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Washington, Friday, February 23, 1945

The President

EXECUTIVE ORDER 9524

AMENDING EXECUTIVE ORDER NO. 9195 OF JULY 7, 1942, PRESCRIBING REGULATIONS RELATING TO AERIAL FLIGHTS BY PERSONNEL OF THE ARMY, NAVY, MARINE CORPS, COAST GUARD, AND NATIONAL GUARD

Executive Order No. 9195 of July 7, 1942, prescribing regulations relating to aerial flights by personnel of the Army, Navy, Marine Corps, Coast Guard, and National Guard, as amended by Executive Order No. 9458 of July 22, 1944, is hereby further amended as indicated below:

1. The title and preamble of the said order are amended to read as follows:

REGULATIONS RELATING TO AERIAL FLIGHTS BY PERSONNEL OF THE ARMY, NAVY, MARINE CORPS, COAST GUARD, AND NATIONAL GUARD, AND OFFICERS OF THE PUBLIC HEALTH SERVICE DETAILED FOR DUTY WITH THE COAST GUARD

By virtue of and pursuant to the authority vested in me by section 20 of the act of June 10, 1922, 42 Stat. 632, as amended by section 6 of the act of July 2, 1926, 44 Stat. 782, by section 18 of the Pay Readjustment Act of 1942, approved June 16, 1942 (56 Stat. 368), and by section 215 (a) of the Public Health Service Act, approved July 1, 1944 (58 Stat. 690) I hereby prescribe the following regulations relating to increased pay for personnel of the Army, Navy, Marine Corps, Coast Guard and National Guard, and for officers of the Public Health Service detailed for duty with the Coast Guard, when by orders of competent authority they are required to participate regularly and frequently in aerial flights, and when in consequence of such orders they do participate in regular and frequent flights.

2. Subdivision (f) of paragraph 1 of the order is amended to read as follows:

(f) The terms "student naval flight surgeon" and "student Public Health Service flight surgeon" shall be construed to include any naval medical officer and

any officer of the Public Health Service while detailed for duty with the Coast Guard who is duly appointed and assigned flight instruction leading to the designation of naval flight surgeon or Public Health Service flight surgeon.

3. Paragraphs 4 and 5 of the order are amended to read as follows:

4. Each officer of the Medical Corps of the Army or of the Navy and each officer of the Public Health Service while detailed for duty with the Coast Guard who is duly assigned to duty with any aeronautic headquarters or unit of the Army, Navy, Marine Corps, or Coast Guard, or assigned to duty at a station where there is an aeronautic unit, and who has qualified as a flight surgeon or as an aviation medical examiner may be required to participate regularly and frequently in aerial flights by the Commanding General of the Army Air Forces, or by such officer or officers as he may designate, for the Army, and by the Chief of Naval Personnel for the Navy and Marine Corps, and by the Commandant of the Coast Guard for officers of the Public Health Service detailed for duty with the Coast Guard; and any orders for such requirement shall remain in force for the entire period of such assignment, except as hereinafter provided in paragraph 12.

5. Each officer, warrant officer, or enlisted man of the Army who is duly assigned to a course of instruction for qualification as aircraft pilot or aircraft observer, and each officer, warrant officer, or enlisted man of the Navy, Marine Corps, or Coast Guard, and each officer of the Public Health Service while detailed for duty with the Coast Guard, who is duly appointed a student aviator, a student aviation pilot, a student aviation observer, a student naval flight surgeon, or a student Public Health Service flight surgeon, shall be required to participate regularly and frequently in aerial flights. Orders for such requirement shall be issued by the Commanding General of the Army Air Forces, or by such officer or officers as he may designate, for the Army, by the Chief of Naval Personnel for the Navy, by the Commandant of the Marine Corps for the

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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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Marine Corps, and by the Commandant of the Coast Guard for the Coast Guard and for officers of the Public Health Service detailed for duty with the Coast Guard; and such orders shall remain in force for the entire period of the course of instruction, except as hereinafter provided in paragraph 12.

4. Paragraph 8 of the order is amended to read as follows:

8. Each officer, warrant officer, member of the Army Nurse Corps or Navy Nurse Corps (female) or enlisted man other than those specified in paragraphs 2, 3, 4, 5, 6, and 7, may be required to participate regularly and frequently in aerial flights. Orders for such requirements shall be issued by the Commanding General of the Army Air Forces, or by such officer or officers as he may designate, for personnel commissioned in the Army Air Corps or on duty with the Army Air Forces, by the Secretary of War, or such officer or officers as he may designate, for other branches of the Army, by the Chief of Naval Personnel for the Navy, by the Commandant of the Marine Corps for the Marine Corps, and by the Commandant of the Coast Guard for the Coast Guard and for officers of the Public Health Service detailed for duty with the Coast Guard; and such orders shall remain in force for the entire period of such assignment, except as hereinafter provided in paragraph 12.

5. So much of paragraph 10 of the order as precedes the proviso therein is amended to read as follows:

10. For personnel of the Army, Navy, Marine Corps, Coast Guard, and National Guard (when in the active military service of the United States and when participating in exercises or performing duties provided for by sections 94, 97, and 99 of the National Defense Act, as amended) and for officers of the Public Health Service detailed for duty with the Coast Guard who are required by competent authority to participate regularly and frequently in aerial flights, the following requirements are prescribed:

6. The third sentence of paragraph 12 of the order is amended to read as follows:

In all other cases such action shall be reported with the reasons therefor, for confirmation to the Commanding General of the Army Air Forces, or to such officer or officers as he may designate, for personnel commissioned in the Army Air Corps or on duty with the Army Air Forces, and to the Secretary of War, or such officer or officers as he may designate, for other branches of the Army, or to the officer who issued the order requiring the person concerned to participate regularly and frequently in aerial flights for the Navy, Marine Corps, and Coast Guard, and for officers of the Public Health Service detailed for duty with the Coast Guard.

7. This order shall be effective as of January 1, 1944.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 18, 1945.

[F. R. Doc. 45-2886; Filed, Feb. 21, 1945;
1:48 p. m.]

Regulations

TITLE 5—ADMINISTRATIVE
PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

RATING AND ELIGIBILITY

The first sentence of § 18.3 (a) (9 F.R. 7235) is amended to read as follows:

§ 18.3 *Rating and eligibility*—(a) *Rating*. Examination papers shall be rated on a scale of 100: *Provided*, That whenever positive or direct recruitment is undertaken for positions for which there is an insufficient supply of qualified persons, examination papers may be rated either "eligible" or "ineligible"

(E.O. 9063, as amended by E.O. 9378, 8 F.R. 13037)

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President,

FEBRUARY 13, 1945.

[F. R. Doc. 45-2834; Filed, Feb. 22, 1945;
9:26 a. m.]

PART 18—WAR SERVICE REGULATIONS
RECRUITMENT AND PLACEMENT, APPOINTMENT
AND TRANSFER

In § 18.4 paragraph (c) (9 F.R. 11820, 15135) is amended as follows:

* * * § 18.4 *Recruitment and placement*.

(c) *Selection*. The nominating or appointing officer shall, with sole reference to merit and fitness, make selections for appointment to each vacancy from not more than the highest three names available for appointment on the certificate: *Provided*, That the appointing officer need not consider any eligible who has been within his reach in connection with three separate appointments or against

whom objection shall be made and sustained for any of the reasons stated in § 18.2 (c). The second and any additional vacancies shall be filled in like manner.

An appointing officer who passes over an eligible granted five- or ten-point preference under the regulations in this part and tentatively selects a nonpreference eligible, shall file with the Commission his reasons in writing for so doing and the Commission shall determine the sufficiency or insufficiency of such submitted reasons. The Commission will not consider prior service in a temporary capacity in the position to be filled a satisfactory reason for passing over a preference eligible in selection for indefinite appointment. The nonpreference eligible tentatively selected may not legally be appointed until the appointing officer has considered the findings of the Commission as to the sufficiency or insufficiency of the reasons submitted for passing over the preference eligible. Upon receipt of a finding of the Commission that the reasons for passing over a preference eligible are sufficient, the nonpreference eligible tentatively selected may be appointed. If the Commission finds that the reasons submitted are insufficient the appointing officer may (1) submit additional information in support of his reasons, in which case the appointment of the nonpreference eligible may not be made until the appointing officer receives the findings of the Commission on the additional information; or (2) consider the findings of the Commission as to the insufficiency and appoint either the preference eligible or the tentatively selected nonpreference eligible. A copy of the appointing officer's reasons and the Commission's findings shall, upon request, be sent to the eligible or his designated representatives. If upon certification reasons deemed sufficient by the Commission for passing over his name shall three times have been given by appointing officers, certification of his name for appointment will thereafter be discontinued, prior notice of which shall be sent to the eligible. Any eligible who has been within reach in connection with three separate appointments in his turn, and any preference eligible who has been passed over three times for reasons deemed sufficient by the Commission, may be subsequently selected, subject to the approval of the Commission, from the certificate on which his name last appeared if the condition of the list has not so changed as to place him in other respects beyond reach of certification.

In § 18.5 (9 F.R. 7235, 7351) the heading of paragraph (d) is amended to read: "Appointment without examination," subparagraph (5) of paragraph (d) is deleted,¹ and paragraph (e) is amended as follows:

§ 18.5 *Appointment.* * * *

(e) *Noncompetitive appointment necessitated by war program.* (1) When, in the discretion of the Commission, the exigencies of the war program demand that a position be filled immediately before the Commission has time to es-

tablish a formal list of eligibles, the non-competitive appointment of a qualified person who is immediately available may be authorized as a temporary appointment not to exceed one year, which may be renewed for one additional year at the discretion of the department or agency concerned.

