Stat. 679; 65 Stat. 236; 59 Stat. 121; 60 Stat. 170.

GENERAL

§ 724.711 *Definitions.* (a) "County committee" means the group of persons

selected within any county to assist in the administration of the Agricultural Conservation Programs in such county.

(b) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Agricultural Adjustment Agency, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(c) "New farm" means a farm on which tobacco was not produced in any of the five years 1940 to 1944 but on which tobacco will be produced in 1945.

(d) "Old farm" means a farm on which tobacco was produced in one or more of the five years 1940 to 1944.

(e) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(f) "Person" means an individual, partnership, association, corporation, estate or trust or other business enterprise or other legal entity and wherever applicable, a State, a political subdivision of a State or any agency thereof.

(g) "State committee" means the group of persons designated within any State to assist in the administration of the Agricultural Conservation Programs in such State.

(h) "Tobacco" means Burley tobacco as classified in Service and Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture, as type 31.

§ 724.712 *Extent of calculations and rule of fractions.* All acreages shall be calculated to the nearest one-tenth acre. All percentages shall be calculated to the nearest whole percent except that in calculating the percent of excess acreage, all fractions shall be dropped if the percentage is more than one percent, and all fractions of less than a tenth shall be dropped if the percentage is less than one percent.

§ 724.713 *Instructions and forms.* The Chief of the Agricultural Adjustment Agency shall cause to be prepared and issued such instructions and such forms as may be deemed necessary or expedient for carrying out §§ 724.711 to 724.723, inclusive.

§ 724.714 *Applicability of §§ 724.711 to 724.723, inclusive.* Sections 724.711 to 724.723, inclusive, shall govern the establishment of farm acreage allotments

and normal yields for Burley tobacco in connection with farm marketing quotas for the marketing year beginning October 1, 1945.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

§ 724.715 *Determination of acreage allotments for old farms.* The tobacco acreage allotment for an old farm shall be the 1944 acreage allotment for the farm, adjusted in accordance with §§ 724.716, 724.717, and 724.718, below. For the purposes of this section, the 1944 acreage allotment shall include any acreage by which the 1944 allotment for the farm was reduced because of a violation of the marketing quota regulations for a prior marketing year but shall not include any acreage allotted in 1944 from State pools unless the owner of the farm was dispossessed of another farm through acquisition thereof by a Federal agency for National defense purposes. No allotment shall be established under this section for any farm on which no tobacco was grown in any of the five years 1940 to 1944, inclusive.

§ 724.716 *Reduction of acreage allotment for violation of the marketing quota regulations for a prior marketing year.* If tobacco was sold or was permitted to be sold in any marketing year on a marketing card for any farm which in fact was produced on a different farm, the acreage allotment established for both such farms for 1944 shall be reduced by the amount of tobacco so marketed; *Provided*, That such reduction shall not be made if the War Food Administrator, through the county committee, determines that no person connected with such farm caused, aided, or acquiesced in such marketing. If proof of the disposition of any amount of tobacco produced on a farm is not furnished as required by the War Food Administrator, the acreage allotment shall be reduced by such amount of tobacco. This section shall not apply if the allotment for any prior year was reduced on account of the same violation.

The amount of tobacco involved will be converted to an acreage basis by dividing such amount of tobacco by the actual yield for the farm during the year in which such tobacco was produced, or if the actual yield cannot be determined, by the estimated yield for the farm for such year.

§ 724.717 *Adjustments by county committees.* An acreage not in excess of two percent of the 1940 acreage allotment for each State will be available for allotment by the respective county committees. An old farm shall be eligible for adjustment as provided hereunder if the committee finds that the 1944 allotment for the farm is relatively smaller in relation to the land, labor and equipment available for the production of tobacco on the farm than the average of the allotments in relation to such factors on other old farms in the county. In making the adjustment in the farm acreage allotment, the county committee shall consider the past acreage of tobacco (harvested and diverted), the land, labor and equipment

available for the production of tobacco, and crop rotation practices. Without prior approval of the State committee, the acreage allotted under this section shall not exceed one percent of the county acreage allotment for 1940.

All adjustments as provided above shall be subject to the approval of the State committee.

§ 724.718 *Reallocation of allotments released from farms removed from agricultural production.* (a) Except as provided in paragraph (b) of this section, the tobacco allotment determined or which would have been determined for any land which is removed from agricultural production because of acquisition by a State or Federal agency for any purpose or by a person for use in connection with the national defense program shall be available to the State committee for use in providing equitable allotments for farms on which tobacco was grown in one or more of the past five years, and which are operated in 1945 by persons who were producers of tobacco on land so removed from agricultural production. Insofar as possible the allotments for farms operated by such persons shall be comparable to the allotments for other old farms in the same community which are similar with respect to land, labor and equipment available for the production of tobacco, crop rotation practices, soil and other physical factors affecting the production of tobacco, taking into consideration the allotment for the land removed from agricultural production. The allotment so determined shall be subject to the approval of the State committee and shall not exceed the larger of (1) the 1945 allotment previously determined for such land, or (2) the allotment which was or would have been determined for the land removed from agricultural production; *Provided*, That in no event shall the allotment so determined exceed the larger of 20 percent of the acreage of cropland in the farm, or three acres.

(b) The allotment determined or which would have been determined for any land acquired on or since January 1, 1940 by any Federal agency for national defense purposes shall be placed in a State pool and shall be used in determining equitable allotments for farms owned or purchased by owners displaced because of acquisition of their farm by a Federal agency for national defense purposes. Upon application to the county committee, any owner so displaced shall be entitled to have an allotment for any one of the other farms owned or purchased by him equal to an allotment which would have been determined for such other farm plus the allotment which would have been determined for the farm acquired by the Federal agency. *Provided*, That such allotment shall not exceed 20 percent of the acreage of cropland in the farm. The provisions of this paragraph shall not be applicable if (1) there is any marketing quota penalty due with respect to the marketing of tobacco from the farm or by the owner of the farm at the time of its acquisition by the Federal agency;

(2) any tobacco produced on such farm has not been accounted for as required by the War Food Administrator; or (3) if the allotment next to be established for the farm acquired by the Federal agency would have been reduced because of false or improper identification of tobacco produced on or marketed from such farm.

§ 724.719 *Farms subdivided or combined.* (a) If land operated as a single farm in 1944 or any previous year has subsequently been subdivided and will be operated in 1945 as two or more farms, the 1945 tobacco acreage allotment determined or which otherwise would have been determined for the entire farm shall be apportioned among the tracts in the same proportion as the acreage of cropland suitable for the production of tobacco on each such tract in such year bore to the total number of acres of cropland suitable for the production of tobacco on the entire farm in such year unless otherwise recommended by the county committee and approved by the State committee; *Provided*, That no allotment established in 1945 for any farm having a 1943 allotment shall be less than one acre or 25 percent of the cropland on the farm, whichever is the smaller, except where such acreage allotment is adjusted downward below one acre in accordance with § 724.716.

(b) If two or more farms operated separately in 1944, or any previous year, have subsequently been combined and will be operated in 1945 as a single farm, the 1945 allotment shall be the sum of the 1945 allotments determined or which otherwise would have been determined for each of the farms composing the combination.

§ 724.720 *Determination of normal yields.* The normal yield for any old farm shall be that yield which the county committee determines is normal for the farm taking into consideration (a) the yields obtained on the farm during the years 1939-43; (b) the soil and other physical factors affecting the production of tobacco on the farm and (c) the yields obtained on other farms in the locality which are similar with respect to such factors. The weighted average of the normal yields for all farms in each county shall not exceed the normal yield established for the county in 1944, unless an adjustment for abnormal conditions is made by the War Food Administrator upon recommendations of the State committee.

ACREAGE ALLOTMENTS AND YIELDS FOR NEW FARMS

§ 724.721 *Determination of acreage allotments for new farms.* The acreage allotment, other than an allotment made under § 724.718 (b) for a new farm shall be that acreage which the county committee determines is fair and reasonable for the farm taking into consideration the land, labor and equipment available for the production of tobacco, crop rotation practices, the soil and other physical factors affecting the production of tobacco; *Provided*, That the acreage allotment so determined shall not exceed

the smaller of (a) seventy-five percent of the allotments established pursuant to § 724.715 for old farms which are similar with respect to land, labor and equipment available for the production of tobacco, crop rotation practices, and the soil and other physical factors affecting the production of tobacco, or (b) fifty percent of the cropland in the farm.

Notwithstanding any other provisions of this section a tobacco acreage allotment shall not be established for any new farm if such farm has any other tobacco acreage allotment and unless either the operator or the person growing the tobacco (a) shall have had experience in growing burley or any other kind of tobacco during the past five years and (b) shall be living on the farm and largely dependent on this farm for his livelihood.

The acreage allotments established as provided in this section shall be subject to (a) the approval of the State committee, and (b) such downward adjustment as is necessary to bring such allotments in line with the total acreage available for allotment to all new farms. The acreage available for establishing allotments for new farms shall be five percent of the national acreage allotment for 1945.

§ 724.722 *Time for filing application.* An application for an allotment for a farm for which no allotment was established in 1944, shall be filed with the county committee prior to March 1, 1945.

§ 724.723 *Determination of normal yields.* The normal yield for a new farm shall be that yield per acre which the county committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

Done at Washington, D. C., this 11th day of January 1945.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 45-806; Filed, Jan. 11, 1945;
3:58 p. m.]

[Tobacco 913 (Flue-cured) Part I]

PART 727—FLUE-CURED TOBACCO

1945-46 MARKETING QUOTA REGULATIONS

GENERAL

Sec.	
727.711	Definitions.
727.712	Extent of calculations and rule of fractions.
727.713	Instructions and forms.
727.714	Applicability of §§ 727.711 to 727.723, inclusive.
ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS	
727.715	Determination of acreage allotments for old farms.
727.716	Reduction of acreage allotment for violation of marketing quota regulations for a prior marketing year.
727.717	Adjustments by county committees.
727.718	Reallocation of retired farm allotments.
727.719	Farms subdivided or combined.
727.720	Determination of normal yields.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

Sec.	
727.721	Determination of acreage allotments for new farms.
727.722	Time for filing application.
727.723	Determination of normal yields.

AUTHORITY: §§ 727.711 to 727.723, incl. issued under authority contained in 52 Stat. 38, 47; 54 Stat. 392; 53 Stat. 1201; 55 Stat. 51; 7 U. S. C. 1940 ed. 1301 (b), 1313; 52 Stat. 65; 7 U. S. C. 1940 ed. 1375; Pub. Law 118, 78th Cong., as amended by Pub. Law 270, 78th Cong.; E.O. 9280 of Dec. 5, 1943; and E.O. 9332 of Mar. 26, 1943, as amended, by E.O. 9334 of Apr. 19, 1943, as further amended by E.O. 9392 of Oct. 28, 1943; 54 Stat. 676; 55 Stat. 236; 56 Stat. 121; 56 Stat. 176.

GENERAL

§ 727.711 *Definitions.* (a) "County committee" means the group of persons elected within any county to assist in the administration of the Agricultural Conservation Programs in such county.

(b) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Agricultural Adjustment Agency, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(c) "New farm" means a farm on which tobacco was not produced in any of the five years 1940 to 1944 but on which tobacco will be produced in 1945.

(d) "Old farm" means a farm on which tobacco was produced in one or more of the five years 1940 to 1944.

(e) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(f) "Person" means an individual, partnership, association, corporation, estate or trust or other business enterprise or other legal entity, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(g) "State committee" means the group of persons designated within any State to assist in the administration of the Agricultural Conservation Program in such State.

(h) "Tobacco" means flue-cured tobacco as classified in Service and Regulatory Announcement No. 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture, as types 11, 12, 13, and 14.

§ 727.712 *Extent of calculations and rule of fractions.* All acreages shall be calculated to the nearest one-tenth acre.

All percentages shall be calculated to the nearest whole percent except that in calculating the percent of excess acreage, all fractions shall be dropped if the percentage is more than one percent, and all fractions of less than a tenth shall be dropped if the percentage is less than one percent.

§ 727.713 *Instructions and forms.* The Chief of the Agricultural Adjustment Agency shall cause to be prepared and issued such instructions and such forms as may be deemed necessary or expedient for carrying out §§ 727.711 to 727.723, inclusive.

§ 727.714 *Applicability of §§ 727.711 to 727.723, inclusive.* Sections 727.711 to 727.723, inclusive, shall govern the establishment of farm acreage allotments and normal yields for flue-cured tobacco in connection with farm marketing quotas for the marketing year beginning July 1, 1945.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

§ 727.715 *Determination of acreage allotments for old farms.* The tobacco acreage allotment for an old farm shall be the 1944 acreage allotment for the farm, adjusted in accordance with §§ 727.716, 727.717, and 727.718, below. For the purpose of this section, the 1944 acreage allotment shall include any acreage by which the 1944 allotment for the farm was reduced because of a violation of the marketing quota regulations for a prior marketing year, but shall not include any acreage allotted in 1944 from State pools unless the owner of the farm was dispossessed of another farm through acquisition thereof by a Federal agency for National defense purposes. No allotment shall be established under this section for any farm on which no tobacco was produced in any of the five years 1940 to 1944, inclusive.

§ 727.716 *Reduction of acreage allotment for violation of the marketing quota regulations for a prior marketing year.* If tobacco was sold or was permitted to be sold in any marketing year as having been produced on any farm which in fact was produced on a different farm, the acreage allotment established for both such farms for 1945 shall be reduced by the amount of tobacco so marketed; *Provided,* That such reduction shall not be made if the War Food Administrator, through the county committee, determines that no person connected with such farm caused, aided, or acquiesced in such marketing. If proof of the disposition of any amount of tobacco produced on a farm is not furnished as required by the War Food Administrator, the acreage allotment shall be reduced by such amount of tobacco. This section shall not apply if the allotment for any prior year was reduced on account of the same violation.

The amount of tobacco involved will be converted to an acreage basis by dividing such amount of tobacco by the actual yield for the farm during the year in which such tobacco was produced, or if the actual yield cannot be determined, by the estimated yield for the farm for such year.

§ 727.717 *Adjustments by county committees.* An acreage not in excess of two percent of the 1940 acreage allotment for each State will be available for allotment by the respective county committees. An old farm shall be eligible for adjustment as provided hereunder if the committee finds that the 1944 allotment for the farm is relatively smaller in relation to the land, labor, and equipment available for the production of tobacco on the farm than the average of the allotments in relation to such factors on other old farms in the county. In making the adjustment in the farm acreage allotment, the county committee shall consider the past acreage of tobacco (harvested and diverted) the land, labor and equipment available for the production of tobacco, and crop rotation practices. Without prior approval of the State committee, the acreage allotted under this section shall not exceed one percent of the county acreage allotment for 1940.

All adjustments as provided above shall be subject to the approval of the State committee.

§ 727.718 *Reallocation of allotments released from farms removed from agricultural production.* (a) Except as provided in paragraph (b) of this section, the tobacco allotment determined or which would have been determined for any land which is removed from agricultural production because of acquisition by a State or Federal agency for any purpose or by a person for use in connection with the national defense program shall be available to the State committee for use in providing equitable allotments for farms on which tobacco was grown in one or more of the past five years, and which are operated in 1945 by persons who were producers of tobacco on land so removed from agricultural production. Insofar as possible the allotments for farms operated by such persons shall be comparable to the allotments for other old farms in the same community which are similar with respect to land, labor and equipment available for the production of tobacco, crop rotation practices, soil and other physical factors affecting the production of tobacco, taking into consideration the allotment for the land removed from agricultural production. The allotment so determined shall be subject to the approval of the State committee and shall not exceed the larger of (1) the 1945 allotment previously determined for such land, or (2) the allotment which was or would have been determined for the land removed from agricultural production; *Provided, That in no event shall the allotment so determined exceed the larger of 50 percent of the acreage of cropland in the farm, or three acres.*

(b) The allotment determined or which would have been determined for any land acquired on or since January 1, 1940, by any Federal agency for national defense purposes shall be placed in a State pool and shall be used in determining equitable allotments for farms owned or purchased by owners displaced because of acquisition of their farm by a Federal agency for national defense pur-

poses. Upon application to the county committee, any owner so displaced shall be entitled to have an allotment for any one of the other farms owned or purchased by him equal to an allotment which would have been determined for such other farm plus the allotment which would have been determined for the farm acquired by the Federal agency. *Provided, That such allotment shall not exceed 50 percent of the acreage of cropland in the farm. The provisions of this paragraph shall not be applicable if (1) there is any marketing quota penalty due with respect to the marketing of tobacco from the farm or by the owner of the farm at the time of its acquisition by the Federal agency; (2) any tobacco produced on such farm has not been accounted for as required by the War Food Administrator; or (3) if the allotment next to be established for the farm acquired by the Federal agency would have been reduced because of false or improper identification of tobacco produced on or marketed from such farm.*

§ 727.719 *Farm subdivided or combined.* (a) If land operated as a single farm in 1944 or any previous year has subsequently been subdivided and will be operated in 1945 as two or more farms, the 1945 tobacco acreage allotment determined or which otherwise would have been determined for the entire farm shall be apportioned among the tracts in the same proportion as the acreage of cropland suitable for the production of tobacco on each such tract in such year bore to the total number of acres of cropland suitable for the production of tobacco on the entire farm in such year unless otherwise recommended by the county committee and approved by the State committee.

(b) If two or more farms operated separately in 1944, or any previous year, have subsequently been combined and will be operated in 1945 as a single farm, the 1945 allotment shall be the sum of the 1945 allotments determined or which otherwise would have been determined for each of the farms composing the combination.

§ 727.720 *Determination of normal yields.* The normal yield for any old farm shall be that yield which the county committee determines is normal for the farm taking into consideration (a) the yields obtained on the farm during the years 1939-43; (b) the soil and other physical factors affecting the production of tobacco on the farm and (c) the yields obtained on other farms in the locality which are similar with respect to such factors. The weighted average of the normal yields for all farms in each county shall not exceed the normal yield established for the county in 1944, unless an adjustment for abnormal conditions is made by the War Food Administrator upon recommendations of the State committee.

ACREAGE ALLOTMENTS AND YIELDS FOR NEW FARMS

§ 727.721 *Determination of acreage allotments for new farms.* The acreage allotment, other than an allotment made

under § 727.718 (b), for a new farm shall be that acreage which the county committee determines is fair and reasonable for the farm taking into consideration the land, labor and equipment available for the production of tobacco, crop rotation practices, the soil and other physical factors affecting the production of tobacco: *Provided, That the acreage allotment so determined shall not exceed the smaller of (a) fifty percent of the allotments established pursuant to § 727.715 for old farms which are similar with respect to land, labor, and equipment available for the production of tobacco, crop rotation practices, and the soil and other physical factors affecting the production of tobacco, or (b) fifty percent of the cropland in the farm.*

Notwithstanding any other provisions of this section a tobacco acreage allotment shall not be established for any new farm if such farm has any other tobacco acreage allotment and unless either the operator or the person growing the tobacco (a) shall have had experience in growing flue-cured or any other kind of tobacco during the past five years, and (b) shall be living on the farm and largely dependent on this farm for his livelihood.

The acreage allotments established as provided in this section shall be subject to (a) the approval of the State committee, and (b) such downward adjustment as is necessary to bring such allotments in line with the total acreage available for allotment to all new farms. The acreage available for establishing allotments for new farms shall be five percent of the national acreage allotments for 1945.

§ 727.722 *Time for filing application.* An application for an allotment for a farm for which no allotment was established in 1944, shall be filed with the county committee prior to March 1, 1945.

§ 727.723 *Determination of normal yields.* The normal yield for a new farm shall be that yield per acre which the county committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

Done at Washington, D. C., this 11th day of January 1945.

WILSON COWEN,
Assistant War Food Administrator

[F. R. Doc. 45-807; Filed, Jan. 11, 1945;
3:57 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 2-8]

PART 1401—DAIRY PRODUCTS

BUTTER

Pursuant to the authority vested in me by War Food Order No. 2, as amended (8 F.R. 253, 5696, 9 F.R. 3623, 4321, 4319, 9584, 10 F.R. 103), and in order to effec-

tuate the purposes of such order, as amended, it is ordered as follows:

§ 1401.191 *Percentages of butter to be set aside in February and March 1945*—(a) *Definitions*. Each term defined in War Food Order No. 2, as amended, shall, when used herein, have the same meaning as set forth for such term in War Food Order No. 2, as amended.

(b) *Percentage*. Each person who is required by War Food Order No. 2, as amended, to set aside butter during February and March 1945 shall set aside in each of said months, in which he is required to set aside butter, a quantity of butter equal at least to the following percentages of all butter produced by him in the respective month: (1) In February, 20 percent; and (2) in March, 25 percent.

(c) *Effective date*. This order shall become effective at 12:01 a. m., e. w. t., February 1, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14785; WFO 2, 8 F.R. 253, 5696, 9 F.R. 3623; 4321, 4319, 9584, 10 F.R. 103)

Issued this 10th day of January 1945.

C. W. KITCHEN,
Acting Director of Marketing Services.

[F. R. Doc. 45-753; Filed, Jan. 10, 1945;
3:13 p. m.]

[WFO 42b-1, Termination]

PART 1460—FATS AND OILS

TERMINATION OF REPORTING REQUIREMENTS

War Food Order No. 42b-1 (9 F.R. 14803) is hereby terminated.

This order shall become effective at 12:01 a. m., e. w. t., January 11, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 42b-1, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 42b, 9 F.R. 12080)

Issued this 11th day of January 1945.

C. W. KITCHEN,
Acting Director
of Marketing Services.

[F. R. Doc. 45-799; Filed, Jan. 11, 1945;
12:13 p. m.]

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 56 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.

No. 10—2

PART 3191—CIVILIAN AIRCRAFT

[Preference Rating Order P-47, as Amended
Jan. 12, 1945]

§ 3191.21 *General Preference Rating Order P-47*—(a) *Purpose and scope*. The purpose of this order is to provide certain persons operating civilian type aircraft essential to the war effort with a uniform procedure for obtaining material for the operation of aircraft and for aircraft facilities both in the case of controlled materials obtained by use of allotment symbols under the Controlled Materials Plan and in the case of materials or products, including components, obtained by preference ratings.

(b) *Definitions*. (1) "Aircraft facility" means any material, equipment, machinery or structure used in connection with the operation or shelter or the maintenance or repair of aircraft. The term does not include "aircraft and aircraft products" as defined in Order L-48. (The term "aircraft and aircraft products" is defined in Order L-48 to mean airplanes, airframes, airplane propulsion engines, airplane propellers, gliders and aircraft training devices designed to simulate actual flying conditions.)

(2) "Operator" means any individual, partnership, association, business, trust, corporation or any organized group of persons (whether incorporated or not) other than the Army or Navy of the United States which is engaged in:

(i) The operation of a commercial airline, whether or not the airline operates outside the United States;

(ii) [Deleted Jan. 12, 1945.]

(iii) The operation of any aircraft to the extent that such aircraft is based in the Territory of Alaska.

(c) *Preference rating and allotment symbol*. Each operator is assigned a preference rating of AA-1 and is authorized to use the allotment symbol S-4 to get the materials he needs for maintenance, repair and operating supplies and for new aircraft facilities, subject to the limitations contained in the following paragraphs.

(d) *Limitations on the quantity of materials*. (1) Each operator wishing to use the preference rating and allotment symbol assigned in paragraph (c) must, on or before January 25, 1945, file Form WPB-1747, in accordance with the instructions accompanying the form, requesting approval of the War Production Board for the amount of material he will need during 1945 (by calendar quarters) for maintenance, repair and operating supplies and new aircraft facilities. The War Production Board will then issue an approval on that form for the amount of material that the operator may get during 1945 (by calendar quarters) with the preference rating and allotment symbol assigned in paragraph (c). No operator may use that preference rating or allotment symbol to get in any calendar quarter (beginning with the first calendar quarter of 1945) an amount of material costing more than the amount

approved on the form for the particular quarter.

(2) Until the War Production Board approves an amount of materials on Form WPB-1747 for the first quarter of 1945, each operator may use the preference rating and allotment symbol assigned above to get an amount of materials equalling not more than one and one-third times the amount approved for him on Form WPB-1747 for the second calendar quarter of 1944, or, if no amount was approved for him for that quarter, an amount of materials equalling not more than one and one-third times the amount most recently approved for him by the War Production Board on Form WPB-1747 for a calendar quarter of 1944. In passing on the applications required to be filed under paragraph (d) (1) above, the War Production Board will, in no event, approve for the first quarter of 1945 an amount less than that permitted in this paragraph (d) (2).

(3) Any operator who wishes to get an amount of material in excess of the amount approved under paragraph (d) (1) should file Form WPB-1747 requesting approval from the War Production Board for materials in excess of the previously approved amounts; and if the War Production Board approves the application, it will authorize the use of the preference rating and allotment symbol assigned in paragraph (c) to get a specified amount of materials in excess of the previously approved amounts. Also, any new operator may file Form WPB-1747 requesting an approval for the materials he needs.

Note: Subparagraph (4) formerly (3) redesignated Jan. 12, 1945.

(4) In addition, any operator wishing to purchase any aircraft or aircraft products, as defined in Order L-48, must comply with the provisions of that order. The preference rating assigned by this Order P-47 may not be used to get any item for which an authorization is obtained under Order L-48.

(e) *Limitation on the purchase of materials for construction jobs*. Materials obtained under the provisions of paragraphs (c) and (d) of this order may be used for construction jobs needed to carry on an operator's aircraft operations but only if the cost of the material used in the job does not exceed \$2,500. (In determining the cost of material, the cost of any equipment which is being installed for use in the maintenance, repair or operation of aircraft may be excluded. No construction job shall be subdivided for the purpose of coming within the \$2500 limit.) Any such construction job may be carried on without getting permission to begin construction under Order L-41. All other construc-

tion may be carried on only to the extent permitted under the provisions of Order L-41. The term "construction" is defined in paragraph (b) of Order L-41.

(f) Application for items requiring assignment of ratings to specific quantities and types of materials. Any operator may file Form WPB-1747 for items which under Priorities Regulation No. 3 (items on List B) or under any other order or regulation of the War Production Board, can be purchased with preference rating assistance only if the preference rating is specifically assigned to deliveries of specific quantities and types of materials. The War Production Board may authorize the use of a preference rating for those items. However, if a War Production Board order or regulation with respect to a particular material provides that a rating for that material must be assigned on a particular form, then the application must be made on that form and not on Form WPB-1747.

(g) Acquisition of materials. Operators may obtain materials under this order by placing on their purchase orders the following certification, (or the alternative form of certification provided in CMP Regulation No. 7), signed manually or as provided in Priorities Regulation No. 7.

CMP Allotment symbol S-4 (Serial No. _____). Preference Rating AA-1, S-4. The undersigned certifies subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the items covered by this order are within the amounts approved by the War Production Board under Preference Rating Order P-47, and are to be used for a purpose so approved.

Name _____
By _____
Authorized Official.

Date _____

The operator should include in his certificate the serial number assigned to him in his approved Form WPB-1747. A purchase order for controlled materials bearing this certification shall be deemed an authorized controlled material order for the purpose of all CMP Regulations.

(h) Penalties for misrepresentation. (1) The placing of any order bearing a certification or symbol, as provided by this order, shall constitute a representation, subject to the criminal penalties of section 35 (A) of the United States Criminal Code (18 U. S. C. 80) that the person placing the order is entitled, under the terms of this order, to use of the symbol or preference rating indicated thereon.

(i) Inventory restrictions. No operator shall receive any delivery if acceptance thereof would increase his inventory above a practicable working minimum, as provided in § 944.14 of Priorities Regulation No. 1, or would exceed the inventory limitations prescribed for such

person by CMP Regulation No. 2, or by any other applicable regulation or order of the War Production Board.

(j) Applicability of other orders and regulations. (1) Nothing in this order shall be construed to relieve any person from complying with any applicable regulation or order of the War Production Board (including orders in the "E" "L", and "M" series) or with any order of any other competent authority.

(2) No operator may acquire material by the use of CMP Regulation No. 5 or No. 5A. Persons needing maintenance, repair and operating supplies for aircraft who are not operators within the meaning of this order may use CMP Regulation 5 or 5A where applicable or any other applicable order or regulation of the War Production Board.

(k) Communications. All communications concerning this order should be addressed to: War Production Board, Washington 25, D. C. Ref: P-47.

(l) [Deleted Jan. 12, 1945.]

Issued this 12th day of January 1945.

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

[F. R. Doc. 45-832; Filed, Jan. 12, 1945; 11:44 a. m.]

PART 3191—CIVILIAN AIRCRAFT

[Preference Rating Order P-47, Revocation of Direction 1]

Direction 1 to Preference Order Rating P-47 is hereby revoked. This revocation does not affect any liabilities incurred under Preference Rating Order P-47, or under this Direction 1.

54-40.....	1234	814	6564	234	56	3342	1	20-2110
54-51.....	1676	1034	6146	3	94	31422	1	20-2110
54-76.....	3376	17	896	34764	2952	476	1	20-2110

2. By adding at the end of the order a Drawing entitled "Syrup Jar" and various specifications which shall appear as follows:

SYRUP JAR
EXHIBIT SERIES 21-00

Exhibit No.	Size	Overflow capacity (oz.)	Maximum weight (oz.)	A	B	C	D	E	Finish No.
21-85.....	5lb.....	63½	22	7½½	5½2	1	37½2	2¾	63-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Stippling may be substituted for fluting in the decorated areas shown at shoulder and

Issued this 12th day of January 1945.
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.
[F. R. Doc. 45-836; Filed, Jan. 12, 1945; 11:44 a. m.]

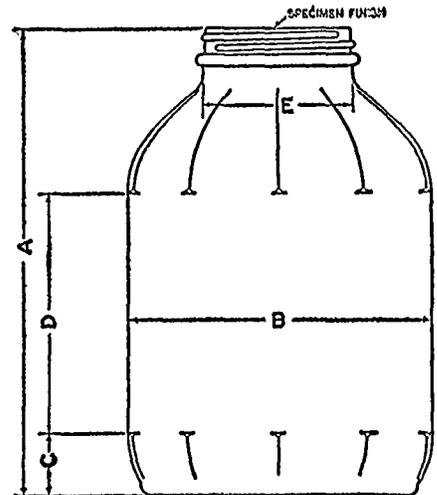
PART 3270—CONTAINERS
[Limitation Order L-103, as Amended June 10, 1944, Amtd. 2]

GLASS CONTAINER AND CLOSURE SIMPLIFICATION

Section 3270.46 *Limitation Order L-103* is amended as follows:

1. By adding three additional sizes to Exhibit Series No. 54-00 which is shown after Drawing No. 19 entitled "Round Food Line Bottle" to appear as follows:

DRAWING NO. 20—SYRUP JAR



54-40.....	1234	814	6564	234	56	3342	1	20-2110
54-51.....	1676	1034	6146	3	94	31422	1	20-2110
54-76.....	3376	17	896	34764	2952	476	1	20-2110

- heel. Containers shall be either fluted or stippled, never plain.
5. Container shall be round.
6. Bottom stippling optional.

Issued this 12th day of January 1945.

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

[F. R. Doc. 45-835; Filed, Jan. 12, 1945; 11:44 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-103, Schedule C, as Amended Jan. 12, 1945]

GLASS CONTAINER AND CLOSURE SIMPLIFICATION; GLASS CONTAINERS FOR CERTAIN FOOD PRODUCTS

§ 3270.49 Schedule C to Limitation Order L-103—(a) Definition. For the purposes of this schedule:

“Standard glass container” means any container constructed in accordance with the specifications and design prescribed by any exhibit set forth in Drawings 1 to 15, inclusive, and Drawings 19 and 20, annexed to Order L-103, which possesses the finish prescribed for such exhibit or, subject to the provisions of paragraph (b) (2) hereof, any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L-103.

(Note that in accordance with the footnotes to Drawings 7, 8, 9 and 13 glass containers conforming to the specifications of the following exhibits constitute “standard glass containers” for the purposes of this schedule only if they are manufactured before December 20, 1943—16-30, 16-31, 17-09, 17-11, 17-22, 17-76, 18-08, 18-14, 51-37, 51-39, 51-92, 51-95, 51-97, 51-99.)

(b) Restrictions on use. (1) With the exceptions set forth in paragraph (c) of this schedule, on and after July 4, 1943, no person shall use a glass container for the packing for sale of any product listed in the annexed table, except a standard glass container, having a capacity equal to or greater than that specified for such product in column II of said table.

(2) Notwithstanding the provisions of paragraph (g) of Order L-103, no person shall use for the packing for sale of any product listed in the table annexed to this schedule any glass container with a “deep screw cap” finish, except as specifically permitted by an exhibit authorized for such product.

(c) Exceptions. (1) Nothing in this schedule shall prevent the use, for the packing of any product listed in the annexed table, of any glass containers which were completely manufactured before the 4th day of July 1943.

(2) Nothing in this schedule shall restrict the sale, delivery, use or manufacture of glass containers with a capacity larger than 140 fluid ounces, of designs that existed on May 11, 1942.

(3) Nothing in this schedule shall prohibit any person who packed less than a total of 5,000 containers with all of the products listed in the annexed table during the calendar year 1942 from purchasing, accepting delivery of, or using without restriction, during any subsequent calendar year, a maximum of 5,000 glass containers for packing such products.

(4) Except as specifically permitted by the drawings and exhibits annexed to Order L-103 molded lettering or decoration on standard glass containers for the respective products listed in said table shall be limited to the manufacturers’

identification (which may include trademark, name, symbol), place of manufacture, date of manufacture by year, design number, and mold or cavity number.

(d) Manufacture. (1) No person shall manufacture, sell, or deliver any glass container which he knows, or has reason to believe, will be used in violation of any provision of this schedule.

(2) On and after the 5th day of April 1943, no molds may be manufactured for a container for any of the products listed in the annexed table which does not conform to the specifications of a standard glass container usable for such product, nor may any mold for a container for a product listed in the annexed table be replaced—whether because of wear or for any other reason—except by a mold which conforms to said specifications.

Issued this 12th day of January 1945.

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

TABLE

I. Product	II. Minimum overflow capacity in fluid ounces
1. Fruit butter.....	13
2. Preserves.....	12
3. Jelly.....	10
4. Salad dressings (including products using salad dressing as a base)....	18
5. Olive oil.....	2
6. Edible oils (other than olive oil)....	16
7. Shortenings.....	20
8. Maple syrup.....	12
9. Syrups (except chocolate and maple), including blended, bottlers, cane, corn, molasses, sorghum, malt, and fountain syrups.....	16
10. Chocolate syrup.....	10
11. Tomato catsup.....	12
12. Chili sauce and cocktail sauce.....	10
13. Tomato paste Not less than 25% by weight dry tomato solids.....	10
14. Tomato pulp and purée Not less than 10.7% (specific gravity 1.045) or more than 25% by weight dry tomato solids.....	12
15. Vinegar.....	10
16. Fruits and vegetables and mixtures thereof, including ripe olives, but excluding cranberries and maraschino cherries.....	10
17. Honey.....	10
18. Pickles and relishes.....	18
19. Peanut butter.....	18
20. Fruit and vegetable juices and mixtures thereof.....	12
21. Olives, green.....	16
22. Maraschino cherries.....	17
23. Cranberries and cranberry sauce.....	10
24. Mustard, including, but not limited to, prepared mustard, horseradish mustard, compound mustard, and imitation mustard.....	10

* Any tumbler may be used (in addition to standard) for packing the applicable product provided:

(i) Such tumbler was made from a mold that was actually in existence on or before April 5, 1943;

(ii) Such tumbler has no larger than a 70 mm. finish;

(iii) The capacity of such tumbler is no less than 8 fl. oz. and no greater than 9½ fl. oz.

* Until completion of the 1943 packing season for tomato catsup, any bottle of a design previously used for tomato catsup may be

used therefor, in addition to the specified standards, provided:

(i) Said bottle was made from a mold actually in existence on April 5, 1943;

(ii) Such bottle is made to hold 14 oz. by weight of tomato catsup;

(iii) The height of such bottle to the “fill point” does not exceed 7½ inches.

After completion of 1943 tomato catsup packing season, only the containers permitted for said product pursuant to paragraph (b) (1) of this schedule may be used.

* Standard glass containers having a capacity equal to or greater than 3 oz. (and less than 5 oz.) may be used for olives, and standard glass containers having a capacity equal to or greater than 4 oz. (and less than 7 oz.) may be used for maraschino cherries, provided these containers were completely manufactured on or before December 23, 1943.

* Nothing in this schedule shall prevent the use for the packing of mustard of any glass container which was completely manufactured before June 23, 1944.