(2) When, under compelling circumstances, in the absence of eligibles and at the specific request of an appointing officer, the Commission refers the names of subeligibles for consideration, selection may be made without regard to the provisions of paragraph (c) of § 18.4. Appointment under this subparagraph will be authorized as temporary, not to exceed one year, but may be extended for one additional year in the agency's discretion.

In § 18.9 (9 F.R. 7235, 7351, 15135), subparagraph (1) of paragraph (b), paragraph (c) and paragraph (g) are amended as follows:

§ 18.9 *Transfer.* * * *

(b) *Inter-agency transfers.* (1) Whenever the Commission shall find that an employee, eligible for transfer under the provisions of paragraphs (f) and (g) of this section, will make a more effective contribution to the war program in a position in some other agency or activity, transfer will be authorized by the Commission under Directive No. X of the War Manpower Commission (effective September 27, 1942, 7 F.R. 7298, 11050; 9 F.R. 3534).

(c) *Intra-agency transfers.* The transfer of any employee from one activity or office to another activity or office within the same department or agency may be effected by the head of the department or agency without the prior approval of the Commission except where required under paragraphs (f) and (g) of this section, subject to the following conditions:

(g) *Status of employees.* (1) No employee serving under a temporary appointment under the regulations in this part or under an excepted-by-law (including contract) or Schedule A or B appointment may be transferred under this section unless he has a status for reappointment under § 18.8, or unless he has served 6 months under such appointment and extensions thereof. No employee serving under a temporary appointment under the regulations in this part, or under an excepted-by-law (including contract) or Schedule A or B appointment may be transferred without the prior approval of the Commission.

Effective: March 3, 1945.

(E.O. 9063 as amended by E.O. 9378, E.O. 9243, 3 CFR Cum. Supp. Directive X, War Manpower Commission, September 14, 1942, 7 F.R. 7298, 11050; 9 F.R. 3534)

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

FEBRUARY 7, 1945.

[F. R. Doc. 45-2395; Filed, Feb. 22, 1945; 9:26 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration
(Distribution Orders)

[WFO 78]

PART 1599—PROCEDURAL REGULATIONS

ISSUANCE OF ORDERS AFFECTING PERSONS
SUBJECT TO PRIORITY OR ALLOCATION OR-
DERS AND REGULATIONS

In order to provide for the enforcement of priority or allocation orders or regulations administered by the War Food Administration, it is hereby ordered as follows:

§ 1599.58 *Delegation of authority to the Director of Marketing Services.* (a) The Director of Marketing Services is authorized: (1) To issue, under his name and title, after affording persons affected an opportunity to be heard, all orders resulting from any violation of a priority or allocation order or regulation administered by the Office of Marketing Services (including, but not limited to, those suspending, revoking, or withdrawing, in any manner, any quota, license, or authorization), and to exercise the functions, duties, powers, authority, and discretion conferred upon the War Food Administrator in connection therewith;

(2) To prepare and issue, under his name and title, for publication in the FEDERAL REGISTER, procedural regulations with respect to the matters specified in subparagraph (1) hereof, and such other matters related to the priority or allocation orders or regulations administered by the Office of Marketing Services as may be necessary to effectuate the powers vested in him;

(3) To redelegate any and all of the responsibilities, powers, authority, or discretion hereby conferred upon him to such of the Deputy Directors of Marketing Services as he may deem appropriate.

(b) War Food Order 78, as amended, 9 F.R. 4321, 4319, 6202, 9943 (formerly known as Procedural Regulation 1, issued December 4, 1943, 8 F.R. 16497 by the Acting Director of Food Distribution) is hereby renumbered War Food Order 78-1, and the amendments heretofore issued to War Food Order 78 (9 F.R. 6202, 9343) shall be amendments to War Food Order 78-1.

(c) This order shall become effective at 12:01 a. m., e. w. t. February 21, 1945.

(E.O. 9220, 7 F.R. 10179; E.O. 9322, 8 F.R. 3837; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 20th day of February 1945.

ASHLEY SELLEPS,
Assistant War Food Administrator.

[F. R. Doc. 45-2396; Filed, Feb. 22, 1945; 10:29 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and
Naturalization Service

Subchapter D—Nationality Regulations

NATURALIZATION OF ALIENS IN UNITED
STATES ARMED FORCES

FEBRUARY 8, 1945.

The following amendments to Title 8, Chapter I, Code of Federal Regulations are hereby prescribed:

¹ See §§ 18.4 (c) and 18.9 (g) in this regulation.

PART 338—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: MEMBERS OR VETERANS OF THE UNITED STATES ARMED FORCES DURING THE SECOND WORLD WAR WITHIN THE JURISDICTION OF A NATURALIZATION COURT

1. Section 338.1 is amended to read as follows:

§ 338.1 *Persons eligible.* Any person not a citizen of the United States, regardless of age, who is serving or has served honorably in the military or naval forces of the United States during the Second World War and who was at the time of his enlistment or induction a resident of the United States, its Territories, or possessions and who (a) has been lawfully admitted into the United States, including its Territories and possessions, or (b) having entered the United States, including its Territories and possessions, prior to September 1, 1943 serves honorably in such forces beyond the continental limits of the United States or has so served, may be naturalized under the provisions of section 701 of the Nationality Act of 1940, as amended, upon his petition filed not later than one year after the termination of the effective period of the Second War Powers Act, 1942, as amended, prescribed in section 1501 of that act (58 Stat. 886). The provisions of section 701 of the Nationality Act of 1940, as amended, shall not apply (1) to any person who during the Second World War is dishonorably discharged from the military or naval forces or is discharged therefrom on account of his alienage, or (2) to any conscientious objector who performed no military duty whatever or refused to wear the uniform. For the purposes of this part, the Second World War shall be deemed to have commenced on September 1, 1939, and the phrase "the continental limits of the United States" shall be deemed to include only the forty-eight States and the District of Columbia.

2. Section 338.2 is amended to read as follows:

§ 338.2 *Exemptions and fees.* A person described in § 338.1 may file a petition for naturalization in any naturalization court, without regard to his place of residence, and no period of residence within the United States or any State shall be required. No declaration of intention shall be required to be filed with the petition, and, for persons of the class described in group (b) of § 338.1, no certificate of arrival shall be required. The petitioner shall not be required to speak the English language, sign his petition in his own handwriting, or meet any educational test. The provisions of sections 303 and 326 of the Nationality Act of 1940, relating respectively to racial restrictions upon naturalization and to the naturalization of alien enemies, shall not apply to petitions for naturalization filed under this part. No fee shall be collected from such petitioner for filing such petition for naturalization, for the final hearing thereon, or for the issuance of a certificate of naturalization if such petition is granted.

3. Section 338.3 is amended to read as follows:

§ 338.3 *Certificate of arrival.* If a petitioner for naturalization under § 338.1 entered the United States, its Territories, or possessions after June 29, 1906, and he is not of the class of persons described in group (b) of § 338.1, a certificate of arrival shall be filed with and made a part of the petition for naturalization at the time the petition is filed. Such certificate of arrival shall be issued in accordance with § 363.1 of this chapter, and in the event the entry was not for permanent residence, the certificate of arrival shall state the conditions under which the petitioner was admitted to the United States, its Territories, or possessions.

PART 339—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: MEMBERS OF THE UNITED STATES ARMED FORCES DURING THE SECOND WORLD WAR NOT WITHIN THE JURISDICTION OF ANY NATURALIZATION COURT

1. Section 339.1 is amended to read as follows:

§ 339.1 *Persons eligible.* Any person not a citizen of the United States, regardless of age, who while serving honorably in the military or naval forces of the United States during the Second World War is not within the jurisdiction of any court authorized to naturalize aliens and who was at the time of his enlistment or induction a resident of the United States, its Territories, or possessions and who (a) has been lawfully admitted into the United States, including its Territories and possessions, or (b) entered the United States including its Territories and possessions, prior to September 1, 1943, may be naturalized under the provisions of section 702 of the Nationality Act of 1940, as amended, upon his petition filed not later than one year after the termination of the effective period of the Second War Powers Act, 1942, as amended, prescribed in section 1501 of that act (58 Stat. 886). Naturalization may be granted under this part at any place outside the naturalization jurisdiction of any naturalization court located in continental United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States. The provisions of section 702 of the Nationality Act of 1940, as amended, shall not apply to any conscientious objector who performed no military duty whatever or refused to wear the uniform. For the purposes of this part, the Second World War shall be deemed to have commenced on September 1, 1939.

2. Section 339.2 is amended by designating the present text as paragraph (a) and adding paragraph (b) as follows:

§ 339.2 *Exemptions and fees.* (a) * * *

(b) If a petitioner for naturalization under § 339.1 establishes that his entry into the United States, its Territories, or possessions occurred prior to September 1, 1943, no certificate of arrival shall be required. If petitioner's entry occurred on or after September 1, 1943, a certificate of arrival shall be filed with and made a part of the petition for naturalization at the time the petition is filed. Such certificate of arrival shall be issued in accordance with § 363.1 of this chapter.

3. Section 339.8 (b) is amended to read as follows:

§ 339.8 *Procedure.* * * *

(b) *Petition for naturalization, jurat and order of the designated representative of the Immigration and Naturalization Service.* The petition shall contain a certification that the petitioner and the verifying witnesses have appeared before, and have been examined by, the designated representative of the Immigration and Naturalization Service and the jurat and order executed by the designated representative of the Immigration and Naturalization Service.