[P. E. Dec. 45-603; Filed, Jan. 12, 1945; 11:44 a. m.]

PART 3230—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317, Director 10]

RESTRICTIONS ON SALE AND USE OF NARROW COTTON WEBBINGS AND TAPES

The following direction is issued pursuant to General Conservation Order M-317:

(a) The purpose of this direction is to make available for the Army additional narrow cotton webbings and tapes needed for equipment bindings.

(b) The cotton webbings and tapes affected by this direction are all non-elastic narrow cotton woven webbings and tapes, constructed of ply yarns, in standard put-up lengths and packaging, in all widths ranging from ¼" to 3" inclusive, and weighing not more than 0.75 oz. per linear yard for a 1" width, and proportionately for other widths (not more than 0.625 oz. per linear yard for ¾" width, and not more than 1.125 oz. per linear yard for 1½" width, etc.).

(c) No person, other than a United States Government Agency, shall sell, deliver, use or in any way change the length or packaging of, any webbings or tapes described in paragraph (b) above, unless:

(1) It is a sale, delivery or use from an inventory of less than 2,000 yards of the webbings or tapes, or

(2) The webbings or tapes have already been packaged for over-the-counter retail sale, or

(3) The webbings or tapes will be incorporated into a product for ultimate delivery to the Army or the Navy, or

(4) The webbings or tapes will be used for power or transmission holding or for electrical insulation, or

(5) The webbings or tapes are being sold, delivered or used to fill an order bearing a preference rating of AA-2X or higher, or

(6) The webbings or tapes have first been offered for sale to the Quartermaster General of the United States, Room 2112, Temporary B Building, Washington, D. C., and have been rejected by him in writing. Offers made to the Quartermaster General should state the number of yards of each type of webbing or tape offered, its construction or yarn count,

weight per linear yard and price. A 12" sample of each type should also accompany the offer.

(d) No person shall purchase or accept delivery of any webbings or tapes described in paragraph (b) above if he knows or has reason to believe that they are being sold or delivered, or that they will be used, in violation of the provisions of paragraph (c).

Issued this 12th day of January 1945.

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

[F. R. Doc. 45-831; Filed, Jan. 12, 1945;
11:44 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 5
as Amended Jan. 12, 1945]

PEROXYGEN CHEMICALS

§ 3293.1005 *Schedule 5 to General Allocation Order M-300—(a) Definition.* "Peroxygen chemicals" mean any one or more of the following: hydrogen peroxide; sodium peroxide; sodium perborate.

(b) *General provisions.* Peroxygen chemicals are subject to allocation under General Allocation Order M-300 as Appendix B materials. The initial allocation date is April 1, 1944. The allocation period is the calendar month.

(c) *Small order exemption.* The small order exemption, per month, for each of the peroxygen chemicals (i. e., the amount which any person may receive from all suppliers) is as follows:

- (1) Hydrogen peroxide (100 volume equivalent), 120 pounds.
- (2) Sodium peroxide, 75 pounds.
- (3) Sodium perborate, 25 pounds.

(d) *Supplier's application on Form WPB-2947* (1) Each supplier requiring authorization to use or deliver the peroxygen chemicals shall file application on Form WPB-2947 (formerly PD-602) on or before the 20th day of the month preceding the month for which allocations are sought. A separate set of forms shall be prepared and filed for each of the peroxygen chemicals for which authorization to use or deliver is requested.

(2) Each supplier shall list, individually, the names of customers who have placed orders for more than the quantity permitted for small orders. No such individual order shall be listed or filled unless the customer has filed with the supplier the required end-use certificate. In addition, an item should be included for "small orders received" which shall show the aggregate quantity requested to fill small orders without listing the names of the individuals placing the small orders. A supplier may also request, as a separate item, an estimated quantity to cover "small orders anticipated."

(3) Normally the War Production Board will issue its authorizations and directions on Form WPB-2947 and, in addition to making individual allocations for listed customers, will allocate a lump sum for small orders.

(4) Form WPB-2947 should be completely filled in. The unit of measure for the peroxygen chemicals is pounds. No grade need be specified except as to hy-

drogen peroxide in which case the volume of the material shall be stated. In Columns 5 and 5-a of Table I the supplier may, but need not, enter the quantity which he recommends for delivery. In Column 7 of Table I the supplier should enter a statement of the average monthly purchases made by each customer listed in Column 1 during the six months period of January to June, inclusive, 1943.

(e) *Customer's certificate of end use.*

(1) Each person ordering for delivery in any month more than the quantities of any of the chemicals permitted by the small order exemption shall furnish to each supplier with whom an order is placed a certified statement of the proposed use of such chemicals. The certification shall be in the form and subject to the instructions set forth in Appendix D of General Allocation Order M-300.

(2) Customers' orders accompanied by such certifications should be in the hands of suppliers not later than the 14th day of the month preceding the period during which delivery is sought. This is necessary to enable suppliers to file on time their requests for allocations with the War Production Board.

(3) A certificate shall separately list each of the peroxygen chemicals ordered and shall also separately state the quantity of each of the peroxygen chemicals required for a particular primary product and end use.

(4) No supplier shall deliver any of the peroxygen chemicals to any person when he knows or has reason to believe such person's certificate to be false; but in the absence of such knowledge or reason to believe, the supplier may rely on the certificate.

(f) *Customer's one-time report.* (1) Each person (excluding government departments or agencies) who orders for delivery in any month more than the exempt quantity of any of the peroxygen chemicals shall file with the War Production Board—one time only with respect to any one of such chemicals—a report on Form WPB-3442. A separate report should be filed for each of the peroxygen chemicals so ordered. This report is required for the purpose of advising the War Production Board as to the quantity of each of the peroxygen chemicals consumed during the calendar year 1943. A report for each of the peroxygen chemicals shall be filed not later than the 20th day of the month preceding the month during which delivery of such chemical is sought, but in any case need not be filed before March 20, 1944.

(2) Copies of Form WPB-3442 may be obtained at local field offices of the War Production Board. One signed copy shall be forwarded to the War Production Board, Washington 25, D. C. In Section I, above Column (c) specify "calendar year, 1943". Columns (d) to (g) inclusive, may be left blank. No grade need be specified except in the case of hydrogen peroxide, in which case the volume of the material should be specified in Column (b). In Section II, Column (b) the date to be specified is December 31, 1943; in Column (c) the date to be speci-

fied is the last day of the month preceding the month in which the report is filed. Column (d) may be left blank.

(g) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-5.

NOTE: Forms WPB-2947 and 3442 and the instructions in this schedule and the appendices of order M-300 for applications for the peroxygen chemicals have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of January 1945.

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

[F. R. Doc. 45-834; Filed, Jan. 12, 1945;
11:44 a. m.]

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[RPS 6, Amdt. 11]

IRON AND STEEL PRODUCTS

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

Section 1306.10, Appendix A, is amended by adding a new paragraph (j) to read as follows:

(j) (1) *Additions to maximum prices for certain prime quality products.* Notwithstanding the provisions of any other section of this Revised Price Schedule No. 6 there may be added to the maximum delivered prices established by this schedule the amounts indicated for the products listed below, in prime quality:

(i) Carbon steel plates produced to width and length tolerances given in Table III and Table IV of Part III of the A. I. S. I. Carbon Steel Plate Manual—10¢ per 100 lbs.

(ii) Carbon steel hot rolled sheets, and carbon steel hot rolled sheet specialty products which are priced at an extra over the hot rolled sheet base price—10¢ per 100 lbs.

(iii) Galvanized sheets, galvanized roofing and siding and zinc coated specialty sheets other than galvanized—15¢ per 100 lbs.

(iv) Rails, all types and grades—\$3.00 per G. T.

(v) Nails and staples other than galvanized—25¢ per 100 lbs.

(2) The increases granted in this § 1306.10 (j) shall apply to all shipments made on and after the effective date hereof.

(3) The increases granted in this § 1306.10 (j) may not be added to prices established by individual price adjustment. The companies to which individual price adjustments have heretofore been granted may sell at the prices established in this paragraph or at the prices established by their individual adjustment order, at their option.

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

This amendment shall become effective January 11, 1945.

Issued this 11th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-809; Filed, Jan. 11, 1945;
4:18 p. m.]

PART 1404—RATIONING OF FOOTWEAR
[RO 17; Amdt. 87]

SHOES

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

Ration Order 17 is amended in the following respects:

1. Section 1.7 (b) is amended by deleting the first sentence and substituting instead the following: "Any employer having employees who require safety shoes for the protection of their health or safety may make application to, and upon approval obtain from, the District Office the number of special shoe stamps necessary to allow the acquisition by his employees of a two months' supply of safety shoes. However, the District Director may refuse such application if he determines that the plant is adequately served by a Plant Area Board."

2. Section 2.11 (a) (22) is added to read as follows:

(22) Shoes made with a non-leather outersole, midsole and innersole and which contain no leather in the upper other than pig strips which were processed as upper leather before January 16, 1945.

3. Section 2.18 (a) (3) is amended to read as follows:

(3) A manufacturing establishment shall mark on one shoe of each pair of the type specified in section 2.11 (a) (21) and (22) the word "non-rationed" and the War Production Board quota number assigned to that manufacturer for the purchase of leather before the shoes are shipped from the factory.

4. Section 3.9 (b) (7) is deleted.

5. The definition of the term "safety shoes" in section 3.13 is amended by adding the following:

The term "safety shoes" also includes genuine logger boots with calks.

This amendment shall become effective January 16, 1945.

Issued this 12th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-839; Filed, Jan. 12, 1945;
11:55 a. m.]

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

18 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2829, 3340, 3944, 4391, 5254, 5305, 6233, 6647, 6455, 7030, 7773, 8254, 8339, 8340, 8331, 9355, 9301, 10589, 10934, 10935, 11638, 11763.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16; Amdt. 34]

MEAT, FATS, FISH AND CHEESES

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

Section 10.5 (b) is amended by adding the following at the end thereof:

"However, if the food is specially prepared for use by an exempt agency (described in section 22.1) in a form which does not appear on the Official Tables of Point Values, it may be transferred in that form at a point value established, in writing, by the Washington Office upon application by the primary distributor who produced that food. The application shall be made, in writing, to the Washington Office and shall set forth a description of the product, the types and weights of foods covered by this order which are to be used in each pound of the product, whether such weights are raw weight or cooked weight, and a proposed point value per pound for the product."

This amendment shall become effective January 12, 1945.

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

Issued this 12th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-836; Filed, Jan. 12, 1945;
11:55 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16; Amdt. 25 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Second Revised Supplement 1 to Revised Ration Order 16 is amended in the following respects:

1. The Official Table of Consumer Point Values (No. 21), referred to in § 1407.3027 (a) is amended in the following respects:

a. The text under the heading "Sausage (Items not covered by adjoining tables)" is amended by deleting the words "Including chill con carne and corned beef hash" (following the third item) and substituting the following therefor:

To determine in what group sausage is, consider only foods covered by Revised

*9 F.R. 6731, 7000, 7031, 7032, 7167, 7223, 7258, 7262, 7344, 7430, 7573, 7774, 8102, 6733, 8934, 8955, 10049, 10937, 10320, 10576, 11649, 12036, 12037, 12049, 12971.

*9 F.R. 6772, 6825, 7262, 7433, 8147, 8331, 8266, 8278, 8735, 8290, 10423, 10576, 10576, 10777, 11420, 11519, 11600, 11605, 11601, 12316, 12867.

Ration Order 16 which have a point value higher than zero.

b. The text under the heading "Meats (In tin or glass containers)" is amended by adding the words "canned or brined" after each of the following items:

Chill con carne without beans
Chill con carne with beans
Corned beef hash

2. The Official Table of Trade Point Values (No. 21), referred to in § 1407.3027 (a) is amended in the following respects:

a. The text under the heading "Veal (Including Kosher)" is amended by substituting the figures "5.0" for the figures "0.0" opposite the item "Stew meat (choulder)" in the group "Fabricated veal cuts."

b. The text under the heading "Sausage (Items not covered in detailed chart)" is amended by deleting the words "chill con carne and" under the item "Fresh, smoked, and cooked sausage."

c. Footnote number 5 (beginning with the words "Percentages based on weights") is amended by deleting the second sentence (beginning with the words "To determine in what group") and substituting the following therefor:

To determine in what group sausage is, consider only foods covered by Revised Ration Order 16 which have a point value higher than zero.

d. The heading "Meats in tin or glass containers" is amended by adding the words "including brine" at the end thereof.

This amendment shall become effective January 11, 1945.

Issued this 11th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-833; Filed, Jan. 11, 1945;
4:18 p. m.]

PART 1429—FOULTRY AND EGGS

[2d EMFR 269; Correction]

FOULTRY

Second Revised Maximum Price Regulation 269 is corrected in the following respects:

1. The phrase "to alter the provisions and" is deleted from paragraph (a) (1) of section 2.3 and is inserted after the word "authorized" in paragraph (a) (2) of section 2.3.

2. The word "LaSalle" in paragraph (a) of section 4.4 is corrected to read "Lake."

This correction shall become effective as of January 1, 1945.

Issued this 12th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-842; Filed, Jan. 12, 1945;
11:50 a. m.]

*9 F.R. 10535.

PART 1499—COMMODITIES AND SERVICES
[RMPR 165, Amdt. 2 to Supp. Service Reg. 25]

DISTRIBUTOR'S COMMISSIONS

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

In § 1499.2256 (b) subparagraph (2) is amended to read as follows:

(2) All deliveries of petroleum products.

This amendment shall become effective January 17, 1945.

Issued this 12th day of January 1945.

JAMES F BROWNLEE,
Acting Administrator

[F. R. Doc. 45-840; Filed, Jan. 12, 1945;
11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 202]

RECOMPRESSION OF COTTON

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

A new section 8.2 (b) (11) is added to read as follows:

(11) *Recompression from standard density to high density.* (i) Maximum charges for recompression of cotton from standard density to high density shall be the maximum charges otherwise established under the General Maximum Price Regulation or 50 cents per bale, whichever is higher.

(ii) The above charges are subject to emergency surcharges as provided in section 8.2 (b) (6)

This amendment shall become effective January 17, 1945.

Issued this 12th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-841; Filed, Jan. 12, 1945;
11:56 a. m.]

Chapter XVIII—Office of Economic
Stabilization

PART 4003—SUPPORT PRICES; SUBSIDIES

PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

[Directive 28]

CONTROL OF PRICES OF LIVE CATTLE AND CALVES

Pursuant to the authority vested in me by the Act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to Aid in Pre-

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

venting Inflation, and for Other Purposes" and by Executive Order No. 9250 of October 3, 1942 (7 F.R. 7871), and Executive Order No. 9328 of April 8, 1943 (8 F.R. 4681), it is hereby ordered:

Sec.

1. Purpose of this order.
2. Changes in the range of prices for cattle.
3. Overriding ceiling prices on cattle and calves.
4. Maximum amounts which slaughterers may pay for cattle.
5. Changes in subsidy payments.
6. Maximum percentage of slaughter of choice and good cattle.
7. Relation of this order to the directive on livestock slaughter payments.

AUTHORITY: Sections 1 to 7, inclusive, issued under E.O. 9250 and E.O. 9328.

SECTION 1. *Purposes of this order* This order is designed to implement the program instituted pursuant to the directive on livestock slaughter payments, issued by the Director, Office of Economic Stabilization, October 26, 1943. This order is designed to insure maintenance of prices of live cattle and calves within a range consistent with the purposes of the stabilization and production programs and to aid in carrying out the purposes of the directives on livestock slaughter payments of October 26, 1943.

SEC. 2. *Changes in the range of prices for cattle.* (a) The Price Administrator and the War Food Administrator are directed to establish, publish and certify to Defense Supplies Corporation, to become effective January 29, 1945, the following changes in the range of live cattle prices established pursuant to paragraph 2 of the directive on livestock slaughter payments of October 26, 1943:

(1) The maximum prices of the range of prices for cattle of choice and good grades for Chicago shall be \$17.00 and \$15.75 per hundredweight respectively. The maximum prices of the range of prices for cattle of choice and good grades for other zones and markets certified to the Defense Supplies Corporation pursuant to paragraph 2 of the directive on livestock slaughter payments of October 26, 1943, shall be increased \$1.00 per hundredweight for cattle of choice grade and 50 cents per hundredweight for cattle of good grade.

(2) The minimum prices of the range of prices for cattle of all grades for Chicago and all other zones and markets shall be established at \$1.50 per hundredweight under the maximum prices of such range of prices.

(3) The range of prices for Chicago, and for points other than Chicago which are in line with Chicago prices determined, published, and certified to the Defense Supplies Corporation pursuant to paragraph 2 of the directive on livestock slaughter payments of October 26, 1943, as amended pursuant to this order, shall be included in the regulation issued by the Price Administrator establishing overriding ceiling prices for cattle and calves and maximum amounts which slaughterers may pay for cattle during each accounting period.

(b) The Price Administrator and the War Food Administrator are directed to

establish, publish and certify to Defense Supplies Corporation, to become effective July 2, 1945, the following changes in the range of live cattle prices established pursuant to paragraph 2 of the directive on livestock slaughter payments of October 26, 1943, as amended pursuant to this order:

(1) The maximum price of the range of prices for cattle of choice grade for Chicago shall be \$16.50 per hundredweight. The maximum prices of the range of prices for cattle of choice grade for other zones and markets shall be decreased 50 cents per hundredweight.

(2) The minimum prices of the range of prices for cattle of choice grade for Chicago and all other zones and markets shall be established at \$1.50 per hundredweight under the maximum prices of such range of prices.

(c) The Price Administrator and the War Food Administrator are authorized to amend the range of live cattle prices for points other than Chicago as circumstances require: *Provided*, That no change shall be made which is inconsistent with the purposes of this order.

SEC. 3. *Overriding ceiling prices on cattle and calves.* The Price Administrator is directed to issue, and the War Food Administrator is directed to approve, to become effective by January 29, 1945, a price regulation establishing overriding ceiling prices for the sale and delivery of cattle and calves. Such ceiling prices shall be established and maintained at \$1.00 per hundredweight over the maximum prices of the range of prices for cattle of choice grade in Chicago and each of the zones and markets certified to the Defense Supplies Corporation pursuant to the directive on livestock slaughter payments of October 26, 1943, as amended pursuant to this order.