4. The next to the last sentence of § 339.10 is amended to read as follows:

§ 339.10 *Disposition of original and duplicate petitions for naturalization, and original, duplicate, and triplicate certificates of naturalization.* * * *

Each duplicate petition and each duplicate certificate shall thereafter be transmitted by the Commissioner to the clerk of a court exercising naturalization jurisdiction over the place designated by the petitioner and shall be filed by the clerk as a part of the records of that court. If the petitioner does not designate the place in which the duplicate petition and duplicate certificate are to be filed, they shall be transmitted by the Commissioner to the clerk of the United States district court in the district in which the petitioner is a resident, or, if the petitioner is not a resident of any place within the jurisdiction of a United States district court, to the Clerk of the United States District Court for the District of Columbia, Washington, D. C., and shall be filed by the clerk as a part of the records of that court.

PART 361—OFFICIAL FORMS

1. The introductory sentence of § 361.7 is amended to read as follows:

§ 361.7 *Amendment of forms for petitions for naturalization.* The official forms for petitions for naturalization shall be altered by the clerk of court or, where the petition is filed under § 339.1 of this chapter, by the designated representative of the Immigration and Naturalization Service, as follows:

2. Section 361.7 (c) is amended to read as follows:

(c) *Exemption from residence in the United States and State.* Where residence in the United States and State for any specified period or proof thereof is not required, by striking out allegations 12 and 18 if the petition is filed on Form N-405 or Form N-406.

3. The following new paragraphs are added to § 361.7:

(d) *Exemption from lawful admission for permanent residence.* Where a lawful admission for permanent residence is not required, by striking out allegation 11 if the petition is filed on Form N-405.

(e) *Exemption from lawful admission.* Where a lawful admission is not required, by striking out the words "lawful admission to" and adding in lieu thereof the words "entry into" in allegation 8 if the petition is filed on Form N-410, and the word "lawful" in allegation 11 if the petition is filed on Form N-412.

(f) *Military or naval service beyond the continental limits of the United States and petition filed under section 701 of the Nationality Act of 1940, as amended.* Where an allegation of service in the military or naval forces of the United States beyond the continental limits of the United States is appropriate, by adding to allegation 9 if the petition is filed on Form N-410, or to allegation 12 if the petition is filed on Form N-412, the words "and during such service I served honorably beyond continental United States, to wit, in _____"

(Place of service)"

(g) *Petition under section 702 of the Nationality Act of 1940, as amended.* (1) Where no certificate of arrival is required, by striking out of Form N-411 the words "lawful admission to" and adding in lieu thereof the words "entry into" in allegation 8 and by striking out the first sentence and the second word of the second sentence from the certification appearing in the last paragraph of the Affidavit of Witnesses and Certificate of Petitioner's Service, and (2) where the petitioner designates the place in which he desires the record of his naturalization to be filed, by adding to allegation 12 in Form N-411 "I request that the record of these proceedings be filed with the clerk of a court exercising naturalization jurisdiction over _____"

(City) (State)"

This addition may be continued in the space following allegation 13 and such continuance indicated by asterisks. Any provisions of this paragraph (g) which may become unnecessary because of revisions of Form N-411 shall be disregarded when such revised forms are used. (Secs. 317, 318, 324, 325, 54 Stat. 1146, 1147, 1149, 1150, sec. 701, 702, 56 Stat. 182, 58 Stat. 886; 8 U. S. C. 717, 718, 724, 725, 1001, 1002)

PART 363—CERTIFICATE OF ARRIVAL

1. Section 363.1 is amended by changing the period at the end to a comma and adding the following: "except that the certificate of arrival required under § 339.2 (b) of this chapter may be in the form of the certification by the designated representative of the Immigration and Naturalization Service as it appears in the last paragraph of the Affidavit of Witnesses and Certificate of Petitioner's Service on Form N-411."

2. The citation of authority at the end of § 363.1 is amended to read as follows: "(Sec. 329, 54 Stat. 1152; sec. 702, 56 Stat. 182, 58 Stat. 886; 8 U.S.C. 729, 1002) "

3. Section 363.4 is amended by changing the period at the end to a semicolon and by adding the following: "and (c) petitioners under sections 701 and 702 of the Nationality Act of 1940, as amended, within group (b) of said section 701."

4. The statutory citation at the end of § 363.4 is amended to read as follows: "(Secs. 317, 318, 322, 323, 324, 325, 332 (c), 54 Stat. 1146-1150, 1156; secs. 701, 702, 56 Stat. 182; 58 Stat. 886; 8 U.S.C. 717, 718, 722, 723, 724, 725, 732, 1001, 1002) "

(Sec. 327, 54 Stat. 1150; sec. 705, 56 Stat. 183; sec. 37 (a), 54 Stat. 675; 8 U.S.C. 727, 1005, 458; 8 CFR 90.1, 8 F.R. 8735)

UGO CARUSI,
Commissioner of
Immigration and Naturalization.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 45-2887; Filed, Feb. 21, 1945;
3:30 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 275]

AFFIDAVIT; OCCUPATIONAL CLASSIFICATION

ORDER PRESCRIBING FORMS

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

Revision of DSS Form 42A (Special-Revised), entitled "Affidavit—Occupational Classification (Special-Revised)."¹ Upon receipt of the revised DSS Form 42A (Special-Revised), the use of the original supply of Form 42A (Special) will be discontinued and all unused copies will be disposed of.

The foregoing revision shall become a part of the Selective Service regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

FEBRUARY 20, 1945.

[F. R. Doc. 45-2885; Filed, Feb. 21, 1945;
1:12 p. m.]

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 58 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2718; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 61.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-717]

ALAMEDA BOX CO.

W. T. Smyth is the sole owner of the Alameda Box Company, foot of Bay Street, Alameda, California. He is a Class I consumer under War Production Board Limitation Order L-335 and is engaged in the manufacture of wood boxes and shooks, which are Class B products. The lumber consumed is obtained under War Production Board Limitation Order

¹Filed as part of the original document.

L-335 by filing Form WPB-3640 for authorized quantities of lumber. He placed open purchase orders for lumber and during the third quarter of 1944 received approximately 832,035 feet of lumber which was 227,035 feet of lumber in excess of the 655,000 feet of lumber which he was authorized to receive during the third quarter of 1944 and was therefore in violation of Limitation Order L-335. W. T. Smyth was familiar with Limitation Order L-335 and his actions constitute willful violations of that order.

This excessive receipt of lumber has diverted scarce material to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.717 *Suspension Order No. S-717.* (a) W. T. Smyth, doing business under the firm name and style of Alameda Box Company or otherwise, his or its successors or assigns, unless hereafter specifically authorized in writing by the War Production Board, shall reduce the amount of allowable receipts of lumber during the first three quarters of 1945 under Limitation Order L-335 (as applicable to his then operations, and as amended from time to time) by the total amount of 150,000 feet, the amount of such reduction to be not less than 40,000 feet during each of the first three quarters of 1945, the balance of the total 150,000 feet reduction being distributed among the first three quarters of 1945 as W. T. Smyth, doing business as Alameda Box Company, may see fit.

(b) Nothing contained in this order shall be deemed to relieve W. T. Smyth, doing business under the firm name and style of Alameda Box Company, his or its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 21st day of February 1945.

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

[F. R. Doc. 45-2893; Filed, Feb. 21, 1945;
4:30 p. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-341, as Amended
Feb. 21, 1945]

COMMERCIAL TYPE ELECTRIC MOTORS

Section 1226.140 *Limitation Order L-341* is amended to read:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of electric motors for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.140 *Limitation Order L-341—*
(a) *Types of motors affected.* This order

applies only to the following kinds of new electric motors (not including electric generators, but including such motors furnished in motor-generator sets)

(1) Fractional horsepower AC motors of all sizes and types, including universal (AC-DC) motors, except specially designed airborne and shock proof shipboard types; and

(2) Single phase AC motors in sizes one to five horsepower, inclusive, except specially designed airborne and shock proof shipboard types.

Motors of these kinds are referred to in this order as "commercial motors"

(b) All receipts of over 450 fractionals, or 75 integrals, per quarter must be certified for (1) Every person who receives more than 450 fractional or 75 integral commercial motors from all sources and for any purpose whatever, during the first calendar quarter 1945 or any subsequent calendar quarter, must furnish each of his suppliers of such motors a written certificate, signed by the person placing the order or a responsible individual who is duly authorized to sign for him, substantially as follows:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order L-341 of the War Production Board, and that all purchases from you of items regulated by that order and the use of the same by the undersigned, will be in compliance with the order, as amended from time to time.

(2) Such a certificate must be given the motor supplier before he may deliver or the purchaser may receive any quantities in excess of those stated above during any calendar quarter. The standard certification referred to in Priorities Regulation 7 may not be used instead of that described above. The one-time certification described in that regulation may be used.

(3) No person may deliver commercial motors to or for the account of any other person during any calendar quarter (commencing January 1, 1945) in quantities in excess of 450 fractional commercial motors or 75 integral commercial motors per quarter, unless he has received such a certificate from the person placing the order; and he must not deliver any commercial motors to or for the account of a person from whom he does receive a certificate if he knows or has reason to believe that the certificate furnished is false or inaccurate. Each supplier must keep all accepted orders and certificates which he receives for a period of two years for inspection by the War Production Board.

(4) If the person placing the order arranges to have delivery made to his distributor, dealer, or any other person, the certificate must be given to the motor supplier by the person placing the order, or making the arrangement or commitment with the motor supplier.

(5) Such a certificate is not required for the delivery of any quantity of commercial motors directly to the United States Army, Navy, or Maritime Commission. This exemption does not apply,

however, when the motors are delivered to any other person, even though they may be ultimately delivered to one of these agencies.

(c) Receipt of over 450 fractionals or 75 integrals per quarter for certain purposes requires specific authorization.

(1) Every person who has ordered or hereafter orders, for delivery from all sources during any one calendar quarter, a total of more than 450 fractional horsepower commercial motors, or more than 75 integral commercial motors, to be used for any of the following purposes, must file an application with the War Production Board:

(i) For incorporation into other products which he makes, or

(ii) For sale as a driving unit, accessory, or replacement part for other products which he makes or sells, (even though the motors are not actually incorporated into such other products by him)

(Applications and authorizations are not required under this order for motors for export, or for installation and operation in the purchaser's own plant.

(2) A person who receives commercial motors for the purposes stated in paragraph (c) (1) and also for distribution independently of any other products which he sells, need not file the application for those which he will distribute independently. However, if he does not know what number he will distribute independently, he must assume that he will use or sell, for the purposes stated in paragraph (c) (1) above, at least as many motors as the number of such other products which he plans to produce, or has ordered for delivery without the motors, during the same calendar quarter, if he has ordered that many motors.

(3) A person who receives commercial motors covered by an application made under this order must use the motors only for the purposes stated in paragraph (c) (1) above. Similarly, a person who receives commercial motors in the quantities referred to in paragraph (c) (1) but not for any of the purposes stated in that paragraph, and without having received an authorization, may not use them for the purposes stated in that paragraph.

(4) If in any case the person who places the order arranges to have delivery made to his distributor, dealer, or any other person, for any of the purposes stated in paragraph (c) (1) above, the application must be filed by the person placing the order, or making the commitment or arrangement with the motor supplier.

(5) A person who has placed orders for quantities in excess of those indicated, but who reduces, postpones, or cancels his orders so that they amount to less than such quantities, and does not receive more than that amount, need not apply for or receive an authorization.

(6) Such an authorization is not required for the delivery of any quantity of commercial motors directly to the

United States Army, Navy, or Maritime Commission. This exemption does not apply, however, when the motors are delivered to any other person, even though they may be ultimately delivered to one of these agencies.

(d) Individual applications and authorizations. (1) Applications must be made on Form WPB-3825 (as revised February 15, 1945) prepared in accordance with the instructions for that form and must be filed on or before the 10th day of the third month preceding each calendar quarter (that is, on or before the 10th day of April, 1945, the 10th day of July, 1945, and quarterly thereafter) Interim applications should be filed as explained in paragraph (d) (6) (1) below.

(2) (i) The War Production Board will issue individual authorizations to each applicant showing the quantities of commercial motors which he is authorized to receive under this order during the calendar quarter or quarters to which the authorization relates. Authorizations for receipts during the second and third calendar quarters of 1945 will be issued on Form GA-2305 about February 22, 1945, taking into account the situation of each applicant as disclosed by his previous applications. They will be issued for the third and fourth calendar quarters of 1945 about the first day of May, 1945, and for the last quarter, 1945, and first quarter, 1946, about the first day of August, 1945, and so on quarterly, on Form WPB-3825. The issuance of such advance authorizations for two calendar quarters does not relieve anyone from filing the applications in accordance with paragraph (d) (1) above and the authorizations will be subject to reduction, enlargement or other modifications, taking into account each applicant's situation as disclosed from time to time by his applications.

(ii) No person shall receive commercial motors in excess of the quantities so authorized, for the purposes stated in paragraph (c) (1) above, even though he has a preference rating for them or has been authorized to receive them under some other order, regulation, or certificate of the War Production Board. Whenever the purchaser's outstanding orders could result in receipts in excess of the quantities so authorized, he must immediately reduce, postpone, or cancel his unfilled orders to such extent as may be necessary to prevent his receipts from exceeding the quantities authorized. This must be done within 15 days after receipt of the authorization.

(iii) If the purchaser has requested deliveries from two or more suppliers, immediately upon receiving an authorization he must decide from which one

or more of the suppliers he wishes to get the motors authorized, and must reduce, postpone, or cancel his orders with the others within 15 days after his receipt of the authorization.

(iv) The purchaser's instructions to his supplier or suppliers to reduce, postpone, or cancel his orders must state his purchase order number, the motor horsepower and speed rating and number of motors to which the instructions apply. A copy of these instructions, together with a reference to the case number of the applicable authorization under which they are issued, must be sent to the Fractional Horsepower Motor Section, General Industrial Equipment Division, War Production Board, Washington 25, D. C., within 15 days after receipt of the authorization.

(v) In the event a purchaser fails to receive delivery of the quantity of specific ratings (horsepower and speed) of motors authorized during any particular calendar quarter, the deficiency may be received during a succeeding calendar quarter if within and treated as a part of the quantity authorized him for the subsequent calendar quarter. (Motors which are shipped by the supplier during a particular calendar quarter are to be considered as having been received by the purchaser, even though they may still be in transit on the last day of the quarter)

(3) The War Production Board may authorize receipts of less than the quantities applied for when it finds that such quantities appear to be in excess of the minimum practicable amounts required to fulfill the applicant's authorized production schedules, or in excess of the practicable minimum working inventory reasonably necessary to meet deliveries of the products which he produces or distributes, or when some adjustment in receipts is necessary in order to assure the fulfillment of War Production Board programs, or to bring requested shipments and production in balance.

(4) An authorization issued under this order does not entitle any one to order or receive more commercial motors than he is permitted under other applicable orders and regulations of the War Production Board, nor does it constitute the assignment of a preference rating of AA-5 under § 944.1b of Priorities Regulation No. 1 or require any supplier to furnish the quantities authorized. Its purpose is to establish the maximum quantities which a purchaser may receive for certain purposes during a given period, regardless of the preference ratings which he may be otherwise authorized to apply or extend.

(5) An authorization must be obtained to permit receipts by one department (a branch, division, or section) of a single organization from another department of the same organization when the motors are to be used by the department

receiving them for any of the purposes stated in paragraph (c) (1) above, if that department's receipts for such purposes in any quarter are to exceed the quantities indicated.

(6) (i) If a person who was not required to file an application on the quarterly filing date should thereafter wish to increase his receipts to an amount in excess of that stated in paragraph (c) (1) above, or if a person who did file should thereafter wish to increase his receipts, he is not required to apply for and receive an authorization before placing his additional orders, and may wait until the next quarterly filing date to file the application. However, he may not accept delivery of the additional quantity until he receives an authorization (which will authorize his aggregate receipts when he has not previously filed). He must also furnish his suppliers the certificate required in paragraph (b) above, if he has not already done so, and must reduce, postpone, or cancel his unfilled orders when and as required by paragraph (d) (2) (ii) above, and furnish copies of his notification to suppliers, to the War Production Board.

(ii) [Revoked Feb. 21, 1945.]

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

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

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

(4) *Communications*. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: General Industrial Equipment Division, War Production Board, Washington 25, D. C. Ref.. L-341.

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

Issued this 21st day of February 1945.

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

NOTE: Schedule A revoked Feb. 21, 1945.

[F. R. Doc. 45-2875; Filed, Feb. 21, 1945;
11:16 a. m.]

Chapter XI—Office of Price Administration
PART 1418—TERRITORIES AND POSSESSIONS

[TEMP. 37]

LIVE HOGS, CARCASSES, AND PORK CUTS FROM
HOGS SLAUGHTERED IN PUERTO RICO

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, to issue a temporary regulation establishing as the maximum prices for sales of live hogs, carcasses and pork cuts from hogs slaughtered in the Territory of Puerto Rico the prices prevailing with respect thereto within the five days prior to the issuance of the regulation. The maximum prices herein established are not below prices which will reflect to the producers of these live hogs, carcasses and pork cuts prices equal to the highest prices required by the provisions of section 3 of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Temporary Maximum Price Regulation No. 37—Live Hogs, Carcasses and Pork Cuts from Hogs Slaughtered in the Territory of Puerto Rico, is hereby issued.

Sec.

1. Purposes of the regulation.
2. Maximum prices for live hogs, carcasses and pork cuts from hogs slaughtered in the Territory of Puerto Rico.
3. Relation of this regulation to Revised Maximum Price Regulation 183.
4. What is prohibited under this regulation.
5. Revocation or replacement of regulation.
6. Geographical applicability.

SECTION 1. *Purposes of this regulation*. This regulation fixes maximum prices for live hogs, including live pigs and for carcasses and pork cuts at wholesale and at retail from hogs slaughtered in the Territory of Puerto Rico. It does not apply to sales or deliveries of hogs for breeding purposes, provided that such purpose is established by evidence satisfactory to the Director of the Office of Price Administration, San Juan, Puerto Rico.

SEC. 2. *Maximum prices for live hogs, carcasses and pork cuts from hogs slaughtered in the Territory of Puerto Rico*. (a) The sellers' maximum price for live hogs, including live pigs shall be \$20.00 per hundredweight.

(b) The sellers' maximum price at wholesale for carcasses and pork cuts from hogs slaughtered in the Territory of Puerto Rico shall be \$40.00 per hundredweight delivered at the slaughterhouse.

(c) The sellers' maximum price at retail for pork cuts from hogs slaughtered in the Territory of Puerto Rico shall be 50¢ per pound.

NOTE: The maximum price for a quantity which may be higher or lower than the unit terms used in this section shall be proportionately computed.

SEC. 3. *Relation of this regulation to Revised Maximum Price Regulation 183*.

(a) The following provisions of Revised Maximum Price Regulation 183 are applicable to all sellers covered by this regulation:

- (1) Section 7—*Evaston*
- (2) Section 9—*Gross prices*
- (3) Section 11—*Records and reports*
- (4) Section 13—*Enforcement and licensing*
- (5) Section 15—*Petitions for amendment*
- (6) Section 17—*Definitions*

SEC. 4. *What is prohibited under this regulation.* (a) No buying or selling above maximum prices. On or after February 19, 1945, regardless of any contract, agreement or other obligation, no person may sell or deliver, and no person in the course of trade or business may buy or receive live hogs, including live pigs, carcasses and pork cuts at wholesale and at retail from hogs slaughtered in the Territory of Puerto Rico at prices higher than the maximum prices fixed by this regulation; and no person may offer, solicit or attempt to do any of these acts. However, prices lower than the maximum prices fixed by this regulation may be charged, demanded, paid or offered.