SEC. 4. *Maximum amounts which slaughterers may pay for cattle.* The Price Administrator is directed to issue and the War Food Administrator is directed to approve, to become effective by January 29, 1945, a price regulation establishing maximum amounts which slaughterers may pay for cattle purchased during each monthly accounting period. The maximum amount established shall not be higher than the total amount which a slaughterer would have paid for live cattle purchased during such accounting period, had such cattle been purchased at the maximum prices of the applicable range of prices for cattle.

SEC. 5. *Changes in subsidy payments.* (a) (1) The Defense Supplies Corporation is directed to pay, subject to its regulations, to any slaughterer whose beef carcasses are graded by an official grader of the War Food Administration, as an additional subsidy payment, \$1.00 per hundredweight, live weight, for cattle of choice grade and 50 cents per hundredweight, live weight, for cattle of good grade, slaughtered on and after January 29, 1945.

(2) The Defense Supplies Corporation is directed to pay, subject to its regulations, to any slaughterer whose beef carcasses are not graded by an official grader of the War Food Administration

and who is duly authorized to perform his own grading pursuant to Office of Economic Stabilization Regulation No. 1, as amended, as an additional subsidy payment, \$1.00 per hundredweight, live weight, for cattle of choice grade and 50 cents per hundredweight, live weight, for cattle of good grade, slaughtered on and after January 29, 1945: *Provided*, That the total subsidy payments for cattle slaughtered of all grades shall not exceed \$1.30 per hundredweight, live weight, exclusive of any subsidy payments made pursuant to paragraph 5 of the directive on livestock slaughter payments of October 26, 1943.

(b) (1) In lieu of the subsidy payment provided for cattle of choice grade in paragraph (a) (1) of this section, the Defense Supplies Corporation is directed to pay, subject to its regulations, to any slaughterer whose beef carcasses are graded by an official grader of the War Food Administration, 50 cents per hundredweight, live weight, for cattle of choice grade slaughtered on and after July 2, 1945, in addition to \$1.00 per hundredweight, live weight, for cattle of choice grade, paid pursuant to the directive on livestock slaughter payments of October 26, 1943.

(2) In lieu of the subsidy payment provided for cattle of choice grade in paragraph (a) (2) of this section, the Defense Supplies Corporation is directed to pay, subject to its regulations, to any slaughterer whose beef carcasses are not graded by an official grader of the War Food Administration and who is duly authorized to perform his own grading pursuant to Office of Economic Stabilization Regulation No. 1, as amended, 50 cents per hundredweight, live weight, for cattle of choice grade slaughtered on and after July 2, 1945, in addition to \$1.00 per hundredweight, live weight, for cattle of choice grade paid pursuant to the directive on livestock slaughter payments of October 26, 1943: *Provided*, That the total subsidy payments for cattle slaughtered of all grades shall not exceed \$1.20 per hundredweight, live weight, exclusive of any subsidy payments made pursuant to paragraph 5 of the directive on livestock slaughter payments of October 26, 1943.

(3) The provisions of this paragraph (b) shall be of full force and effect only if subsidy payments on and after July 2, 1945, are authorized by law.

(c) Defense Supplies Corporation is directed to amend Regulation No. 3 (Livestock Slaughter Payments) in accordance with this order.

(d) Nothing in this order shall be construed as affecting the provisions of paragraph 3 of the directive on livestock slaughter payments of October 26, 1943.

SEC. 6. Maximum percentage of slaughter of choice and good cattle. The War Food Administrator is directed to delegate immediately to the Price Administrator authority (which has been delegated to the War Food Administrator pursuant to the provisions of the Second War Powers Act, 1942, as amended) to establish maximum percentages of choice and good cattle which any slaughterer may slaughter or deliver

as meat during each monthly accounting period.

Sec. 7. Relation of this order to the directive on livestock slaughter payments. The directive on livestock slaughter payments of October 26, 1943, shall remain in full force and effect except insofar as the provisions of this order are inconsistent with such directive.

This directive shall become effective January 29, 1945.

Issued this 10th day of January 1945.

FRED M. VINSON,
Director.

[F. R. Doc. 45-800; Filed, Jan. 11, 1945;
1:50 p. m.]

[Directive 25]

PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

PROCESSED FRUITS AND VEGETABLES

The Price Administrator having submitted his recommendations to me regarding the methods to be used in establishing maximum prices for the 1944 pack of canned fruits and vegetables, and for frozen, pickled and preserved fruits and vegetables, I hereby find it necessary in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 (7 F.R. 7371) and 9328 (8 F.R. 4681) to issue this Directive.

The Office of Price Administration is hereby authorized and directed to establish prices for the 1944 pack of canned fruits and vegetables in accordance with the following principles:

(a) Prices shall be established by formula.

(b) The basic formula shall consist of two parts:

(1) A base price for each canner chosen for a suitable period of sales of the 1941 pack, ordinarily the first sixty days after the start of the 1941 pack of each commodity for the individual canner;

(2) An adjustment factor to cover changes in costs since 1941, modified as explained under (5)

(c) The base price shall be computed for each firm or plant for each variety, commercial grade, and container size. All brands in each commercial grade shall be averaged in that grade. A statement of the AMA grade corresponding to each commercial grade shall be required although the pricing is by commercial grades.

(d) The adjustment factor shall be established for industry groups which have experienced similar cost increases, not for individual firms. The groups may be defined by geographic area, size of firm or other factors which the Office of Price Administration finds relevant. The factor shall cover the bulk line or average increase in cost for the group at the discretion of the Office of Price Administration (See also (7) below.)

(e) The adjustment factor determined to cover cost increases shall be modified

so as to give the industry as a whole normal profits. "Normal" shall here be defined to mean the weighted average percentage of net profit before taxes to sales for the fiscal years most nearly corresponding to the pack years 1940 and 1941 for a group of canners which the Office of Price Administration finds to be representative of the industry as a whole. This profit percentage shall be adjusted for increases in the level of prices for canned fruits and vegetables which have occurred since 1941. The Office of Price Administration need not maintain the profit position of individual firms or the profit margins on individual items of the pack.

(f) The ceiling prices established by the foregoing methods shall be restricted to specified ranges for each AMA grade. The method of determining the range shall be developed by the Office of Price Administration. Any ceiling price below the range shall be moved up to the bottom of the range and any ceiling price above the range shall be moved down to the top of the range.

(g) Ceiling prices for minor varieties of fruits and vegetables and for the less common grades and container sizes and ceiling prices for firms who are not able to apply the basic formula may be established at the discretion of the Office of Price Administration by other methods which will yield prices similar to those which would be established by the basic formula outlined above.

(h) All ceiling prices shall be established on a "gross" basis. The Office of Price Administration shall require reductions from these prices for sales to Government procurement agencies to cover the difference between the cost of selling to the Government and the cost of selling to civilians. For sales to civilians of commodities which are subsidized, the gross price shall be reduced by the amount of the subsidy.

Prices for frozen, pickled, and preserved fruits and vegetables shall be priced according to similar methods modified to meet the technical peculiarities of each of the industries. The normal profit period shall be determined for each industry separately upon an analysis of its profit history.

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

Effective date: April 6, 1944.

Issued this 6th day of April 1944.

FRED M. VINSON,
Director.

[F. R. Doc. 45-891; Filed, Jan. 11, 1945;
1:51 p. m.]

[Directive 25, Amdt. 1]

PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

PROCESSED FRUITS AND VEGETABLES

The Price Administrator and the War Food Administrator having submitted certain information and recommendations with respect to the necessity under the processed fruit and vegetable pricing program approved by this office on April 6, 1944, for increasing the gross returns

to those processors whose costs have increased because of certain wage increases approved by the War Labor Board, I hereby find it necessary, in order to effectuate the purposes of Executive Orders 9250 and 9328, to issue this amendment to Directive No. 25.

1. The Office of Price Administration is hereby authorized and directed to compute the increased costs of the 1944 processed pack of fruits and vegetables which result from wage increases to processors' employees approved by the War Labor Board and not taken into account in establishing maximum prices under Directive No. 25, and to increase the maximum prices for sales to government procurement agencies by amounts equal to the increased wage costs which it determines to be allocable to the fruits and vegetables thus sold.

2. The Commodity Credit Corporation is hereby authorized and directed to absorb those increased costs of the 1944 processed pack of fruits and vegetables resulting from such wage increases as the Office of Price Administration determines to be allocable to fruits and vegetables sold to purchasers other than government procurement agencies, but only in an amount necessary to equalize the percentage of any processors' net returns (before taxes) to sales from his fruit and vegetable processing operations during the 1944 season, with the weighted average percentage of net profit (before taxes) to sales for those operations for the fiscal years most nearly corresponding to the pack years 1940 and 1941, of a group of processors found by the Office of Price Administration to be representative of the industry as a whole: *Provided, That:*

(a) If the salaries of officers or owner-operators have been increased by more than 10 percent of the average 1936-1939 salaries of such officers or owner-operators, the amount of such increases in excess of 10 percent shall be deducted from the amount otherwise to be absorbed by the Commodity Credit Corporation, and

(b) Cooperative associations which normally do not compute profits shall, for purposes of justifying claims, submit a calculation of profits that would have been made if the raw product had been purchased at support prices (if support prices for such products have been established) and at prices paid by other local or nearby processors during the processing season for other fruits and vegetables.

3. In order to be eligible for payments under this directive, processors must first certify that they have increased their wages only in accordance with the order or approval of the War Labor Board and that they have not sold products at prices in excess of the ceilings established by the Office of Price Administration.

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

Effective date: January 11, 1945.

Issued this 11th day of January 1945.

FRED M. VINSON,
Director

[F. R. Doc. 45-802; Filed, Jan. 11, 1945; 1:51 p. m.]

Chapter XIX—Defense Supplies Corporation

[Reg. 4, Amdt. 3]

PART 7004—FLOUR PRODUCTION PAYMENTS EXTRA SUBSIDY TO MILLS IN MONTANA

Regulation Number 4 is amended by adding in a new § 7004.14 as follows:

§ 7004.14. *Extra subsidy to mills in Montana.* Defense Supplies Corporation will pay an extra subsidy to mills located in the state of Montana on account of flour produced in Montana and shipped to buyers in the Pacific Coast Area after December 31, 1944. Applications for such extra subsidy shall be filed within a month after the end of the month in which delivery was made, on special forms approved by Defense Supplies Corporation and in accordance with instructions of Defense Supplies Corporation. The rate of such extra subsidy will be determined by subtracting from the rate of payment applicable to the Pacific Coast the rate of payment applicable to Montana. If such rate is negative, the amount involved shall be payable to Defense Supplies Corporation.

This amendment shall become effective as of January 1, 1945.

(Sec. 5d of Reconstruction Finance Corporation Act, as amended, 52 Stat. 212, 54 Stat. 573; 15 U.S.C. 606b; Defense Supplies Corporation Charter, 6 F.R. 2972)

Issued this 21st day of December 1944.

DEFENSE SUPPLIES CORPORATION,
GEORGE H. HILL, Jr.,
Executive Vice President.

[F. R. Doc. 45-829; Filed Jan. 12, 1945; 11:17 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circ. 1592]

PART 194—POTASSIUM PERMITS AND LEASES

Correction

In Federal Register Document 45-482, appearing at page 336 of the issue for Tuesday, January 9, 1945, the following corrections are made:

In the form of permit presented in § 194.10 for first unnumbered paragraph in the first column on page 338 should be designated 6.

The 17th line of § 194.22 should read "U.S.C. 15) and (b) to pay the remainder"

In the form of lease presented in § 194.24 the 13th line of section 2 (d) should read "paid for a part or a majority of the production." In paragraph (k) of the same section the word "excess" in the final clause should read "access."

In § 194.26 the word "for" should be inserted in the third from the last line preceding the phrase "an area which."

In § 194.28 the fourth and fifth lines should read "1058, 30 U.S.C. 286) the act of October 2, 1917 (40 Stat. 297), is repealed, with"

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

Subchapter E—War Contracts

[G.O. 57, Supp. 3]

PART 298—SETTLEMENT OF CLAIMS ARISING UNDER TERMINATED WAR CONTRACTS

GUARANTEES OF LOANS

The regulations with respect to the settlement of claims arising under terminated war contracts, General Order 57, August 10, 1944, as amended by Supp. 1, August 24, 1944, and Supp. 2, November 7, 1944,¹ are further amended:

1. By revising the second sentence of § 298.103 to read:

The Federal Reserve Banks are authorized to approve, after consultation with and in the absence of objections by authorized representatives of the Commission, all applications for such guarantees of loans other than applications from the Reconstruction Finance Corporation and the Smaller War Plants Corporation, provided the loans do not exceed (a) \$500,000 to any one borrower and the requested percentage of guarantee is not in excess of 90 per centum of the loan, or (b) \$100,000 to any one borrower and the requested percentage of guarantee is not in excess of 95 per centum of the loan.

2. By revising § 298.104 to read:

§ 298.104 *Guarantees of loans requiring Commission action.* The application for guarantee of a termination loan shall be filed by the financing institution with the Federal Reserve Bank in the district in which the financing institution is located and shall be forwarded by such Bank for approval to the United States Maritime Commission, Washington 25, D. C., through the regular channels of the Federal Reserve System, in case (a) the loan is made or participated in by the Reconstruction Finance Corporation or the Smaller War Plants Corporation, or (b) the loan to any one borrower and the requested percentage of guarantee are such that they do not fall within the provisions of § 298.103 authorizing Federal Reserve Banks to approve applications for guarantees of loans provided the loans do not exceed (1) \$500,000 to any one borrower and the requested percentage of guarantee is not in excess of 90 per centum of the loan, or (2) \$100,000 to any one borrower and the requested percentage of guarantee is not in excess of 95 per centum of the loan.

By order of the United States Maritime Commission.

[SEAL]

A. J. WILLIAMS,
Secretary.

JANUARY 11, 1945.

[F. R. Doc. 45-830; Filed, Jan. 12, 1945; 11:42 a. m.]

¹9 F.R. 9837, 10719, 13300.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Administrative Order ODT 6B, Amdt. 2]

PART 503—ADMINISTRATION

ESTABLISHMENT OF REGIONS, DISTRICTS, AND FIELD OFFICES OF HIGHWAY TRANSPORT DEPARTMENT

Pursuant to Executive Orders 8989, as amended, and 9156,

It is hereby ordered, That Appendix 2 of Administrative Order ODT 6B, as amended (9 F.R. 12289, 13069) be, and it hereby is, further amended in the following particulars:

(1) The matter opposite Maine under the subtitle "region 1" thereof is amended to read as follows:

Maine: District office: Augusta.

(2) The matter opposite New York under the subtitle "Region 1" thereof is amended to read as follows:

New York: District offices: Albany, Binghamton, Buffalo, New York, and Syracuse. Field offices: Elmira, Rochester, and Utica.

(3) The matter opposite Delaware under the subtitle "Region 2" thereof is amended to read as follows:

Delaware: District office: Wilmington.

(4) The matter opposite Maryland under the subtitle "Region 2" thereof is amended to read as follows:

Maryland: District Office: Baltimore.

(5) The matter opposite Pennsylvania under the subtitle "Region 2" thereof is amended to read as follows:

Pennsylvania: District offices: Altoona, Erie, Harrisburg, Philadelphia, Pittsburgh, Scranton, and Williamsport. Field office: Reading.

and,

(6) The matter opposite Illinois under subtitle "Region 6" thereof is amended to read as follows:

Illinois: District offices: Chicago, Peoria, and Springfield. Field offices: Cairo and Rockford.

Paragraphs (1) and (2) of this Amendment 2 to Administrative Order ODT 6B shall be retroactive to be effective as of January 1, 1945. Paragraphs (3), (4), (5) and (6) of this Amendment 2 to Administrative Order ODT 6B shall become effective February 1, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 12th day of January 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-804; Filed, Jan. 11, 1945; 3:03 p. m.]

No. 10—3

[Gen. Order ODT 47]

PART 500—CONSERVATION OF RAIL EQUIPMENT

PASSENGER TRAIN OPERATIONS RESTRICTED

General outline. This General Order ODT 47 establishes controls over passenger train service in addition to those prescribed by General Order ODT 24. The Director of the Office of War Mobilization and Reconversion has pointed out the necessity of conserving coal. The consumption of coal must be reduced. Manpower shortages in the railway transport field continue to exist. There is a shortage in railway equipment. The purpose of the order is to conserve fuel, manpower, railway equipment and transportation facilities so that essential traffic may continue to move.

The order requires rail carriers to discontinue seasonal passenger service to resort, recreational and vacation areas. It also restricts the operation of passenger trains after March 1, 1945, unless the occupancy thereof during November, 1944, averaged 35 per cent or more. This requirement of the order may necessitate passengers using trains handling both freight and passengers. General Order ODT 24 prohibiting special and excursion trains continues in effect. The war demands upon our transportation agencies will not permit service judged by peacetime standards. People must travel less frequently if war traffic is to move without delay. Passenger trains operated in suburban or interurban service are exempted from the order.

This general outline shall not be construed to alter the meaning of any provision contained in the order.

Pursuant to Title III of the Second War Powers Act, 1942; Executive Order 8989, as amended, and in order to make available manpower, railway cars, motive power, fuel and other transportation facilities and equipment for the preferential transportation of troops and materials of war, as contemplated by section 6 (8) of the Interstate Commerce Act, as amended; to prevent shortages of manpower, fuel and equipment necessary for such transportation; and to expedite the movement of essential traffic the attainment of which purposes is essential to the successful prosecution of the war, it is hereby ordered, that:

Sec.

500.50 Definitions.

500.51 Seasonal service to resort, recreational, and vacation areas restricted.

500.52 Loading requirements on passenger trains.

500.53 Exemptions.

500.54 Communications.

AUTHORITY: §§ 500.50 through 500.54, inclusive, issued under Title III of the Second

War Powers Act, 1942, 56 Stat. 177, 50 U.S.C. 633; E.O. 6983, 6 F.R. 3725, 8 F.R. 14183.

§ 500.50 *Definitions.* As used in this order, the term:

(a) "Person" means any individual, partnership, corporation, association, joint stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee or personal representative, and includes any department or agency of the United States, any state, or any other political, governmental or legal entity.

(b) "Rail carrier" means any person engaged in transportation as a common carrier by railroad in or through any of the several States or the District of Columbia.

(c) "Passenger train" means any train operated for the purpose of transporting passengers for compensation and includes a mixed train.

(d) "Seasonal service" means any passenger service rendered by a rail carrier which is not furnished at all times during a calendar year.