SEC. 5. *Revocation or replacement of regulation.* This Temporary Maximum Price Regulation No. 37 may be revoked or replaced by a permanent maximum price regulation or order issued by the Office of Price Administration.

SEC. 6. *Geographical applicability.* The provisions of Temporary Maximum Price Regulation No. 37 shall be applicable to the Territory of Puerto Rico.

Effective date. This regulation shall become effective as of February 19, 1945, and shall, unless earlier revoked or replaced, expire at 12:00 o'clock midnight April 19, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2892; Filed, Feb. 21, 1945;
4:28 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL
COMMODITIES

[MPR 426,¹ Amdt. 88]

FRESH FRUITS AND VEGETABLES FOR TABLE
USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 15, appendix H, Table 7, Footnote 6, the dates "February 1" and "February 20, 1945" are amended to read "February 21" and "March 20, 1945," respectively.

¹ 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1531, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7434, 7426, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090, 9289, 9356, 9509, 9512, 9549, 9785, 9896, 9897, 10192, 10499, 10877, 10777, 10878, 11350, 11534, 11546, 12038, 12208, 12340, 12341, 12263, 12412, 12537, 12643, 12968, 12973, 13067, 13138, 13205, 13761, 13934, 14062, 13995, 14437, 14731, 15107; 10 F.R. 49, 256, 460, 923, 1540, 1403, 1456, 1910.

This amendment shall become effective February 21, 1945.

Issued this 21st day of February 1945.

CHESTER BOWLES,
Administrator

Approved: February 21, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator

[F. R. Doc. 45-2890; Filed, Feb. 21, 1945;
4:27 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL
COMMODITIES

[MPR 496,¹ Amdt. 8]

VEGETABLE SEEDS

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.

MPR 496 is amended in the following respects:

1. Paragraph (1) (i) of section 5 (a) is amended to read as follows:

(1) (i) The maximum price of a farmer-producer for the sale or delivery of bean (except Round Pod Kidney Wax [Brittle Wax] and Improved Golden [and Topnotch] Wax) peas (except where produced in the State of California) sweet corn, cauliflower, cucumber, Swiss chard and mangel seeds by a farmer-producer shall be the highest price charged by him for each class of sales and deliveries of each variety and kind of such vegetable seeds during the period January 1 to May 31, 1943, hereinafter referred to as the "base period."

2. Paragraph (1) (iii) is added to section 5 (a) to read as follows:

(iii) The maximum price of a farmer-producer for the sale or delivery of Round Pod Kidney Wax (Brittle Wax) Bean seeds and Improved Golden (and Topnotch) Wax Bean seeds shall be 2 cents per pound above the highest price charged by him for each class of sales and deliveries of these specified varieties of wax bean seeds during the base period.

3. Section 6 (b) is amended to read as follows:

(b) (1) For other varieties of each of the foregoing kinds of vegetable seeds except cabbage, onion, lettuce, Round Pod Kidney Wax (Brittle Wax) Bean, and Improved Golden (and Topnotch) Wax Bean seeds, add to or subtract from the foregoing maximum price for the designated base variety (or, if more than one base variety is above designated, for that base variety most nearly similar to the variety in question) the premium or discounts, as the case may be, in dollars and cents normal to the seller's own business during the period January 1 to May 31, 1943, or, if none, normal to the trade during said period for the variety to be priced in relation to said base variety; and the resultant figure shall be his maximum price for the variety in question.

(2) For Round Pod Kidney Wax (Brittle Wax) Bean seeds and Improved

¹ 8 F.R. 16210; ² F.R. 1716, 3094, 5076, 5805, 8932; 10 F.R. 335.

Golden (and Topnotch) Wax Bean seeds add to or subtract from the foregoing maximum price for Tendergreen Bean seeds the premium or discount, as the case may be, in dollars and cents normal to the seller's own business during the period January 1 to May 31, 1943, or, if none, normal to the trade during said period for the variety to be priced in relation to Tendergreen Bean seeds; then add 1 and ½ cents per pound and the resultant figure shall be his maximum price for the variety in question.

4. Section 8 (b) is amended to read as follows:

(b) (1) For other varieties of each of the foregoing kinds of vegetable seeds except cabbage, onion, lettuce, Round Pod Kidney Wax (Brittle Wax) Bean, and Improved Golden (and Topnotch) Wax Bean seeds, add to or subtract from the foregoing maximum price for the base variety of that kind of vegetable seed most nearly similar to the variety in question the premium or discount, as the case may be, in dollars and cents normal to the seller's own business during the period January 1 to May 31, 1943, or, if none, normal to the trade during said period, for the variety to be priced in relation to said base variety; and the resultant figure shall be his maximum price for the variety in question.

(2) For Round Pod Kidney Wax (Brittle Wax) Bean seeds and Improved Golden (and Topnotch) Wax Bean seeds add to or subtract from the foregoing maximum price for Tendergreen Bean Seeds the premium or discount, as the case may be, in dollars and cents normal to the seller's own business during the period January 1 to May 31, 1943, or, if none, normal to the trade during said period, for the variety to be priced in relation to Tendergreen Bean seeds; then add 1 cent per pound and the resultant figure shall be his maximum price for the variety in question.

This amendment shall become effective February 22, 1945.

Issued this 21st day of February 1945.

CHESTER BOWLES,
Administrator

Approved: February 19, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator

[F. R. Doc. 45-2891; Filed, Feb. 21, 1945;
4:28 p. m.]

PART 1340—FUEL

[MPR 120,¹ Corr. to Amdt. 130]

BITUMINOUS COAL DELIVERED FROM MINE OR
PREPARATION PLANT

In Item 2 the reference to "§ 1340.210 (a) (16) (ii)" is corrected to read "§ 1340.210 (a) (16) (i)"

This correction shall be effective as of February 3, 1945.

Issued this 22d day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2919; Filed, Feb. 22, 1945;
11:48 a. m.]

¹ 9 F.R. 5042, 5375, 5587.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373, Amdt. 131]

GROCERY ITEMS IN HAWAII

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

Section 21 is amended in the following respects:

1. The table following section 21 (c) (1) is amended by deleting the two onion items listed and adding a new onion item to read as follows:

	Wholesale maximum prices	Retail maximum prices
Onions, dry, all colors.....	Per 50 lb. bag \$3.30	Per lb. \$0.09

2. The table following section 21 (d) (1) is amended by deleting the items "Pears" "Honey dew melons" and "Grapes" and revising the items "Grapefruit" "Oranges" and "Lemons" to read as follows:

	Wholesale maximum prices	Retail maximum prices
Grapefruit:	Per box	Each
64's.....	\$4.15	\$0.09
70's.....	4.15	.09
80's.....	4.15	.07
100's.....	4.15	.09
Lemons:	Per doz.	
252's.....	7.25	\$0.46
300's.....	7.25	.39
360's.....	7.25	.32
432's.....	6.35	.25
Oranges:		
126's.....	5.60	.71
150's.....	5.60	.60
176's.....	5.60	.51
200's.....	5.60	.45
220's.....	5.60	.41
252's.....	5.35	.34
288's.....	4.90	.27
344's.....	4.35	.21
392's.....	4.35	.19

This amendment shall become effective as of February 5, 1945.

Issued this 22d day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2918; Filed, Feb. 22, 1945; 11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES

[2d Rev. SR 14, Amdt. 2]

HOG, CALF AND CATTLE PANCREAS GLANDS

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.*

Second Revised Supplementary Regulation No. 14 is amended in the following respects:

1. The last sentence of section 1.2 (b) is amended to read as follows: The glands shall be trimmed, free from fat

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

and tissue, and packed in suitable shipping containers.

2. Section 1.2 (c) is amended to read as follows:

(c) *Maximum prices.* For sales and deliveries, after November 27, 1944, of hog, calf and cattle pancreas glands, the applicable maximum selling prices f. o. b. shipping point, shall be as follows:

	Cents per pound
Hog pancreas glands (individually frozen).....	12
Calf pancreas glands (individually frozen).....	28
Beef pancreas glands (individually frozen).....	16

If the hog, calf or cattle pancreas glands are solid frozen but not individually frozen, the applicable maximum price shall be reduced ¼ cent per pound. If the hog, calf or cattle pancreas glands are sold unfrozen, the applicable maximum price shall be reduced ½ cent per pound.

This amendment shall become effective February 27, 1945.

Issued this 22d day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2920; Filed, Feb. 22, 1945; 11:48 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service,
Federal Security Agency

PART 30—UNIFORM AND INSIGNIA OF THE UNITED STATES CADET NURSE CORPS

PRESCRIBED UNIFORMS

Section 30.1 (9 F.R. 4246) is hereby amended to read as follows:

§ 30.1 *Prescribed uniforms.* The uniform of the student nurses receiving training pursuant to an approved plan and nurses who have been graduated pursuant to training received under the provisions of Public Law 74, 78th Congress, June 15, 1943, and any amendments thereto, and who are engaged in essential civilian nursing services for the duration of the present war, shall consist of the following items:

(a) *Winter suit.* Jacket and skirt of all-wool gray flannel with silver buttons. Jacket shall have red shoulder epaulets.

(b) *Summer suits (2).* Styled exactly as the winter suit, but made of gray and white striped cotton fabric with removable silver buttons. Jacket shall have removable red shoulder epaulets.

(c) *Reefer coat.* All-wool gray flannel, made in same contour as winter suit and with a half belt at the back waistline, red shoulder epaulets and silver buttons.

(d) *Raincoat.* Made of gray water-repellent material. Single-breasted with inside patch pockets and all-round belt, the shoulder straps shall be gray in color and trimmed with silver buttons.

(e) *Blouses (2).* White tucked rayon crepe, peter pan collar, and short sleeves.

(f) *Winter hat.* Gray fur felt beret, side drape.

(g) *Summer hat.* Official gray felt hat, with red band ¾ of an inch wide.

(h) *Handbag.* Oval-shaped with shoulder strap, made of all-wool flannel to match reefer coat, for winter, and in modified form for summer.

(i) *Gloves.* Short black leather or fabric; plain. Short white fabric, plain.

(j) *Shoes.* Plain black leather, low or medium heel, closed toes and heels. White shoes are optional for summer wear.

(k) *Stockings.* Neutral beige in color, without clocks or decorations.

Provided, That in localities where only winter suits are worn throughout the year, item (a) shall consist of two winter suits and item (b) shall be excluded; where only summer suits are worn throughout the year, item (a) shall be excluded and item (b) shall consist of four summer suits.

(Sec. 2, 57 Stat. 153; 50 U.S.C. 1452)

Dated: February 19, 1945.

THOMAS PARRAN,
Surgeon General.

Approved: February 19, 1945.

WATSON B. MILLER,
Acting Federal Security
Administrator.

[F. R. Doc. 45-2367; Filed, Feb. 22, 1945; 11:21 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce
Commission

Subchapter B—Carriers by Motor Vehicle

PART 187—FREIGHT RATE TARIFFS, SCHEDULES AND CLASSIFICATIONS

TARIFF INDEXES, POSTPONEMENT OF
EFFECTIVE DATE

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 17th day of February, A. D. 1945.

Rule 18 of Tariff Circular MF No. 3 being under consideration, and good cause appearing therefor:

It is ordered, That the effective date of Rule 18 of Tariff Circular MF No. 3 (§ 187.42) be, and it is hereby, postponed from April 1, 1945 until January 1, 1947.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-2837; Filed, Feb. 22, 1945; 10:25 a. m.]

Notices

FEDERAL TRADE COMMISSION.

[Docket No. 5282]

PAUL PANKEY AND CO.

NOTICE OF HEARING

In the matter of Paul M. Pankey, an individual doing business as Paul Pankey and Company.

Complaint. The Federal Trade Commission, having reason to believe that the party respondent named in the cap-

tion hereof and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (c) of section 2 of the Clayton Act, (U.S.C. Title 15, sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1. Respondent Paul M. Pankey is an individual doing business as Paul Pankey and Company with his principal office and place of business located at 2413 First Avenue, N., Birmingham, Alabama. Respondent since June 19, 1936, has been and is now engaged in business as a broker of food products, and as a direct buyer of food products. The respondent as a direct buyer of food products has engaged in the business of buying and selling canned fish products, canned fruits and vegetables and other commodities (all of which are hereinafter designated as food products) for his own account for resale. The respondent operates warehouses in Birmingham, Alabama, in which he stores and from which he thereafter sells substantial quantities of such food products.

PAR. 2. In the course and conduct of his said business since June 19, 1936, respondent has bought in his own name and for his own account for resale food products from various packers, processors, canners and other sellers, who are located in states other than the state in which respondent is located, and as a result of respondent's purchases and his instructions, such food products are shipped and transported by the respective sellers thereof across state lines to the respondent.

PAR. 3. The respondent operates his business by the use of two separate and distinct methods, namely, (1) as "broker" of food products, and (2) as "direct buyer" of food products.

First: Respondent's business as a "broker" of food products may be described as follows: Respondent in such capacity acts as sales agent which negotiates the sale of food products for and on account of seller-principals, and respondent's only compensation is a commission or brokerage fee paid by such seller-principals.

The respondent solicits and obtains orders for such food products at the respective seller-principals' prices and on such seller-principals' terms of sale. The respondent as a food broker transmits purchase orders to his several seller-principals who thereafter invoice and ship such food products to the customer.

The respondent as broker of food products has no financial interest in the food products he sells. His only financial interest is the commission or brokerage fee he receives and accepts from the seller-principal for making the sale. Such commissions or brokerage fees are customarily based on a percentage of the invoice sales price of the food products sold.

The respondent in this capacity is a broker and not a trader for profit. The respondent does not take title to, or have

any financial interest in, the food products sold and neither makes a profit nor suffers any loss on the transaction. This phase of respondent's business is not challenged by the complaint.

Second: Respondent's business as a "direct buyer" of food products may be described as follows: The respondent transmits his own purchase orders for food products directly to the various interstate sellers from whom he buys. Such sellers invoice and ship such food products directly to respondent. The respondent receives and accepts, directly or indirectly from the respective sellers from whom he buys commissions or brokerage fees. Such commissions or brokerage fees are customarily paid to the respondent by various sellers by permitting the respondent to deduct from the invoice price of the food products purchased an amount which is equal to, or approximately equal to, the commissions or brokerage fees such sellers pay their brokers.

The respondent in connection with such purchases is a direct buyer and as such is a trader for profit, purchasing and reselling such food products in his own name and for his own account and at his own prices and on his own terms, taking title to such food products and assuming all the risk incident to ownership.

The respondent before purchasing shops the market, purchasing where he is able to secure the most favorable prices and terms, including the payment of commissions or brokerage fees.

The respondent pays the price of the food products purchased from such sellers as a condition precedent to the delivery of such food products by the carrier to him. If such food products shipped to the respondent by such seller are lost or damaged in transit, the respondent files claim with the carrier and collects damages from the carrier in his own name and for his own account.

The respondent enters into formal contracts with his sellers or with some of his sellers whereby respondent contracts to buy, and the sellers contract to sell, definite quantities of certain food products at a stated price. Many of such contracts require the seller to deliver to the respondent such food products over an extended period of time at a stated price.

The respondent upon receipt of such food products from his various sellers warehouses such products in his own warehouses and insures the food products at his own expense and in his own name and for his own account against contingent loss or damage. Subsequently respondent pledges warehouse receipts and insurance contracts covering the products he has warehoused and insured as security for loans from banks.

The respondent in his annual tax returns set out the value of the food products he has purchased for a stated year, and the amount of profit he has received on the sale of such products or the losses he has sustained on such sales. On the basis of respondent's declaration, respondent's taxes are assessed and paid.

When respondent sells such food products, he invoices the products to his cus-

tomers in his own name and for his own account and at prices and on terms he determines. The respondent assumes full and complete credit risk on such transactions, reaping a profit or sustaining a loss thereon, as the case may be.

PAR. 4. The receipt and acceptance, since June 19, 1936, by respondent Paul M. Pankey, an individual doing business as Paul Pankey and Company, of commissions, brokerage or other compensation, or discounts in lieu thereof, as set forth under method two in paragraph 3 hereof, and such acts and practices as hereinabove set forth are in violation of the provisions of subsection (c) of section 2 of the Clayton Act as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 16th day of February, A. D., 1945, issues its complaint against said respondent.

Notice. Notice is hereby given you, Paul M. Pankey, an individual doing business as Paul Pankey and Company, respondent herein, that the 23d day of March, A. D. 1945, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the

question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 16th day of February A. D. 1945.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-2906; Filed, Feb. 22, 1945;
11:15 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 876]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, February 17, 1945, by Gust Reilas Co., of car PFE 95054, tomatoes, now on the Wab., to Atlantic Com. Co., Milwaukee, Wis. (C&NW) The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of February, 1945.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-2898; Filed, Feb. 22, 1945;
10:25 a. m.]

[S. O. 70-A, Special Permit 877]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois,

February 17, 1945, by National Produce Company, of car PFE 45545, potatoes, now on the C&NW (Morgan St. Tr) to Hobbs Eamann Company, Nashville, Tenn. (IC-RC&STL).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of February, 1945.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-2899; Filed, Feb. 22, 1945;
10:25 a. m.]

[S. O. 70-A, Special Permit 878]

RECONSIGNMENT OF CELERY AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, February 17, 1945, by Gridley Mason Company, of car PFE 41452, celery, now on the Chicago Produce Terminal, to Ben Post, Milwaukee, Wisconsin (C&NW).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of February 1945.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-2900; Filed, Feb. 22, 1945;
10:25 a. m.]

[S. O. 70-A, Special Permit 879]

RECONSIGNMENT OF CABBAGE AT HOUSTON, TEX.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any com-

mon carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Houston, Texas, February 19, 1945, by Shapiro Brothers, of car ART 17394, cabbage, now on the Missouri Pacific Railroad, to Shapiro Brothers, Chicago, Illinois. (Mo. Pac.-Wab.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of February 1945.

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

[F. R. Doc. 45-2901; Filed, Feb. 22, 1945;
10:25 a. m.]

[S. O. 70-A, Special Permit 880]

RECONSIGNMENT OF CABBAGE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, February 19, 1945, by Harry Finerman, of car FGE 51692, cabbage, now on the Alton Railroad, to Ben Post, Milwaukee, Wisconsin (C&STP&P).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of February 1945.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-2902; Filed, Feb. 22, 1945;
10:25 a. m.]

[S. O. 282, Special Permit 15]

ICING OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering

paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, February 19, 1945, with not to exceed 3,000 pounds of retop ice, car PFE 63144, lettuce, now on the C., B. & Q R.R., as ordered by Atlantic Commission Co.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of February 1945.

V C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-2903; Filed, Feb. 22, 1945; 10:25 a. m.]

[S. O. 282, Special Permit 16]

ICING OF CABBAGE, PEAS AND SPINACH AT WAVERLY, N. J.

Pursuant to the authority vested in me by Paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Waverly, N. J., February 19, 1945, with not to exceed 3,000 pounds of retop ice per car, cars NWX 1387, cabbage, PFE 96055, peas, ART 18012, spinach, and FGE 37345, peas, all on the Pennsylvania RR., as order by Atlantic Commission Co.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of February 1945.