§ 500.51 *Seasonal service to resort, recreational, and vacation areas restricted.* Each rail carrier shall forthwith discontinue the operation of all passenger train schedules which are operated for the purpose of providing seasonal service to any resort, recreational, or vacation area.

§ 500.52 *Loading requirements on passenger trains.* On and after March 1, 1945, no rail carrier, unless authorized by the Office of Defense Transportation, shall operate a passenger train schedule on which the occupancy of seats and space thereon did not average 35 per cent during the calendar month of November, 1944. The provisions of this section shall not apply to mixed trains.

§ 500.53 *Exemptions.* The provisions of this order shall not apply to passenger trains operated in suburban or interurban service.

§ 500.54 *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "General Order ODT 47."

Effective date. This General Order ODT 47 shall become effective January 11, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of January 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-817; Filed, Jan. 12, 1945; 10:14 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1838; Gen. Direction P-17]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

COORDINATED PILCHARD PRODUCTION PLAN

Pursuant to paragraph (n) of Order 1838 of the Secretary of the Interior, the Pilchard Order, as amended (9 F.R. 7171, 9749) and because it is deemed necessary to accomplish the purposes of that order, General Direction P-14 is hereby amended to read as follows:

(a) *Setting limitations.* Whenever pilchard (sardines) are being brought in to any port in such quantities that in the opinion of the Area Coordinator for Area II, they are being unloaded only after unreasonable delay and resulting substantial loss of fishing time by some of the vessels or are being processed only after unreasonable delay and resulting substantial loss of food value from the product, or when for any other reason in his opinion such action is reasonably necessary in order to accomplish the purposes of the Pilchard Order, the Port Supervisor, pursuant to instructions to be given by the Area Coordinator, shall limit the amount of pilchard (sardines) which each vessel may thereafter bring into such port daily. The limits shall be set by the Port Supervisor for each day at an amount which, in his opinion, will provide the maximum tonnage which will be unloaded and processed properly and without unreasonable delay on that day by the processing equipment and labor then available in that port. The limits shall be changed from day to day as deemed necessary by the Port Supervisor, but except as otherwise provided herein shall be the same for all vessels on the same day. For the purpose of this direction, the term "pilchard" shall be construed to include any fish taken by a vessel operating under a pilchard permit.

(b) *Notice of limits.* Notice of the fixing of limits, and of the maximum tonnage limits set for each day, shall be given by posting a statement thereof at least two and one-half hours before sunset on the preceding day, as follows: at San Pedro, in the office of the Port Supervisor; at Monterey, on the U. S. Coast Guard War Emergency Bulletin Board on Fishermen's Wharf; at San Francisco, outside Fisherman's Hall on Fishermen's Wharf, or if the weather is bad, just inside the hall. If a notice is so posted, ignorance thereof by any person shall not excuse any violation of this direction. If any person interested does not secure information elsewhere as to the limit so fixed for a certain day, he shall secure it by telephone, radio, or other communication with the Port Supervisor.

(c) *Exceptions.* Whenever it shall have been determined by the Area Coordinator for Area II that the catch of any vessel or group of vessels has been materially lowered by reason of their previously operating under permits amended pursuant to paragraph (f) (3) of the Pilchard Order, the Port Supervisor may set a higher limit for such vessels than for the remainder of the fleet. Whenever a permit has been issued subject to the condition expressed in the permit or in a letter to the permittee accompanying the permit when issued, such condition specifying that it might be necessary to limit the catches of the vessel because the permit is being granted at the request of the permittee for a port which is already well supplied with vessels for the season, the Port Supervisor may set a lower limit for such a vessel than for the

remainder of the fleet; moreover, the procedure described herein may be used to set limits applicable to such a vessel, when deemed necessary as set out in paragraph A above, even though it is not deemed necessary to fix limits for other vessels in the port. Whenever a vessel has, because of emergency or otherwise, been allowed to land a load in excess of the limit fixed, limits may be set for the vessel for one or more following days below those for other vessels in the port.

(d) *Violations.* No person shall knowingly bring into such port a load of pilchard (sardines) in excess of the applicable limits so fixed, and any violator of this direction shall be subject to the remedial proceedings described in paragraph (c) of the Pilchard Order; *Provided, however,* That where there has been a bona fide mistake in estimating the weight of the load, a five-ton margin of error shall be allowed so that if any person bringing in a load of pilchard (sardines) has aimed to keep his load within the applicable limit so fixed, but by mistake brings in not more than five tons in excess of that limit, he shall not be deemed to have violated this direction. In addition to the remedial proceedings referred to above the Port Supervisor may, in his discretion, require delivery of such load at another port, or delay dispatching any vessel bringing in such a load for delivery of its load, or may cancel any dispatching direction already given for such load, or as to any part thereof, until delivery of the load will not affect adversely deliveries from vessels which have not violated the order. He may also, in his discretion, set limits for the vessel for following days below those for other vessels in the port; the lowered limits may be such as to reduce actual deliveries by such vessel to an aggregate amount equal to or less than the aggregate tonnage it would have delivered if it had complied with this direction. No person shall take delivery of any part of a load of pilchard (sardines) in excess of five tons over the applicable limit for the load in question except pursuant to a direction expressly applicable to such excess tonnage given by the Port Supervisor or his Assistant with full knowledge of the facts.

(e) *Representative of Area Coordinator termination of limits.* Any of the Area Coordinator's functions under this direction, in his absence or inability to act, may be performed by his representative. Limitation of pilchard catches as set out herein is a temporary expedient and shall be terminated by the Port Supervisor as soon as possible when by reason of amending permits or other change of circumstances it is in his opinion no longer necessary.

Issued: January 4, 1945.

O. E. SETTE,
Area Coordinator Area II.

[F. R. Doc. 45-816; Filed, Jan. 12, 1945;
9:28 a. m.]

Notices

CIVIL AERONAUTICS BOARD.

[Docket Nos. 1345 and 1346]

AMERICAN AIRLINES, INC., ACQUISITION OF AMERICAN EXPORT AIRLINES, INC.

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

In the matter of the application of American Export Lines, Inc., for approval of a plan for the divestiture of control of American Export Airlines,

Inc., and the application of American Airlines, Inc., for approval of acquisition of control of American Export Airlines, Inc., under sections 408 and 412 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that oral argument before the Board in the above-entitled proceeding, now assigned for January 9, 1945, is hereby postponed to January 18, 1945, 10:00 a. m. (eastern wartime) in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C.

Dated: Washington, D. C., January 8, 1945.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-803; Filed, Jan. 11, 1945;
2:28 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-609]

KANSAS POWER AND LIGHT CO.

NOTICE OF APPLICATION

JANUARY 10, 1945.

Notice is hereby given that on December 29, 1944, an application was filed with the Federal Power Commission by The Kansas Power and Light Company (Applicant) a Kansas corporation having its principal place of business in Topeka, Kansas, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize applicant to construct and operate a natural-gas transmission pipe line, a number of field lines, and a gasoline recovery and dehydration plant, all to be used for the transportation of natural gas from the Lake gas field in northeast Barber County, Kansas, to the company's existing natural-gas pipe-line system at a point south of the city of Pratt, in central Pratt County, Kansas.

The facilities above referred to consist more specifically of the following construction:

(1) 18.5 miles of 16-inch O. D. transmission line extending from a point in section 17, T. 31 S., R. 14 W., Barber County, Kansas, to a point of connection with Applicant's existing 18-inch gas transmission line in section 23, T. 28 S., R. 13 W., Pratt County, Kansas;

(2) 20,500 feet of 8-inch pipe line beginning at a point of connection with the proposed 16-inch line in section 34, T. 30 S., R. 14 W., and extending easterly to section 32, T. 30 S., R. 13 W., all in Barber County, Kansas;

(3) 4,500 feet of 8-inch pipe line beginning at a point of connection with the proposed 16-inch transmission line in section 17, T. 31 S., R. 14 W., and extending westerly to section 18, T. 31 S., R. 14 W., all in Barber County, Kansas;

(4) 14,000 feet of 4-inch pipe line to connect a number of wells, all situated in Barber County, Kansas;

(5) A gasoline recovery and dehydration plant.

Applicant asserts that the proposed facilities will be operated as an integral part of the company's natural-gas pipeline system and will make available to its system 60,000 Mcf of natural gas per day after the second year of operation. It is estimated that the maximum daily demand upon the proposed facilities will be in the amount aforementioned, and that the minimum daily demand will be 10,000 Mcf.

It is urged by the applicant that the proposed construction is necessary in order that the company may continue to render adequate service to customers attached to its system.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 27th day of January 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-810; Filed, Jan. 11, 1945;
4:24 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4123, Amdt.]

HEINE & Co.

Vesting Order Number 4123, dated September 12, 1944, is hereby amended as follows and not otherwise:

By deleting subparagraph 1 of said Vesting Order Number 4123 and substituting therefor the following:

1. That of the issued and outstanding capital stock of Heine & Co., a corporation organized and doing business under the laws of the State of New York, and a business enterprise within the United States consisting of 2,136 shares of common stock having a par value of \$100 per share, 1,886 shares (88.29%) are registered in the name of Paul Schuize-Berge and are beneficially owned by Heine & Co., A. G. Germany, and are evidence of control of said business enterprise;

All other provisions of said Vesting Order Number 4123 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on January 8, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-818; Filed, Jan. 12, 1945;
11:04 a. m.]

[Vesting Order 4493]

ALFRED PICHEL

In re: Estate of Alfred Pichel, deceased; File No. D-28-8947; E. T. sec. 11240.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Maria Thamm (nee Pichel), Anna Scholz (nee Pichel), Bertha Pichel (nee Aurchner), Fritz Pichel, Paul Pichel and Alfred Pichel, and each of them, in and to the estate of Alfred Pichel, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Maria Thamm (nee Pichel), Germany.
Anna Scholz (nee Pichel), Germany.
Bertha Pichel (nee Aurchner), Germany.
Fritz Pichel, Germany.
Paul Pichel, Germany.
Alfred Pichel, Germany.

That such property is in the process of administration by Nathaniel P. Gardner, Jr., Administrator, acting under the judicial supervision of the Essex County Orphans' Court, Newark, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And, having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 1, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-819; Filed, Jan. 12, 1945;
11:03 a. m.]

[Vesting Order 4495]

AUGUSTA A. GARTZ

In re: Estate of Augusta A. Gartz, deceased; File D-28-8378; E. T. sec. 9693.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Karl Gartz in and to the Estate of Augusta A. Gartz, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Karl Gartz, Germany.

That such property is in the process of administration by Elanore H. Evans, as Executrix of the Estate of Augusta A. Gartz, acting under the judicial supervision of the Surrogate's Court of Monroe County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may

be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 3, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-820; Filed, Jan. 12, 1945;
11:03 a. m.]

[Vesting Order 4496]

ERNESTINE HEXTER

In re: Estate of Ernestine Hexter, deceased; File D-28-1501; E. T. sec. 240.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Dina (Diana) Hoefflich (Hoefflech) and Sigmund (Slegmund) Hexter (Höxter), and each of them, in and to the estate of Ernestine Hexter, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Dina (Diana) Hoefflich (Hoefflech), Germany.

Sigmund (Slegmund) Hexter (Höxter), Germany.

That such property is in the process of administration by Alfred Decker, 416 South Franklin Street, Chicago, Illinois, as Administrator de bonis non with the Will annexed, of the estate of Ernestine Hexter, deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 3, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-821; Filed, Jan. 12, 1945;
11:03 a. m.]

[Vesting Order 4497]

ANNA KUSKE

In re: Mortgage Participation Certificate No. 155204 in Mortgage F-935 (181453) issued by Bond & Mortgage Guarantee Company to Anna Kuske; Mortgage Participation Certificate No. 168859 in Mortgage F-736 (170874) issued by Bond & Mortgage Guarantee Company to Anna Kuske; Mortgage Participation Certificate No. 155246 in Mortgage F-1122 (186084) issued by Bond & Mortgage Guarantee Company to Anna Kuske; File No. F-28-2781, E. T. sec. 3982.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Anna Kuske, in and to Mortgage Participation Certificate No. 155204 in Mortgage F-935 (181453); Mortgage Participation Certificate No. 168859 in Mortgage F-736 (170874) and Mortgage Participation Certificate No. 155246 in Mortgage F-1122 (186084), issued by Bond & Mortgage Guarantee Company,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Anna Kuske, Germany.

That such property is in the process of administration by the Manufacturers Trust Company, as trustee, acting under the judicial supervision of the Supreme Court, Kings County, State of New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 3, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-822; Filed, Jan. 12, 1945;
11:03 a. m.]

[Vesting Order 4498]

HERMAN SCHAEFER

In re: Estate of Herman Schaefer, deceased; File No. D-28-9134; E. T. sec. 11759.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Louisa Ohngemach, her husband and her issue Paulina Muller, her husband and her issue, Karl Schaefer, his wife and his issue, Fritz Schaefer, his wife and his issue, Albert Schaefer, his wife and his issue, and each of them, in and to the Estate of Herman Schaefer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Louisa Ohngemach, her husband and her issue, Germany.

Paulina Muller, her husband and her issue, Germany.

Karl Schaefer, his wife and his issue, Germany.

Fritz Schaefer, his wife and his issue, Germany.

Albert Schaefer, his wife and his issue, Germany.

That such property is in the process of administration by Ethel Herbert, as Executrix of the Estate of Herman Schaefer, acting under the judicial supervision of the Surrogate's Court, Nassau County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 3, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-823; Filed, Jan. 12, 1945;
11:03 a. m.]

[Vesting Order 4499]

MARTHA PAULINE WERNER

In re: Estate of Martha Pauline Werner, deceased; File D-28-8514; E. T. sec. 10032.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Olga Gehricke, Kurt Werner, Hertha Werner, Lilli Werner and Erwin Werner, and each of them, in and to the Estate of Martha Pauline Werner, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Olga Gehricke, Germany.
Kurt Werner, Germany.
Hertha Werner, Germany.
Lilli Werner, Germany.
Erwin Werner, Germany.

That such property is in the process of administration by Hilda Schmoll, as Administratrix of the Estate of Martha Pauline Werner, acting under the judicial supervision of the Circuit Court of Multnomah County, State of Oregon;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 3, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-824; Filed, Jan. 12, 1945;
11:04 a. m.]

[Vesting Order 4502]

IDA MULLER

In re: Estate of Ida Muller, deceased; File D-28-3650; E. T. sec. 5982.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Lucie Millarch and Guschi Michaelsen, and each of them, in and to the Estate of Ida Muller, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Lucie Millarch, Germany.
Guschi Michaelsen, Germany.

That such property is in the process of administration by Elsie C. McEave, as Executrix, acting under the judicial supervision of the Surrogate's Court, Westchester County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 4, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-825; Filed, Jan. 12, 1945;
11:04 a. m.]

[Supp. Vesting Order 4503]

MARIE S. BELL

In re: Estate of Marie S. Bell, deceased; File F-28-2076; E. T. sec. 727.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Guenther Michels in and to the Estate of Marie S. Bell, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address
Guenther Michels, Germany.

That such property is in the process of administration by the Treasurer of the City of New York as Depositary, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such national is a person not within a des-

ignated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 8, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-826; Filed, Jan. 12, 1945;
11:04 a. m.]

[Vesting Order 4508]

ANDREAS SENGER

In re: Estate of Andreas Senger, deceased; File D-28-6603; E. T. sec. 4585.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Eva Senger, Kunigunda Sauer, also known as Kuni Senger, Georg Kunzelmann, also known as George Kunzelmann, Johann Kunzelmann, Katharina Kunzelmann, also known as Rina Kunzelmann and Maria Holhut, also known as Maria Kunzelmann, and each of them in and to the Estate of Andreas Senger, deceased, is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Eva Senger, Germany.
Kunigunda Sauer, also known as Kuni Senger, Germany.
Georg Kunzelmann, also known as George Kunzelmann, Germany.

Johann Kunzelmann, Germany.
Katharina Kunzelmann, also known as Rina Kunzelmann, Germany.
Maria Holhut, also known as Maria Kunzelmann, Germany.

That such property is in the process of administration by Paul W. Gens and Richard Kelly, as Executors, acting under the judicial supervision of the Surrogate's Court, Queens County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 9, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-827; Filed, Jan. 12, 1945;
11:04 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 399, Rev. Order 5]

PROCUREMENT DIVISION, TREASURY DEPARTMENT

APPROVAL OF MAXIMUM RESALE PRICES

Order No. 5 under section 1 of Maximum Price Regulation No. 399 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 1 of Maximum Price Regulation No. 399; *It is ordered.*

(a) This revised order establishes maximum prices for all sales at retail

and wholesale of the ice boxes purchased by successful bidders from Procurement Division, Treasury Department, which are described as follows:

Manufacturer: McKee Mfg. Corp., Cobleskill, N. Y.
Model Number: F52.
Rated Ice Capacity: 100 Lbs.
Food Storage Capacity: 5.2 cu. ft.

(1) For all sales at retail by ice companies and retail establishments controlled by ice companies, the maximum price shall be \$61.25 each.

(2) For all other sales at retail, the maximum price shall be \$65.50 each.

(3) For all sales at wholesale, the maximum price shall be 62½% of the maximum retail price set forth in (2) above, or \$40.95 each. This price is f. o. b. seller's city.

(4) The successful bidder may add to the maximum prices established in this revised order no more than the actual transportation cost for the refrigerators by the most economical means from the warehouse of Procurement Division, Treasury Department, to his city, provided he separately states the transportation charge on his invoice. Any other seller may add to the maximum prices established by this revised order for his sales, no more than the transportation charge which he was required to pay to his supplier, provided such extra charge is separately stated. No other transportation charges may be added to the maximum prices established by this revised order.

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

(b) At the time of or prior to the first invoice to each purchaser for resale, the original successful bidder, and every wholesaler must notify the purchaser for resale, in writing of the maximum price established by this revised order for resale by the purchaser. This notice may be given in any convenient form.

(c) No person may offer for sale, sell, or deliver an ice box covered by this revised order at retail, unless there is securely attached thereto, a retail ceiling price tag setting forth, in dollars and cents, the maximum price established by this revised order for sales at retail of the particular ice box. A tag in the following form is sufficient.

OPA Base retail ceiling price..... \$.....
Transportation Charge..... \$.....
OPA Approved Ceiling Price..... \$.....

This tag may not be removed before delivery to the purchaser.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

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

(f) This revised order shall become effective on the 11th day of January, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-851; Filed, Jan. 12, 1945;
11:55 a. m.]