V C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-2904; Filed, Feb. 22, 1945; 10:25 a. m.]

OFFICE OF PRICE ADMINISTRATION.
[MPR 120, Order 1290]

BITUMINOUS COAL IN DISTRICT 3
ORDER CONSOLIDATING ADJUSTMENTS FOR
INDIVIDUAL MINES

For the reasons set forth in an opinion issued herewith and in accordance with

§ 1340.207 (a) of Maximum Price Regulation No. 120, It is ordered.

(a) The following maximum prices are established for the sizes, uses and methods of shipment of bituminous coal from the mines, indicated by index number and name, all of which are located in District No. 3, as follows:

DISTRICT No. 3

Mine Index No.	Mine name	Rail maximum prices and size group numbers					Truck maximum prices and size group numbers				
		1	2	3	4	5	1	2	3	4	5
2	Adrian	305	305	295	275	265					
3	Alpha	285	285	285	285	285					
14	Christopher No. 6	295	295	280	280	270					
5	Arthur No. 1	290	290	270	260	250					
8	Bailey No. 3	275	275	270	250	240					
10	Banner No. 1	300	300	300	300	285					
11	Banner No. 2	300	300	300	300	285					
19	Big Sewell No. 1	420	380	360	345	345	390	385	360	360	330
33	Cascade	320	320	320	320	320					
35	Century No. 1	275	275	255	255	245					
40	Consol No. 63	290	290	285	270	260					
47	Deep Hollow No. 1	315	315	315	315	315					
48	Delmar No. 1	305	305	295	275	275					
53	Ella	275	275	270	250	240					
72	Hawley No. 1	320	320	320	320	320					
82	Junior	260	260	265	250	240					
85	Kingmont	295	290	285	270	260					
97	McCandlish	280	280	270	260	250					
105	Miller No. 3	310	305	305	285	285					
108	Morgan	295	295	280	265	255					
112	Norton	260	260	255	250	240					
119	Pursglove No. 15	295	295	285	265	255					
120	Pursglove No. 2	265	265	255	250	235					
133	Rosemont	290	290	275	260	260					
136	Scott No. 2	295	290	285	265	265					
137	Shaver	420	380	360	345	345	390	385	360	360	330
167	Arthurdale	350	350	325	305	305					
169	Shay No. 2	300	300	300	300	300					
173	Tioga No. 1	325	320	320	310	310					
180	Faulkner	420	380	360	345	345	390	385	360	360	330
188	Vivian	325	325	325	325	325					
204	Marrara	335	330	330	325	235					
206	Brooke No. 2	300	300	300	300	300					
213	Brooke No. 1	300	300	300	300	300					
247	Junior No. 4	300	290	290	275	270					
435	Alpena No. 1	420	380	360	345	345	390	385	360	360	330
584	Yale	320	320	320	320	320					
608	Kefover No. 1	325	325	325	325	325					
602	Miller	285	280	270	265	260					
723	Alpena	420	380	360	345	345	390	385	360	360	330
766	Martin No. 1	420	380	360	345	345	390	385	360	360	330
780	Reda No. 2	420	380	360	345	345	390	385	360	360	330
795	Hart No. 1	410	370	350	335	335	390	385	360	360	330
945	Coberly	420	380	360	345	345	390	385	360	360	330
1101	Maplewood	300	300	295	285	285					
1226	Mon-Ark	295	295	295	250	240					
1272	Big Sewell No. 2	420	380	360	345	345	390	385	360	360	330
1276	Big Knob No. 1	420	380	360	345	345	390	385	360	360	330
1277	Big Knob No. 2	420	380	360	345	345	390	385	360	360	330
1285	Bull Run	320	320	320	320	320					
1333	Deep Hollow No. 2	315	315	315	315	315					
1334	Deep Hollow No. 3	315	315	315	315	315					
1338	Princess Pat	335	335	335	335	335					
1348	Janis No. 1	300	300	300	300	300					
1378	Junior No. 7	300	290	290	275	270					
1404	Kessler	355	355	345	330	330					
1427	Partner	280	280	280	250	240					
2054	Scott No. 2 and Scott No. 3	288	284	281	261	257					

¹ Void on and after 2/20/45.

² When loaded as a mixture from mine index 136 and 2045. These prices shall become void on and after 2/23/45.

The size group numbers referred to herein are the same as those described in the schedule of Maximum Price Regulation No. 120 for mines of District No. 3, as amended, by Amendment No. 95 thereto. Where no price appears for a particular use or size, the schedule maximum price, for the particular use or size, and for the particular shipment shall apply, unless otherwise specifically provided herein.

(b) The following orders, as revised and amended under Maximum Price Regulation No. 120, are hereby revoked: Order Nos. 783, 790 for rail shipments, 804, 820, 846, 866, 890, 891, 892, 914, 919, 935, 954, 1003, 1029, 1038, 1067, 1149, 1185 and 1237.

(c) This Order No. 1290 may be amended or revoked at any time.

(d) Except as specifically provided in this order, all provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in full force and effect.

(e) All invoices in connection with the sale of bituminous coal priced under this order shall state that the price charged was established by Order No. 1290 issued by the Office of Price Administration under Maximum Price Regulation No. 120.

This Order No. 1290 shall become effective February 26, 1945.

Issued this 21st day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2867; Filed, Feb. 21, 1945; 11:09 a. m.]

§ 1340 207 (a) of Maximum Price Regulation No 120; It is ordered: (a) The following maximum prices are established for the sizes and methods of shipment of bituminous coal from the mines indicated by index number and name, all of which are in District No 23, as follows:

Table with columns: Mine index No, Mine name, Sub district, Movement to which exceptions apply, and Maximum prices and size group numbers (1,2,3,4,5; 6,7,8,9,10; 11,12,13,14,15,16,17,18; 19,20,21,22,23,24,25).

1 All sizes. 2 When the coals in size group Nos 16, 17, 18, 21, or 24 are washed there may be added to the foregoing prices for coals in these size groups no more than 25 cents per net ton. 3 When coals of size group No 23 are washed and sold to industrial users for blacksmithing coal the price shall be 80¢ per net ton.

(b) The size group numbers referred to in paragraph (a) above are the same as those described in Amendment No 132 to Maximum Price Regulation No 120. Where no price appears for a certain use or a certain size the maximum price provided in the schedules (as amended by Amendment No 132) for District No 23 shall apply, unless otherwise specifically provided herein this is true for all prices.

(c) The following orders, as amended, issued under Maximum Price Regulation No 120 are hereby revoked: 17, 43, 67, 78, 94, 97, 104, 120, 125, 144, 172, 276, 345, 525, 652, 803, 1033, 1193, 1214, 1219 and 1253.

(d) All invoices in connection with the sale of bituminous coal priced under this order shall state that the price charged was established by Order No 1291 issued by the Office of Price Administration under Maximum Price Regulation No 120. (e) This Order No 1291 may be amended or revoked by the Price Administrator at any time. (f) Except as is specifically provided in this order the provisions of Maximum Price Regulation No 120 governing the sale of bituminous coal shall remain in effect.

(MPR 120 Order 1291) BITUMINOUS COAL IN DISTRICT 23 ORDER CONSOLIDATING ADJUSTMENTS FOR INDIVIDUAL MINES For the reasons set forth in an opinion issued herewith and in accordance with § 1340 207 (a) of Maximum Price Regulation No 120; It is ordered:

Table with columns: Mine index No, Mine name, Sub district, Movement to which exceptions apply, and Maximum prices and size group numbers.

1 All sizes. 2 When the coals in size group Nos 16, 17, 18, 21, or 24 are washed there may be added to the foregoing prices for coals in these size groups no more than 25 cents per net ton. 3 When coals of size group No 23 are washed and sold to industrial users for blacksmithing coal the price shall be 80¢ per net ton.

(b) The size group numbers referred to in paragraph (a) above are the same as those described in Amendment No 132 to Maximum Price Regulation No 120. Where no price appears for a certain use or a certain size the maximum price provided in the schedules (as amended by Amendment No 132) for District No 23 shall apply, unless otherwise specifically provided herein this is true for all prices.

(c) The following orders, as amended, issued under Maximum Price Regulation No 120 are hereby revoked: 17, 43, 67, 78, 94, 97, 104, 120, 125, 144, 172, 276, 345, 525, 652, 803, 1033, 1193, 1214, 1219 and 1253.

(d) All invoices in connection with the sale of bituminous coal priced under this order shall state that the price charged was established by Order No 1291 issued by the Office of Price Administration under Maximum Price Regulation No 120. (e) This Order No 1291 may be amended or revoked by the Price Administrator at any time. (f) Except as is specifically provided in this order the provisions of Maximum Price Regulation No 120 governing the sale of bituminous coal shall remain in effect.

Maximum Price Regulation No 116 it is ordered: (a) Manufacturers maximum prices Crown Pottery Company Evansville Indiana, the manufacturer may increase its maximum prices in effect immediately prior to the issuance of this order for the sales and deliveries of the articles of semi-vitreous household chinaware listed below by the amounts set forth:

Table with columns: Article, Adjust ment, Maximum price to jobbers, Adjust ment, Maximum price to retailers, and Per cent.

for resale at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT Order No 11 under § 1362 59d of Maximum Price Regulation No 116 authorized all sellers at wholesale of the articles covered by this invoice to adjust their selling prices in effect immediately prior to February 23 1945 by adding no more than the exact dollar and cents amount of the adjustment charge appearing on this invoice: Provided, That amount is separately stated on an invoice which contains this notice. Retailers may not add anything to their present selling prices on account of the adjustments.