[MPR 260, Amdt. 1 to Order 80]

W. J. NEFF Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

The maximum prices for Priority In-ventible cigars set forth in paragraph (a) of Order No. 80 under Maximum Price Regulation 260 are amended to read as follows:

Maximum list price, \$56.00 per M.
Maximum retail price, 7 cents.

This amendment shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-762; Filed, Jan. 10, 1945;
4:06 p. m.]

[MPR 260, Order 479]

FREDERICK A. BEDFORD

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Frederick A. Bedford, R. D. #3, Box 776-B, Sebastopol, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or front-mark	Pack-ing	Maxi-mum list price	Maxi-mum retail price
Redwood Em-pire.	Aristocrats.....	50	Per M \$56	Cents 7

(b) The manufacturer and wholesal-ers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to pur-chasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corre-sponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Pack-ing differentials allowed by the manu-facturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark

of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular whole-saler in March 1942, he shall, with re-spect to his sales thereof, grant the dis-counts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchas-ers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price estab-lished by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise re-quires, appropriate provisions of Maxi-mum Price Regulation No. 260, shall ap-ply to sales for which maximum prices are established by this order.

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

This order shall become effective Jan-uary 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-763; Filed, Jan. 10, 1945;
4:07 p. m.]

[MPR 260, Order 480]

MORALES CIGAR Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Reg-ulation No. 260, *It is ordered, That:*

(a) Morales Cigar Co., 2906 Mitchell Street, Tampa 3, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or front-mark, and packing of the following do-mestic cigars at the appropriate maxi-mum list price and maximum retail price set forth below:

Brand	Size or front-mark	Pack-ing	Maxi-mum list price	Maxi-mum retail price
Mariano Mo-rales.	Presidents.....	50	Per M \$153.00	2 for 43
	Fantasia.....	50	124.00	2 for 33
	Coronas.....	50	154.00	29
	Gracielas.....	50	161.25	2 for 27
	Caya.....	50	69.00	2 for 15
	Selectos.....	50	43.00	0
Montford.....	do.....	50	43.00	0
Sara de Soto.....	do.....	50	43.00	0
Pedro Rios.....	Super Cigar.....	50	43.00	0

(b) The manufacturer and whole-salers shall grant, with respect to their sales of each brand and size or front-mark of domestic cigars for which maxi-mum prices are established by this or-der, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corre-sponding sales of each brand and size or frontmark of cigars priced by this or-der, but shall not be increased. Pack-ing differentials allowed by the manu-facturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or front-mark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall al-low the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to pur-chasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise re-quires, appropriate provisions of Maxi-mum Price Regulation No. 260, shall ap-ply to sales for which maximum prices are established by this order.

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

This order shall become effective Jan-uary 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-764; Filed, Jan. 10, 1945;
4:07 p. m.]

[MPR 260, Order 481]

A. S. VALENTINE & SON, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) A. S. Valentine & Son, Inc., 23 W Washington Ave., Myerstown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Valencia.....	Perfecto Grande.	50	Per M \$66.65	Cents 3 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-765; Filed, Jan. 10, 1945; 4:07 p. m.]

[MPR 260, Order 482]

G. W. VAN SLYKE & HORTON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) G. W. Van Slyke & Horton, 25 Dederick St., Kingston, N. Y., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Peter Schuyler.	Corona..... Panetela.....	50	Per M \$131.00 60 93.75	17 2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most

closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-766; Filed, Jan. 10, 1945; 4:08 p. m.]

[MPR 260, Order 483]

LEON C. SMITH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) Leon C. Smith, RFD #1, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Cuban Sero.....	50	Per M \$60	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of

each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-767; Filed, Jan. 10, 1945; 4:03 p. m.]

[MPR 260, Order 484]

FREDERICK J. HAYE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Frederick J. Hays, 1798 State St., Hamden, Conn. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

imum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packs per 100	Maximum List Price	Maximum Retail Price
Standard.....	4½ Straight.....	50	Per M \$52	Cents 60

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-763; Filed, Jan. 10, 1945; 4:03 p. m.]

[MPR 260, Order 493]

PAUL H. WEILER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Paul H. Weiler, 103 W. Gay St., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packs per 100	Maximum List Price	Maximum Retail Price
W & W.....	50	Per M \$45	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260; shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-769; Filed, Jan. 10, 1945; 4:09 p. m.]

[MPR 260, Order 486]

BERRIMAN BROS.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Berriman Bros., 402 South 22d Street, Tampa 1, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Jose Vila	Palmas	50	Per M \$162	25
Sinceridad	do	50	182	25
Jose Vila	Fancy Tales	50	182	25
Sinceridad	do	50	182	25
Jose Vila	Rangers	50	169	22
Sinceridad	do	50	169	22
Jose Vila	Commodores	50	154	20
Sinceridad	do	50	154	20
Jose Vila	Queens	50	146	19
Sinceridad	do	50	146	19
Jose Vila	Epicures	50	131	17
Sinceridad	do	50	131	17
Jose Vila	Delicados	50	115	15
Sinceridad	do	50	115	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-770; Filed, Jan. 10, 1945; 4:10 p. m.]

[MPR 260, Order 487]

SPRING WHOLESALE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Spring Wholesale Cigar Co., 2032 Fifth Avenue, Seattle 1, Wash. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

(b) The importer and wholesalers shall grant, with respect to their sales on each brand and frontmark of imported cigars for which maximum prices are established by the order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
Daiquiri	Panetelas Extra	70	Per M \$135.00	\$0.17
	Trumps	25	211.00	3 for 1.00
	Fancy Tales	25	337.50	.47
	Coronas de Luxe	25	368.50	.70
	Coronas Cuartas	25	105.00	.25
	Perfectos Grandes	25	246.25	.30
	Belvederes	25	100.00	.25

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-771; Filed, Jan. 10, 1945;
4:10 p. m.]

[MPR 260, Order 488]

HUDSON COUNTY TOBACCO CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered, That:*

(a) Hudson County Tobacco Co., Inc., 84 Montgomery St., Jersey City 2, N. J. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
Belinda	Best Value	25	\$195.00	25
	Assortment	100	230.00	(c)
	Eldorado	20	212.00	23
El Matul	Victoria	25	145.00	3for55
	Conchas	25	142.00	3for55
Arabe	Londres	25	161.50	29
	Petit Cetros	25	176.00	22
	Selection #5	50	159.00	23
	Perfeccionados	25	203.50	23
	Diplomaticos	50	148.00	29
	Belvederes	25	203.50	23
	Perfectos #1	25	235.00	33
LaFlor de Cano	Petit Corona	50	225.00	(c)
	Selectos	25	203.25	23
	Petit Cetros	25	195.00	23
	Recalla Selecta	25	159.00	29
	Aromas Finas	25	159.00	29
	Camelias	25	150.00	29
	Petit Canitos	25	159.00	29
	Fancy Tale	25	368.50	59
	Corona Sublimes	25	368.50	59
	Perfectos	25	247.50	33
	Comandos	25	195.00	25
Oliver	Corona Extra	25	350.00	44
	Fancy Tale	25	350.00	44
El Rico	Perfectos	25	225.00	29
	Petit Coronas	25	225.00	29
	Americans	25	212.25	23
	Coronas-Chicas	25	145.00	3for55
	Petit-Bouquets	25	135.00	3for15
	Panetelas	50	135.00	17
	Belvederes	25	193.00	23

¹ \$32 per box of 100.

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a

wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-772; Filed, Jan. 10, 1945;
4:10 p. m.]

[MPR 260, Order 489]

JOHN H. BURNS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered, That:*

(a) John H. Burns Company, #2 Broadway, New York 4, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list

price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
Fito Hanco	Americana	25	Per M	Cents
	Americana	25	300.00	32
	Americana	25	310.00	32
	Americana	25	212.00	23
	Belvederes	25	203.00	23
	Cetros	25	410.00	59
	Club Specials	25	244.00	3for19
	Coronas	25	215.00	23
	Corona Chicas	25	225.00	29
	Corona Specials	25	214.75	23
	Corona Grand	25	410.00	59
	Corona de la Corona	25	214.00	23
	Entre Actos	25	123.75	3for55
	Fancy Tale	25	368.50	59
	H.V. Coronas	25	225.00	29
Idolo Fito	25	300.00	32	
Perfectos Extra	25	247.50	33	
Suberros	25	110.00	3for55	

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged, or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall

apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-773; Filed, Jan. 10, 1945; 4:11 p. m.]

[MPR 260, Order 490]

TUDOR ARMS CIGAR CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Tudor Arms Cigar Corp., 235 S. 3rd St., Philadelphia 6, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Crayton Arms.	Panetels.....	50	Per M \$48	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same

class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-774; Filed, Jan. 10, 1945; 4:11 p. m.]

[MPR 260, Order 491]

COMONDO CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Comondo Cigar Co., 1514 8th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Pedro Rios....	Super Cigar....	50	Per M \$48	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing dif-

ferentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-775; Filed, Jan. 10, 1945; 4:11 p. m.]

[MPR 260, Order 492]

FRED FEAKES

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Fred Feakes, 53 Bothany Circle, Santa Cruz, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Colonial.....	Perfeto.....	50	Per M \$64	Cents 8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-740; Filed, Jan. 10, 1945; 11:36 a. m.]

[MPR 260, Order 493]

NATIONAL CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant

to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) National Cigar Company, 407 North Main St., Frankfort, Ind. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum List Price	Maximum Retail Price
Heater Pack	Perfecto	10	Per M \$1.00	Crts 1.50
Blue Seal	Corona	10	Per M .80	Crts 1.00
Bankable		10	Per M .75	Crts .90

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall ap-

ply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-741; Filed, Jan. 10, 1945; 11:36 a. m.]

[MPR 260, Order 494]

BOBROW BROS., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) Bobrow Bros., Inc., 220-222 South 5th Street, Philadelphia 6, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum List Price	Maximum Retail Price
Full	Queen	10	Per M \$1.00	Crts 1.50

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be)

in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-742; Filed, Jan. 10, 1945; 11:37 a. m.]

[MPR. 260, Order 495]

TRIPOLI & DIDIA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Tripoli & Didia, 2440 Stout Street, Denver 5, Colo. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
John B. Moore....	6".....	50	Per M \$40	Cents 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on

sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-743; Filed, Jan. 10, 1945; 11:37 a. m.]

[MPR. 260, Order 496]

NEW YORKER CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Morris Blum, dba New Yorker Cigar Co., 756 Flushing Avenue, Brooklyn 6, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars

at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
New Yorker....	Corona DeLuxe, Obsequios.....	50 50	Per M \$193 215	Cents 25 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-744; Filed, Jan. 10, 1945;
11:37 a. m.]

[MPR 260, Order 497]

LA SIGA CIGAR MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) La Siga Cigar Mfg. Co., 110 W 18th Street, New York 11, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Juan y Julia	Divinos	50	Per M \$1.69	Cents 22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this

order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-745; Filed, Jan. 10, 1945;
11:37 a. m.]

[MPR 260, Order 498]

TAMPANOLA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Tampanola Cigar Company, 625 W. National Avenue, Milwaukee 4, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Traffic Club	Badger	50	Per M \$2.00	Cents 26 or 15
Tampanola	Victory	50	Per M \$2.00	Cents 26 or 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand

and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 13, 1945.

Issued this 12th day of January 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-849; Filed, Jan. 12, 1945;
11:53 a. m.]

[MPR 260, Order 499]

AMORITA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Amorita Cigar Co., 1900 E. Baltimore St., Baltimore 31, Md. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Principal	Gloria	50	Per M \$1.75	Cents 26 or 29
	Ritz	50	Per M \$2.25	Cents 26 or 29
	Beauque	50	Per M \$2.25	Cents 26 or 29
	Albat	50	Per M \$2.75	Cents 26 or 29

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective January 13, 1945.

Issued this 12th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-850; Filed, Jan. 12, 1945; 11:59 a. m.]

[Supp. Order 94, Amdt. 1 to Order 9]

UNITED STATES TREASURY DEPARTMENT,
PROCUREMENT DIVISION
SPECIAL MAXIMUM PRICES FOR NEW ARMY SHOES

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. 9 under Supplementary Order 94 is amended in the following respect:

Paragraph (a) is amended to read as follows:

(a) *What this order does.* This order establishes maximum prices at which new Army service shoes hereinafter described may be sold by United States Treasury Department, Procurement Division, and by any subsequent reseller.

This amendment to Order No. 9 shall become effective January 13, 1945.

Issued this 12th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-837; Filed, Jan. 12, 1945; 11:59 a. m.]

[MPR 120, Order 1260]

FOOTE AND SON COAL CO. AND IRA ROGERS
ESTABLISHMENT OF MAXIMUM PRICES AND
PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered.*

Producers identified herein operate named mines assigned the mine index

FOOTE AND SON COAL CO., ROUTE NO. 1 AMORET, MO., FOOTE NO. 3 MINE, FOSTER SEAM, MINE INDEX NO. 2029, BATES COUNTY, MO., DEEP MINE, CLASSIFIED IN PRODUCTION GROUP NO. 2

	Size group Nos.												
	1, 2, 3	4	5	6	7	8	9	10	11	12	13	14	15
Truck shipments.....	400	400	375	360	345	340	360	335	335	320	320	300	185

IRA ROGERS, BOX 23, OSAGE CITY, KANS., SUPERIOR MINE, MINE INDEX NO. 2025, OSAGE, COUNTY, KANS., STRIP MINE, CLASSIFIED IN PRODUCTION GROUP NO. 6

	Size group Nos.											
	1, 2, 3	4	5	6	7	8	9	10	11	12		
Truck shipments.....	420	420					420	410	410	410		

This order shall become effective January 13, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 12th day of January, 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-844; Filed, Jan. 12, 1945; 11:57 a. m.]

[MPR 120, Order 1261]

CHALMERS BLAIR, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND
PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered.*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set

forth herein. All are in District No. 15. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However producer is subject to the provisions of § 1340.228 and all other provisions of Maximum Price Regulation No. 120.

forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net on f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

This order shall become effective January 13, 1945

(56 Stat 23, 765, 57 Stat 566; Pub Law 383, 76th Cong; EO 9250 7 F R 7871; EO 9328, 8 F R 4681)

Issued this 12th day of January 1945

CHESTER BOWLES
Administrator

[F R Doc 45-845; Filed, Jan 12 1945; 11:57 a m]

[MPR 120 Order 1262]

ATHENS STRIPPING CO., ET AL

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340 210 (a) (6) of Maximum Price Regulation No. 120; It is ordered: Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set Maximum Price Regulation No 120

ATHENS STRIPPING CO., c/o LEONARD L. BURGESS, Athens, Ohio, CANTON MINE, No. 6 SEAM, MINE INDEX No. 4165, Hocking County, Ohio, Subdistrict 5, Strip Mine, Price Classification, Hocking Energy Output District, Railroad Fuel Price Group No. 104, RAIL SHIPPING POINT NELSONVILLE AND/OR SNOW FORT JUNCTION, OHIO

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipments and railroad fuel	350	345	335	325	315	305	295	285	275	265	255	245
Truck shipment	355	350	340	330	320	310	300	290	280	270	260	250

BLACK HIND COAL MINES, c/o THOMAS L. KAHL, 1208 WOOSTER AVE., DOVER, OHIO, BLACK HIND MINE, No. 5 SEAM, MINE INDEX No. 4164, TUSCARAWAS COUNTY, OHIO, SUBDISTRICT 4, STRIP MINE

Truck shipment	330	325	315	305	295	285	275	265	255	245	235	225
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D C ELIAS AND SON ROUTE No 2 INGOTON, OHIO, ELIAS MINE, No 7 SEAM, MINE INDEX No 4110, LAWRENCE COUNTY, OHIO, SUBDISTRICT 7, DEEP MINE

Truck shipment	350	345	335	325	315	305	295	285	275	265	255	245
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CAHLO COAL CO., c/o SALVATORE F. CAHLO, R. D. No 1, CAHLO, OHIO, CAHLO No 1 MINE, No. 8 SEAM, MINE INDEX No. 4061, HARRISON COUNTY, OHIO, SUBDISTRICT 1, STRIP MINE, PRICE CLASSIFICATION, OHIO No 8 FUEL PRICE GROUP No 110 RAIL SHIPPING POINT, ADENA, OHIO

Rail shipment	310	305	295	285	275	265	255	245	235	225	215	205
Railroad fuel	315	310	300	290	280	270	260	250	240	230	220	210
Truck shipment	320	315	305	295	285	275	265	255	245	235	225	215

CHAMBERS BLAIR, SPAFFORDVILLE, KY., BLAIR MINE, MILLERS CREEK SEAM, MINE INDEX No. 7272, JOHNSON COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: PAINESVILLE, KY. F O G 61, DEEP MINE, MAXIMUM TRUCK FUEL PRICE GROUP No 2

	Size group Nos.																	
	1	2	3	4	5	6	7	8	9	10	15	10	17	18	19	20	21	22
Price classification	P	D	D	D	E	E	E	E	F	F	H	H	H	A	G	G	G	I
Rail shipments and railroad fuel	405	395	385	375	365	355	345	335	325	315	305	295	285	275	265	255	245	235
Truck shipment	415	405	395	385	375	365	355	345	335	325	315	305	295	285	275	265	255	245

DRAPER MINING CO., Box No. 1160, I OGAN, W. VA., DRAPER MINE, ALMA SEAM, MINE INDEX No. 7202, LOGAN COUNTY, W. VA., SUBDISTRICT 5, RAIL SHIPPING POINT: LOGAN, W. VA.; F O G 160, DEEP MINE, MAXIMUM TRUCK FUEL PRICE GROUP No 6

Price classification	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q
Rail shipment	330	325	320	315	310	305	300	295	290	285	280	275	270	265	260	255	250	245
Railroad fuel	335	330	325	320	315	310	305	300	295	290	285	280	275	270	265	260	255	250
Truck shipment	340	335	330	325	320	315	310	305	300	295	290	285	280	275	270	265	260	255

B. F. HIGHBY, HERSHAW, W. VA., HIGHBY MINE, CEDAR GROVE SEAM, MINE INDEX No 7203, KANAWHA COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT: MARIET W. VA. F O G 123, DEEP MINE, MAXIMUM TRUCK FUEL PRICE GROUP No 4

Price classification	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M
Rail shipment	340	335	330	325	320	315	310	305	300	295	290	285	280	275	270	265	260	255
Railroad fuel	345	340	335	330	325	320	315	310	305	300	295	290	285	280	275	270	265	260
Truck shipment	350	345	340	335	330	325	320	315	310	305	300	295	290	285	280	275	270	265

LOGAN-POWELLTON COAL CO., Box 271, CUMSTAN, W. VA., MCCALL No. 1 MINE, ISLAND CREEK SEAM, MINE INDEX No. 7202, LOGAN COUNTY, W. VA., SUBDISTRICT 5, RAIL SHIPPING POINT: CHRISTIAN W. VA. F O G 160 DEEP MINE, MAXIMUM TRUCK FUEL PRICE GROUP No 6

Price classification	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q
Rail shipment	330	325	320	315	310	305	300	295	290	285	280	275	270	265	260	255	250	245
Railroad fuel	335	330	325	320	315	310	305	300	295	290	285	280	275	270	265	260	255	250
Truck shipment	340	335	330	325	320	315	310	305	300	295	290	285	280	275	270	265	260	255

MANXON MINING CO., MANXON KY., MANXON MINE, ELKHORN No 2 SEAM, MINE INDEX No. 7201, FLOYD COUNTY, KY. SUBDISTRICT 1, RAIL SHIPPING POINT: MARIET KY. F O G 61 DEEP MINE, MAXIMUM TRUCK FUEL PRICE GROUP No 3

Price classification	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H
Rail shipments and railroad fuel	330	325	320	315	310	305	300	295	290	285	280	275	270	265	260	255	250	245
Truck shipment	335	330	325	320	315	310	305	300	295	290	285	280	275	270	265	260	255	250

MONTAN COAL CO., CORNELL, VA., MONTAN COAL CO. MINE, LAWRENCE SEAM, MINE INDEX No. 7103, MISE COUNTY, VA. SUBDISTRICT 7, RAIL SHIPPING POINT: CAMPAS, VA. F O G 23, DEEP MINE, MAXIMUM TRUCK FUEL PRICE GROUP No 6

Price classification	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M
Rail shipments and railroad fuel	350	345	340	335	330	325	320	315	310	305	300	295	290	285	280	275	270	265
Truck shipment	355	350	345	340	335	330	325	320	315	310	305	300	295	290	285	280	275	270

SAM PATRICK BROS ACO, VA., JINX MINE, RICH ASH SEAM, MINE INDEX No. 7270, TAZEWELL COUNTY VA., SUBDISTRICT 6 DEEP MINE, MAXIMUM TRUCK FUEL PRICE GROUP No 6

Truck shipment	435	430	425	420	415	410	405	400	395	390	385	380	375	370	365	360	355	350
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FRED B. SALMONS, MOBILE, W. VA., SALMONS MINE, COALBURN SEAM, MINE INDEX No. 7275, CLAY COUNTY W. VA., SUBDISTRICT 4, DEEP MINE, MAXIMUM TRUCK FUEL PRICE GROUP No 6

Truck shipment	380	375	370	365	360	355	350	345	340	335	330	325	320	315	310	305	300	295
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BAVE DIAMOND COAL CO., P. O. BOX NO. 80, KNOXVILLE, TENN. CROWN NO. 2 MINE, HARLAN SEAM, MINE INDEX NO. 724, HARLAN COUNTY, KY., SUB DIST 2 RAIL SHIPPING POINT: PATH FOR KY F O G 80 DEEP MINE; MAXIMUM TRUCK PRICE GROUP NO. 9

Price classification... Rail shipments and R. R. fuel... Truck shipment...	Size group Nos														
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20	21
J	J	J	J	J	H	H	G	F	D	D	O	F	F	F	F
375	370	360	360	345	335	315	315	315	370	370	300	295	290	290	290
380	370	360	335	335	320	295	260	255							

JOE ELIAS COAL MINE, c/o ESHOBENE E. CROW MASON CITY, W. VA., JOE ELIAS COAL MINE, PITTSBURGH NO. 8 SEAM, MINE INDEX NO. 7255 MASON COUNTY, W VA SUB DIST 4 DEEP MINE MAXIMUM TRUCK PRICE GROUP NO. 5

Truck shipment	380	350	335	335	320	295	260	255

O E FARLEY ROUTE NO. 1 POCA W. VA., FARLEY MINE, PITTSBURGH NO. 8 SEAM, MINE INDEX NO. 7261, PUTNAM COUNTY, W VA., SUB DIST 4, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Truck shipment	380	360	335	335	320	295	260	255

WALTER FUSTON JELICO TENN., EASTENNESSEE MINE, JELICO SEAM, MINE INDEX NO. 7250 WHITLEY COUNTY, KY., SUB DIST 6 DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Truck shipment	405	385	360	350	320	300	260	255

ROYCE KERSHAW AND CO., 710 BELL BLDG. MONTGOMERY, ALA., ROYCE KERSHAW AND CO. MINE, HARLAN SEAM MINE INDEX NO. 7260, HARLAN COUNTY, KY., SUB-DIST 2 RAIL SHIPPING POINT: CUMBERLAND KY F O G 80 STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification... Rail shipments and R. R. fuel... Truck shipment	O	O	O	O	L	L	K	F	D	D	D	H	H	H	H
345	340	325	325	320	320	310	310	315	315	370	300	285	285	285	280
380	360	335	335	320	295	260	255								

MEADOWS COAL CO., WEST PRESTONBURG KY. MEADOWS NO. 1 MINE, ECKHORN NO. 1 SEAM, MINE INDEX NO. 7254, FLOYD COUNTY, KY., SUB DIST 1 RAIL SHIPPING POINT: PRESTONBURG KY F O G 61 DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification... Rail shipments and R. R. fuel... Truck shipment	H	H	H	H	H	G	E	O	E	O	H	H	H	H	H
380	375	360	360	345	335	315	315	315	370	300	285	285	285	285	280
405	385	360	360	350	330	300	280	255							

PRUDEN COAL & COKE CO., PRUDEN, TENN., PRUDEN NO. 6 MINE, RICH MOUNTAIN SEAM, MINE INDEX NO. 7207 CLAIBORNE COUNTY, TENN., SUB DISTRICT 6 RAIL SHIPPING POINT: PRUDEN TENN., F O G 113 DEEP MINE MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification... Rail shipments and R. R. fuel... Truck shipment	Size group Nos														
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20	21
H	H	H	H	H	D	D	O	D	O	O	O	G	G	G	N
395	390	375	375	355	335	330	340	335	330	385	315	310	300	295	255
405	385	360	360	350	330	300	260	255							

CARMEL WARD WILLIAMS KY., CARMEL WARD MINE, NO. 1 SEAM, MINE INDEX NO. 7264 JOHNSON COUNTY KY SUB DISTRICT 1 DEEP MINE MAXIMUM TRUCK PRICE GROUP NO. 2

Price classification... Rail shipments and R. R. fuel... Truck shipment	Size group Nos														
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20	21
H	H	H	H	H	D	D	O	D	O	O	O	G	G	G	N
395	390	375	375	355	335	330	340	335	330	385	315	310	300	295	255
405	385	360	360	350	330	300	260	255							

Truck shipment

Truck shipment	415	395	370	365	350	305	250	255

GALLO COAL CO., c/o SAYATORE F. GALLO, R. D. #1, CADIZ, OHIO, GALLO NO. 2 MINE, NO. 8-A SEAM, MINE INDEX NO. 4092, HAMILTON COUNTY, OHIO, SUBDISTRICT 1 STRIP MINE, PRICE CLASSIFICATION, OHIO NO. 8 FREIGHT ORIGIN DISTRICT RAILROAD FUEL PRICE GROUP NO. 119 RAIL SHIPPING POINT, ADENA OHIO

Rail shipment Railroad fuel... Truck shipment	Size group Nos											
	1	2	3	4	5	6	7	8	10	11	12	
310	305	275	275	270	260	235	225	260	210			
275	275	275	275	260	230	220	235	220				
360	350	335	310	305	280	255	245					

THE MARSHALL MINING CO., 1293 POLAND AVE. YOUNGSTOWN 8, OHIO, LEBRON MINE, NO. 7 SEAM, MINE INDEX NO. 4108, COLUMBIANA COUNTY, OHIO, SUBDISTRICT 4 STRIP MINE, PRICE CLASSIFICATION, LEBRONIA FREIGHT ORIGIN DISTRICT RAILROAD FUEL PRICE GROUP NO. 108 RAIL SHIPPING POINT LISBON OHIO

Rail shipments and Railroad fuel	330	325	300	295	290	280	250	240	260	235	280
Truck shipment	385	375	360	335	330	295	270	260			

RAYLAND COAL CO., 215 E. MAIN ST., ST. CLAIRSVILLE, OHIO, RAYLAND NO. 2 MINE NO. 8 SEAM, MINE INDEX NO. 4111, JEFFERSON COUNTY, OHIO, SUBDISTRICT 1, STRIP MINE, PRICE CLASSIFICATION, OHIO NO. 8 FREIGHT ORIGIN DISTRICT, RAILROAD FUEL PRICE GROUP NO. 111 RAIL SHIPPING POINT DILLONVALE, OHIO

Rail shipment	310	305	275	275	270	260	235	225	260	210	260
Railroad fuel...	275	275	275	260	220	220	220	235	220		260
Truck shipment	360	350	335	310	305	280	265	245			260

TWIN BEECH COAL CO., c/o FRANK WILLIAMS, ROUTE NO. 2, CHESTERHILL, OHIO, TWIN BEECH MINE, NO. 8 SEAM, MINE INDEX NO. 4107, MORGAN COUNTY, OHIO, SUBDISTRICT 6 DEEP MINE, PRICE CLASSIFICATION, CROOKSVILLE FREIGHT ORIGIN DISTRICT RAILROAD FUEL PRICE GROUP NO. 109 RAIL SHIPPING POINT AMESVILLE, OHIO

Rail shipment	335	325	285	285	275	245	245	250	260
Railroad fuel...	335	325	285	275	245	245	250		270
Truck shipment	365	355	345	320	315	265	230	230	

This order shall become effective January 13, 1945

(66 Stat 23 765 57 Stat 566; Pub Law 383 78th Cong; EO 9250 7 F.R. 7871; EO 9328 8 F.R. 4681)

Issued this 12th day of January 1945

CHESTER BOWLES
Administrator

[F. R. Doc 45-846; Filed, Jan 12 1945; 11: 57 a m.]

[MPR 120 Order 1263]

BLUE DIAMOND COAL CO ET AL
ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No 120, it is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as

set forth herein All are in District No 8 The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups The location of each mine is given by county and state The maximum prices stated to be for truck shipment are in cents per net ton f o b the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f o b rail shipping point In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f o b river shipping point However producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No 120

This order shall become effective January 13, 1945
 (56 Stat 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328 8 F.R. 4681)
 Issued this 12th day of January 1945
 CHESTER BOWLES,
 Administrator
 [F R Doc 45-847; Filed, Jan 12 1945; 11:58 a.m.]

[MPR 188 Amdt 68 to Order A-1]
 CLAY BUILDING BRICK AND TILE
 MODIFICATION OF MAXIMUM PRICES

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

Paragraph (a) (51) is added to Order No A-1 to read as follows:

(51) *Modification of maximum prices for clay building brick (common and face, except ceramic glazed), structural clay hollow building tile (except ceramic glazed ware), and clay drain tile (glazed and unglazed)* (1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No 189 as amended, for clay building brick (common and face, except ceramic glazed), produced in the States of Delaware and Maryland; the counties of New York west of and including Franklin Hamilton, Fulton Montgomery, Schoharie and Delaware; the counties of Pennsylvania east of and including Tioga Lycoming, Clinton Centre, Huntington and Fulton; and the District of Columbia, may be increased by adding an amount not in excess of \$1.75 per thousand for standard size brick to the f. o. b. plant prices or delivered prices. If a manufacturer had an established differential in price during the month of March 1942 for non-standard sizes of clay building brick (common and face except ceramic glazed), he may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formula in use by him during March 1942 in establishing a price differential between the standard size brick and the non-standard size brick under this adjustment.

*Copies may be obtained from the Office of Price Administration

JOHN MAYHER, R. D. #1, MASONRY, PA., MAXWER STRIP MINE, PRETERRON SHAM, MINE INDEX No 4242
 FAYETTE COUNTY, PA., SUBDISTRICT 3, STRIP MINE, MAXIMUM TRUCK PRICE GROUP No. 7

Truck shipment	Size group Nos										
	1	2	3	4	5	6	7	8	9	10	11
415	415	415	415	385	375	375	375	310	200	200	205

PRETERRON COAL CO., PRETERRON PA., CUMMINS MINE, PRETERRON SHAM, MINE INDEX No. 4272, WASHINGTON COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT, LOUSTON PA STRIP MINE, RAILROAD FUEL PRICE GROUP 2
 MAXIMUM TRUCK PRICE GROUP No. 6

Price classification	Size group Nos										
	O	C	O	C	F	F	F	F	F	F	F
Rail shipment	325	310	310	310	275	295	295	295	295	295	235
Railroad fuel	325	310	310	310	275	275	275	275	275	275	235
Truck shipment	425	425	425	385	375	375	375	310	200	200	205

PRETERRON COAL CO. 100 MAIN ST., RIMERSBURG, PA., BRADYS BEND No. 3 MINE, UPPER PRETERRON SHAM, MINE INDEX No. 4270, BUTLER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT, DEWEY PA., STRIP MINE, RAILROAD FUEL PRICE GROUP No. 10

Price classification	Size group Nos										
	F	F	F	F	F	F	F	F	F	F	
Rail shipment	285	260	260	260	260	260	260	260	260	260	235
Railroad fuel	285	260	260	260	260	260	260	260	260	260	235
Truck shipment	395	395	395	395	395	395	395	395	395	395	275

S. B. AND S. O. PORTAVILL, PA., S. B. AND S. O. MINE, UPPER PRETERRON SHAM, MINE INDEX No. 4270, BUTLER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT, KAYLOR PA. STRIP MINE, RAILROAD FUEL PRICE GROUP 12, MAXIMUM TRUCK PRICE GROUP No. 2

Price classification	Size group Nos										
	F	F	F	F	F	F	F	F	F	F	
Rail shipment	285	260	260	260	260	260	260	260	260	260	235
Railroad fuel	285	260	260	260	260	260	260	260	260	260	235
Truck shipment	425	425	425	425	425	425	425	425	425	425	270

SEALED COAL CO. R. D. No. 2 SALT SPRING, PA., SEASIDE WEST MINE, PRETERRON SHAM, MINE INDEX No. 4241, WASHINGTON COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT, SENECAVILLE PA., STRIP MINE, R. R. FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP No. 8

Price classification	Size group Nos										
	D	D	C	C	C	C	D	D	D	D	
Rail shipment	310	310	310	310	310	310	310	310	310	310	275
Railroad fuel	310	310	310	310	310	310	310	310	310	310	275
Truck shipment	415	415	415	415	415	415	415	415	415	415	275

V. J. M. H. CO. CO. F. G. ROBERT, P. O. BOX 234, MR. DELOACH, PA., CARSON No. 234, F. DELOACH, MINE INDEX No. 4252, WASHINGTON COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, FAYETTEVILLE, PA., STRIP MINE, R. R. FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP No. 8

Price classification	Size group Nos										
	D	D	C	C	C	C	D	D	D	D	
Rail shipment	310	310	310	310	310	310	310	310	310	310	275
Railroad fuel	310	310	310	310	310	310	310	310	310	310	275
Truck shipment	415	415	415	415	415	415	415	415	415	415	275

W. J. M. H. CO. CO. F. G. ROBERT, P. O. BOX 234, MR. DELOACH, PA., CARSON No. 234, F. DELOACH, MINE INDEX No. 4252, WASHINGTON COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, FAYETTEVILLE, PA., STRIP MINE, R. R. FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP No. 8

Price classification	Size group Nos										
	D	D	C	C	C	C	D	D	D	D	
Rail shipment	310	310	310	310	310	310	310	310	310	310	275
Railroad fuel	310	310	310	310	310	310	310	310	310	310	275
Truck shipment	415	415	415	415	415	415	415	415	415	415	275

S. J. AND J. C. LOSOVICH, BOX 104, MACOVON PA., YOSKOVICH MINE, PRETERRON SHAM, MINE INDEX No. 4253, WASHINGTON COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, DEERMINN PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 7, MAXIMUM TRUCK PRICE GROUP No. 11

Price classification	Size group Nos										
	D	D	D	D	D	D	D	D	D	D	
Rail shipment	310	310	310	310	310	310	310	310	310	310	275
Railroad fuel	310	310	310	310	310	310	310	310	310	310	275
Truck shipment	415	415	415	415	415	415	415	415	415	415	275

This order shall become effective January 13, 1945
 (56 Stat 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328 8 F.R. 4681)
 Issued this 12th day of January 1945
 CHESTER BOWLES,
 Administrator
 [F R Doc 45-847; Filed, Jan 12, 1945; 11:58 a.m.]

[MPR 120, Order 126A]
 JOHN MAYHER ET AL
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340 210 (a) (6) of Maximum Price Regulation No. 120; it is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments, as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f.o.b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f.o.b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f.o.b. river shipping point. However, produce is subject to the provisions of § 1340 213 and all other provisions of Maximum Price Regulation No. 120.

(ii) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 188, as amended, for structural clay hollow building tile (except ceramic glazed ware) and clay drain tile (glazed and unglazed) produced in the area described in (i) above, may be increased by adding thereto an amount not in excess of \$0.70 per ton to the f. o. b. plant prices or delivered prices.

(iii) Any reseller purchasing clay building brick (common and face, except ceramic glazed) structural clay hollow building tile (except ceramic glazed ware) and clay drain tile (glazed and unglazed) for resale from any manufacturer who has adjusted his maximum prices in accordance with subdivision (i) or (ii) above, may increase his maximum prices, established under the General Maximum Price Regulation, by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted in subdivisions (i) and (ii) above.

(iv) The maximum prices established herein shall be subject to cash, quantity, and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

(v) Any price adjustments granted prior to January 15, 1945, by the Price Administrator or any Regional Administrator for any seller of brick, building tile, or drain tile, covered by the provisions set forth above, are hereby revoked.

This Amendment No. 68 shall become effective January 15, 1945.

Issued this 12th day of January 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-843; Filed, Jan. 12, 1945;
11:56 a. m.]

Regional and District Office Orders.

[District of Columbia Gen. Order X Under
RO 5C]

GASOLINE IN WASHINGTON, D. C.

Pursuant to authority conferred by the Deputy Administrator in charge of Rationing and the authority conferred by § 1394.8169 of Ration Order 5C, it is hereby determined that the uniform and equitable distribution of gasoline to consumers requires the following conditions of sale:

Dealers shall not deliver gasoline into the tank of any vehicle unless the tank contains $\frac{1}{4}$ or less of the capacity of the tank.

Dealers shall not deliver into such tanks more than one unit.

This order shall not apply to the vehicles designated in Order IX.

This order is effective at 3:30 p. m. January 4, 1945 and shall remain effective until further notice.

ROBERT K. THOMPSON,
District Director

[F. R. Doc. 45-915; Filed, Jan. 11, 1945;
4:19 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-42, 54-69, 59-65, 70-927, 70-928]

CENTRAL STATES UTILITIES CORP., ET AL.

ORDER RELEASING JURISDICTION WITH RESPECT TO FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of January A. D. 1945.

In the matters of Central States Utilities Corporation, Central States Power & Light Corporation, Ogden Corporation, et al., File No. 54-42; Ogden Corporation and subsidiary companies, File No. 54-69; Ogden Corporation and subsidiary companies, File No. 59-65; Interstate Power Company, File No. 70-927; and Interstate Power Company, File No. 70-928.

The Commission having by order dated October 13, 1944 (Holding Company Act Release No. 5351) granted and permitted to become effective, among other things, an application and declaration filed herein by Interstate Power Company, a registered holding company and a subsidiary of Ogden Corporation, a registered holding company, involving the acquisition by Interstate Power Company from Central States Power & Light Corporation, a registered holding company and an associate company in the Ogden Corporation holding company system, of the latter's properties known as its "Iowa-Minnesota properties" and the sale by Interstate Power Company of its properties, known as its "Bemidji-Crookston District" to Otter Tail Power Company; and having by said order reserved jurisdiction to consider the reasonableness of all fees and expenses of Interstate Power Company in connection with the aforesaid transactions;

Interstate Power Company having now filed applications herein for the release of jurisdiction heretofore reserved over said fees and expenses, together with statements of actual fees and expenses incurred by it in the aggregate amounts of \$13,641.10 and \$15,673.19, respectively, in regard to the acquisition of the said "Iowa-Minnesota properties" and the sale of the said "Bemidji-Crookston District" and it appearing to the Commission that said fees and expenses are not unreasonable, and that jurisdiction over such matters should be released;

It is ordered, That the jurisdiction in the order heretofore entered herein on October 13, 1944 with respect to the said fees and expenses of Interstate Power Company be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-811; Filed, Jan. 11, 1945;
4:25 p. m.]

[File Nos. 54-117, 59-72]

COLUMBIA GAS & ELECTRIC CORP.

NOTICE OF FILING AND ORDER FOR HEARING ON PLAN AND ORDER OF CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pennsylvania, on the 9th day of January, 1945.

The Commission, having by order dated November 30, 1944, directed, among other things, that Columbia Gas & Electric Corporation, ("Columbia") limit the operations of its holding company system by severing its relationships with several companies, including The Dayton Power and Light Company ("Dayton"), The Miami Development Company ("Miami Development"), The Cincinnati Gas & Electric Company ("Cincinnati"), Miami Power Corporation ("Miami Power"), West Harrison Electric and Water Company, Inc. ("West Harrison"), and The Union Light, Heat and Power Company ("Union") in an appropriate manner not in contravention of the applicable provisions of the act and rules, regulations and orders promulgated thereunder;

Notice is hereby given that Columbia, a registered holding company and a subsidiary of The United Corporation, also a registered holding company, has filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan, the stated purpose of which is to enable Columbia and certain of its subsidiaries to comply with the provisions of section 11 (b) of the act and the terms of the integration order of the Commission referred to above. The plan proposes action designed to accomplish a reclassification of the existing Columbia stocks (Preferred, Preference and Common) into a single class of Capital Stock and the distribution of such new stock, and also the Common Stocks of the Cincinnati and Dayton companies (after certain intercorporate rearrangements), to the present holders of all existing Columbia stocks and other incidental and related transactions.

All interested persons are referred to said plan which is on file in the offices of this Commission for a full statement of the transactions therein proposed which are summarized as follows:

(1) Columbia proposes to amend its certificate of incorporation so that (as of the effective date of the plan) the outstanding shares of its 6% Preferred Stock, 5% Preferred Stock, Preference Stock (5%) and existing Common Stock will be reclassified into 6,707,743.7 shares of new Capital Stock. The par value of the new stock is to be fixed upon determination of the amount at which Columbia will carry its investments in subsidiary companies;

(2) Columbia will transfer all of the outstanding indebtedness and Common Stocks of (a) Union (except 124 $\frac{5}{8}$ ths shares of Common Stock held by the public), Miami Power and West Harrison to Cincinnati, for an estimated amount of \$6,628,179; and (b) Miami Development to Dayton for an estimated amount of \$620,276; such transfers to be made on the basis of a sum equal to the principal amount (plus accrued interest) of the indebtedness and book net worth allocable to the stocks of the respective companies;

(3) The articles of incorporation of Cincinnati and Dayton will be amended so as to (a) change Cincinnati's outstanding 771,545 shares of no par Common Stock (all of which are held by Columbia) into 958,249.1 shares of Com-

mon Stock having a par value of \$12 per share, (b) change Dayton's outstanding 360,000 shares of no par Common Stock (all of which are held by Columbia) into 958,249.1 shares of Common Stock having a par value of \$10 per share; and (c) increase the voting power of the presently outstanding Preferred Stocks of both Cincinnati and Dayton by providing in substance that, whenever four full quarterly dividends shall be in arrears on said Preferred Stocks, the holders thereof, voting as a class, shall be entitled to elect the smallest number of directors necessary to constitute a majority of the Boards of Directors of the respective companies;

(4) Columbia will distribute to the holders of its outstanding Preferred, Preference and Common Stocks in exchange therefor all of the new Capital Stock of Columbia and the new Common Stocks of Cincinnati and Dayton (together with a cash adjustment for accrued dividends on the Preferred and

Preference Stocks to the effective date of the plan). Such distribution will result in the holder of each share of Columbia's outstanding stocks receiving new shares of the three companies as follows:

Columbia's outstanding stocks	New shares to be received		
	New Columbia stock	Cincinnati common stock	Dayton common stock
6% preferred stock	4	4	44
6% preferred stock	3 1/2	3 1/2	34
6% preference stock	3	3	34
Common stock	3 1/2	3 1/2	34

(5) The presently outstanding shares of each class of Columbia stocks, the new shares to be received in exchange therefor, and the percentage of the new shares to the total to be outstanding upon consummation of the plan are as follows:

Columbia's outstanding stocks		Will receive the following shares			Percent of total new shares
Class	Shares	New Columbia stock	Cincinnati common stock	Dayton common stock	
6% Pfd.	940,664	3,762,653	37,522 2/3	37,522 2/3	10.00
6% Pfd.	38,625	135,432 1/2	19,317 1/2	19,317 1/2	2.62
6% Pfd.	121,658	365,614	52,143 1/2	52,143 1/2	8.44
Common	12,223,238	2,444,653 1/2	329,223 1/2	329,223 1/2	21.45
		6,707,743 1/2	628,249 1/2	628,249 1/2	100.00

(6) Distribution of the new shares to the holders of the outstanding Columbia stocks is to be made as soon as practicable after the effective date of the plan against surrender of outstanding shares of Columbia stocks at such office or agency as may be specified by the company for such purpose. Payment of cash for accrued dividends to the holders of the Preferred and Preference Stocks is to be made on the effective date of the plan to stockholders of record as of a date to be fixed by the Board of Directors of Columbia;

(7) No fractional shares of new Columbia Capital Stock or Cincinnati and Dayton Common Stocks are to be issued, it being the intention of Columbia that the issuance of scrip for fractional shares be held to a minimum or, if possible, avoided entirely. Upon determination of a definitive method of dealing with fractional shares, stockholders are to be given due notice thereof and will be bound accordingly.

(8) The plan, upon becoming effective, will be binding upon all holders of Columbia's presently outstanding Preferred, Preference and Common Stocks and all rights attaching thereto shall cease and become void other than the right to receive new securities and cash as is provided in the plan. Under the terms of the plan, dividends which may be declared on the new Columbia Capital Stock and Cincinnati and Dayton Common Stocks will be withheld until surrender of the outstanding shares of Columbia stocks;

(9) The plan contains several miscellaneous provisions to the effect that (a) personnel of the Cincinnati and Dayton

companies are to remain unchanged, except all or some of the directors or officers of Columbia who are also directors or officers of Cincinnati or Dayton will cease to act in such dual capacities; (b) the Cincinnati and Dayton companies are to withdraw from the Retirement Income Plan for Columbia System Companies and are to enter into a new agreement with respect thereto; (c) the participation or other interests of Cincinnati and Dayton and other non-retainable companies in insurance policies, service contracts and other arrangements are to be terminated; (d) the name of "Columbia Gas & Electric Corporation" is to be appropriately changed to eliminate the word "Electric"; and (e) Columbia will dispose of its interest in several properties heretofore found by this Commission to be non-retainable under the Act (Holding Company Act Release No. 5455)

(10) The plan contemplates that Columbia's outstanding Debentures (\$70,835,000 as of September 30, 1944) will be reduced to an aggregate principal amount of approximately \$60,000,000 by retirement of Debentures for cash, and that the Debentures remaining outstanding will be refunded. It is contemplated that the reduction in the amount of Debentures will be effected through the use of (a) such cash as Columbia may properly spare, estimated as of the date of the plan to be \$5,500,000; (b) the proceeds derived from the transfer by Columbia to Cincinnati and Dayton of the indebtedness and stocks of the several system companies hereinbefore named, estimated to aggregate \$7,243,455 (as of September 30, 1944), and (c) any pro-

ceeds realized by Columbia in cash from the disposition of its interest in the several properties heretofore found to be non-retainable by this Commission. According to the plan, the reduction and refunding of Columbia's Debentures may be effected prior to, or concurrently with, the other steps in the plan, or in one or more successive steps;

(11) Consummation of the plan is made contingent upon (a) approval of the plan in its entirety by the Securities and Exchange Commission in proceedings under section 11 (e) of the act; (b) either (1) the entry by a Court of competent jurisdiction of an appropriate decree finding the plan fair and equitable and directing its consummation, which decree shall have become final and no longer subject to review, or (2) the taking of such corporate action as the Board of Directors of Columbia shall deem necessary to authorize consummation of the plan; and (c) the inclusion in the order of the Commission of recitals required by sections 371 (f) and 1893 (f) of the Internal Revenue Code and an appropriate determination made by the Treasury Department with respect to the tax consequences of the various transactions which is satisfactory to the Board of Directors of Columbia.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said plan, and that such plan should not be approved except pursuant to further order of this Commission;

It further appearing to the Commission that some of the evidence in the pending proceedings under sections 11 (b) (1) and (2) of the act in respect of Columbia Gas & Electric Corporation and its subsidiaries (File No. 59-72) is also relevant to the issues presented by said plan, and that the pending proceedings and the proceedings hereby instituted in respect of said plan involve common questions of law and fact and should be consolidated;

It is ordered, That the proceedings with respect to said plan filed pursuant to section 11 (e) of the act and the pending proceedings pursuant to section 11 (b) (1) and (2) of the act be, and the same hereby are, consolidated.

It is further ordered, That a hearing in the consolidated proceedings be held under the applicable provisions of the act and rules promulgated thereunder on the 6th day of February, 1945, at 10 a. m., e. w. t., at the office of the Securities and Exchange Commission, 16th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at that time by the Hearing Room Clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its rules of practice, Rule XVII, on or before January 30, 1945.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such manner. The officer so designated to preside at any such hear-

ing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act to a trial examiner under the Commission's rules of practice.

It is further ordered. That, without limiting the scope of the issues presented by said consolidated proceedings, particular attention will be directed at said hearing to the following matters and questions (in addition to the issues remaining in the pending section 11 (b) (1) and (2) proceedings as set forth in our notice of and order for hearing of May 2, 1944 (Holding Company Act Release No. 5024):

(1) Whether the plan, as submitted, or as hereafter modified, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby.

(2) Whether the proposed allocations of new stocks of Columbia, Cincinnati and Dayton to the Preferred, Preference and Common stockholders of Columbia are appropriate, or whether such allocations should be changed;

(3) What steps, if any, should be taken by Columbia, Cincinnati and Dayton prior or subsequent to the distribution of their new stocks for any of the following purposes: (a) to ensure a fair and equitable distribution of voting power among the security holders of Columbia, Cincinnati and Dayton; and what provisions should be made and procedure adopted with respect to the eligibility and nomination of directors of Columbia, Cincinnati and Dayton, the use of proxy machinery, and other matters to effectuate compliance with the requirements of the act; and (b) to modify, limit or terminate the existing service contracts, insurance policies, Retirement Income Plan, and other intrasystem arrangements, and take such other action as may be necessary or appropriate to effectuate a divorcement of the revised Cincinnati and Dayton companies from the direct or indirect control of Columbia;

(4) Whether the accounting entries to be recorded in connection with the plan are appropriate and consistent with sound accounting principles and practices;

(5) Whether the provisions for the consummation of the plan are fair and equitable and in accordance with applicable law.

(6) Whether the plan, as filed or as modified, makes appropriate provision for the payment of expenses, fees and remuneration in connection with the reorganization, in what amounts such expenses, fees and remuneration should be paid, and the fair and equitable allocation thereof;

(7) Generally, whether the proposed transactions are in all respects in the public interest and in the interests of investors and consumers and consistent with the Commission's order of November 30, 1944 and all applicable requirements of the Act and the rules thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the applicable standards.

It is further ordered. That notice of said hearing is hereby given to Columbia and its subsidiary companies and to all interested persons; said notice to be given by registered mail to Columbia Gas & Electric Corporation, The United Corporation, Federal Power Commission, and to the Public Utility Commissions of the States of Indiana, Kentucky, Maryland, New York, Ohio, Pennsylvania, West Virginia and Virginia, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of the Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is further ordered. That Columbia give notice of this hearing by mailing to each of its public security holders (insofar as the identity of such security holders is known or available to Columbia) to his last known address, at least fifteen days prior to the date of this hearing, a copy of this order.

It is further ordered. That jurisdiction be, and is hereby, reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings, to consolidate with these proceedings other filings or matters pertaining to the plan, and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-812; Filed, Jan. 11, 1945;
4:25 p. m.]

[File No. 811-11]

OILSTOCKS LIMITED

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of January, A. D. 1945.

An application having been filed by Oilstocks Limited pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said act;

It is ordered. Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on January 22, 1945 at 10:00 a. m., eastern war time, in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania;

It is further ordered. That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearings. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-814; Filed, Jan. 11, 1945;
4:25 p. m.]

[File No. 70-1010]

AMERICAN GAS AND POWER CO. AND
SAVANNAH GAS CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of January, A. D. 1945.

Notice is hereby given that a joint declaration and an amendment thereto have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 (act) by American Gas and Power Company (American) a registered holding company and Savannah Gas Company (Savannah), a subsidiary of American.

All interested persons are referred to said documents which are on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Savannah proposes to sell and Savannah-St. Augustine Gas Company (Savannah-St. Augustine) a Georgia corporation organized by or on behalf of H. Hansell Hillyer, proposes to acquire Savannah's fixed properties located in the City of Savannah, the Town of Thunderbolt and in Chatham County, Georgia and certain of Savannah's net current assets, for an aggregate consideration of \$2,205,000, subject to certain adjustments at the date of closing. Out of the proceeds of such sale, Savannah proposes to redeem all of its First Mortgage Bonds now outstanding in the principal amount of \$1,000,000 and its serial notes now outstanding in the principal amount of \$270,000. The bonds are to be redeemed at their redemption price of 107% of the principal amount and the notes will be redeemed at their redemption price of 103% of the principal amount. Immediately following the sale and conveyance by Savannah of its properties and net current assets, it is proposed that Savannah will be liquidated and dissolved and after payment of Savannah's outstanding indebtedness other than the indebtedness assumed by Savannah-St. Augustine, all remaining assets of Savannah will be paid and transferred to the New York Trust Company, as successor trustee under American's Debenture Agreement dated as of May 1, 1938, as supplemented and amended, with which company the common stock of Savannah is pledged, unless such debenture agreement be terminated prior to consummation of the sale.

American was directed to dispose of its interest in Savannah by this Commission's Order dated July 2, 1943 (Holding Company Act Release No. 4395) pursuant to section 11 (b) (1) of the act. The

amended plan of American pending before this Commission under section 11 (e) of the act provides for the sale of American's interest in Savannah.

American and Savannah request, in order that they may have the exemption afforded by section 1808 (f) of the Internal Revenue Code that this Commission approve the transaction as necessary or appropriate to effectuate the provisions of section 11 (b) of the act and specify and itemize the conveyances of the properties of Savannah.

It appearing to this Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters and that said declaration, as amended, should not be permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of the act and rules of this Commission thereunder be held on January 22, 1945 at 10 a. m., e. w. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declara-

tion shall be permitted to become effective.

It is further ordered, That Charles S. Lobingier, or any officer or officers of the Commission designated by it for that purpose shall preside at the hearings on such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented in the proceedings, particular attention will be directed at the hearings to the following matters and questions:

1. Whether the proposed transactions are fair and equitable to the persons affected thereby and are necessary to effectuate the provisions of section 11 (b).

2. Whether and to what extent it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms or conditions in regard to the proposed sale, having particular regard for the consideration to be received for such sale, maintenance of competitive conditions, fees and commissions, accounts, disclosure of interest, and similar matters.

3. Generally, whether the proposed transactions are in all respects in the

public interest and in the interests of investor and consumers and consistent with all applicable requirements of the act and the rules thereunder and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

It is further ordered, That notice of the aforesaid hearing be given to American Gas and Power Company, Savannah Gas Company, Savannah-St. Augustine Gas Company, New York Trust Company and to the Georgia Public Service Commission by registered mail and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the act and by publication in the FEDERAL REGISTER.

It is requested that any persons desiring to be heard in these proceedings shall file with the secretary of this Commission on or before January 19, 1945, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[P. R. Doc. 45-913; Filed, Jan. 11, 1945;
4:25 p. m.]