(d) All requests for increases in maximum prices not specifically permitted by this order are denied. This order may be revoked or amended by the Price Administrator at any time. This order shall become effective on the 23d day of February 1945. Issued this 21st day of February 1945. CHESTER BOWLES, Administrator. [F R Doc 45-2671: Filed Feb 21, 1945; 11:10 a m]

(MPR 116 Order 11 Under 59d) CROWN POTTERY CO ADJUSTMENT OF MAXIMUM PRICES For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1362 59d of

Table with columns: Article, Adjust ment, Maximum price to jobbers, Adjust ment, Maximum price to retailers, and Per cent.

These adjustments may be made and collected only when separately stated on each invoice. These adjusted prices are of a factory and are subject to the manufacturer's customary terms discounts allowances and other price differentials in effect on sales to each class of purchaser during March 1942.

(b) Maximum prices of purchasers for resale. Any purchaser for resale at wholesale of the articles for which the manufacturer's maximum prices have been adjusted by this order may add to his properly established maximum prices in effect immediately prior to the effective date of this order the dollar and cents amount of the adjustments which he is required to pay his supplier. However, such adjustments may be made and collected only when separately stated on each invoice. Such adjusted prices are subject to the seller's customary terms, discounts, allowances and other price differentials in effect on the sales of the same or similar articles to each class of purchaser. No increases in the maximum prices for sales at retail of the articles for which the manufacturer's maximum prices have been adjusted by this order are authorized by this order.

(c) Notification. Every person who makes a sale of delivery to a purchaser

§ 1340 207 (a) of Maximum Price Regulation No 120; It is ordered: (a) The following maximum prices are established for the sizes and methods of shipment of bituminous coal from the mines indicated by index number and name, all of which are in District No 23, as follows:

Table with columns: Mine index No, Mine name, Sub district, Movement to which exceptions apply, and Maximum prices and size group numbers.

1 All sizes. 2 When the coals in size group Nos 16, 17, 18, 21, or 24 are washed there may be added to the foregoing prices for coals in these size groups no more than 25 cents per net ton. 3 When coals of size group No 23 are washed and sold to industrial users for blacksmithing coal the price shall be 80¢ per net ton.

(b) The size group numbers referred to in paragraph (a) above are the same as those described in Amendment No 132 to Maximum Price Regulation No 120. Where no price appears for a certain use or a certain size the maximum price provided in the schedules (as amended by Amendment No 132) for District No 23 shall apply, unless otherwise specifically provided herein this is true for all prices.

(c) The following orders, as amended, issued under Maximum Price Regulation No 120 are hereby revoked: 17, 43, 67, 78, 94, 97, 104, 120, 125, 144, 172, 276, 345, 525, 652, 803, 1033, 1193, 1214, 1219 and 1253.

(d) All invoices in connection with the sale of bituminous coal priced under this order shall state that the price charged was established by Order No 1291 issued by the Office of Price Administration under Maximum Price Regulation No 120. (e) This Order No 1291 may be amended or revoked by the Price Administrator at any time. (f) Except as is specifically provided in this order the provisions of Maximum Price Regulation No 120 governing the sale of bituminous coal shall remain in effect.

in two weights of approximately 6½ grams and 13 grams and are identified by markings "Mexico—Sterling Silver" and trademarked "Reynolds" The barrettes are approximately two inches in length and are stamped "Mexico—Sterling Silver" and trademarked "Reynolds"

(b) *Maximum prices on sales by any person except a retailer* No person, other than a retailer, may sell or deliver and no person may buy or receive from such seller the imported manufactured goods described in paragraph (a) at prices higher than the following:

Item	Maximum price ¹ (each)
Bangle bracelets:	
6½ grams.....	\$0.72½
13 grams.....	1.45
Barrettes.....	.62

¹F. o. b. Chicago, terms, 2% 10 days.

(c) *Maximum retail prices.* No retailer may sell or deliver, and no person may buy or receive the imported manufactured goods described in paragraph (a) from a retailer, at prices higher than the following:

Item	Maximum price (each delivered)
Bangle bracelets:	
6½ grams.....	\$1.25
13 grams.....	2.50
Barrettes.....	1.05

(d) Importer or other seller to notify retailers. The importer or other seller shall notify each retailer to whom he sells such bangle bracelets or barrettes that the maximum retail selling prices as established by the Office of Price Administration in Order No. 72 issued under the Maximum Import Price Regulation is \$....., each, delivered. (Insert \$1.25

for 6½-gram and \$2.50 for 13-gram bangle bracelet and \$1.05 for barrettes)

(e) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on February 23, 1945.

Issued this 22d day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2921; Filed, Feb 22, 1945; 11:50 a. m.]

[MPR 120, Order 1298]

SLOSS-SHEFFIELD STEEL & IRON CO.
ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered.*

(a) The Kimberly No. 2 Mine of Sloss-Sheffield Steel & Iron Company, Birmingham, Alabama, is hereby assigned Mine Index No. 2073 and its coals are classified in Maximum Price Group No. 5 for rail shipments and railroad fuel, and in Maximum Price Group No. 3 for truck shipments.

(b) Coals produced by Sloss-Sheffield Steel & Iron Company from the Black Creek Seam at its Kimberly No. 2 Mine, a deep mine, Mine Index No. 2073, located in Jefferson County, Alabama, in District No. 13, may be purchased and sold for the indicated uses and movements at per net ton prices in cents per net ton not exceeding the following:

	Size group No.						
	1, 2, 3, 4, 5	6, 8, 10	7, 9, 11	12, 14, 15, 16	18, 19, 20, 21	17, 18	22, 23
Railroad shipments and railroad fuel.....	420	420	410	420	410	410	400
Truck shipments.....	500	490	470	440	430	420	410

[MPR 260, Amdt. 1 to Order 460]

TREBOW CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES
Correction

In Federal Register Document 45-2707, appearing on page 2054 of the issue for Tuesday, February 20, 1945, the first paragraph should read as follows:

For the reasons set forth in the opinion accompanying this amendment pursuant to § 1358.102 (b) of Maximum Price Regulation 260; *It is ordered.* That: The maximum price for Don Arco Cigars set forth in paragraph (a) of Order No. 460 under Maximum Price Regulation 260 is amended to read as follows:

Brand	Size or frontmark	Pack- ing	Maxi- mum list price	Maxi- mum retail price
Don Arco.....	Queen.....	50	Per M \$115	Cents 15

(c) The prices established herein are f. o. b. the mine or preparation plant for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal should remain in effect.

(g) The mine index number and price classifications assigned are permanent but the maximum prices may be changed by amendment to the regulation.

This order shall become effective February 23, 1945.

Issued this 22d day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2922; Filed, Feb. 22, 1945; 11:48 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register February 17, 1945.

REGION I

Augusta Order 1-F Amendment 32, covering fresh fruits and vegetables in certain areas in the state of Maine, filed 10:20 a. m.

REGION II

Camden Order P-1, Amendment 8, covering fresh fish and seafood in the Camden Area, filed 10:19 a. m.

Camden Order P-2, Amendment 3, covering fresh fish and seafood in the Camden Area, filed 10:19 a. m.

Camden Order 3-F Amendment 17, covering fresh fruits and vegetables in certain counties in New Jersey, filed 10:20 a. m.

Camden Order 3-F Amendment 18, covering fresh fruits and vegetables in certain counties in New Jersey, filed 10:15 a. m.

Camden Order 4-F, Amendment 17, covering fresh fruits and vegetables in certain counties in New Jersey, filed 10:20 a. m.

Camden Order 4-F Amendment 18, covering fresh fruits and vegetables in certain counties in New Jersey, filed 10:21 a. m.

District of Columbia Order 12, Amendment 3, covering certain dry groceries in the Washington, D. C. Area, filed 10:21 a. m.

Philadelphia Order 9-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 10:15 a. m.

Philadelphia Order 10-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 10:16 a. m.

REGION III

Cleveland Order 1-C, covering poultry in the Cleveland Area, filed 10:25 a. m.

Cleveland Order 2-C, covering poultry in the Cleveland Area, filed 10:25 a. m.

Detroit Order 1-O, covering eggs in the certain designated counties in the Detroit Area, filed 10:25 a. m.

Detroit Order 5-F, covering fresh fruits and vegetables in certain counties in the Detroit Area, filed 10:24 a. m.

Escanaba Order 20-3B, covering fresh fruits and vegetables in certain areas in Michigan, filed 10:24 a. m.

Escanaba Order 21-3B, covering fresh fruits and vegetables in certain areas in Michigan, filed 10:23 a. m.

Indianapolis Order 19-W, Amendment 1, covering community food prices in the Southern Indiana Area, filed 10:21 a. m.

Indianapolis Order 20-W, Amendment 1, covering community food prices in the Northern Indiana Area, filed 10:21 a. m.

Indianapolis Order 38, Amendment 1, covering community food prices in the Southern Indiana Area, filed 10:21 a. m.

Indianapolis Order 39, Amendment 1, covering community food prices in the Northern Indiana Area, filed 10:21 a. m.

Indianapolis Order 40, Amendment 1, covering community food prices in the Indianapolis Area, filed 10:20 a. m.

Louisville Order 13-F, Amendment 5, covering fresh fruits and vegetables in McCracken County, Ky., filed 10:28 a. m.

Louisville Order 14-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Kentucky, filed 10:28 a. m.

REGION IV

Memphis Order 1-O, Amendment 1, covering eggs in certain areas in the State of Tennessee, filed 10:23 a. m.

Memphis Order 6-F Amendment 17, covering fresh fruits and vegetables in certain areas in the State of Tennessee, filed 10:23 a. m.

Memphis Order 7-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Tennessee, filed 10:22 a. m.

Memphis Order 8-W, Amendment 1, covering dry groceries in the Memphis Area, filed 10:23 a. m.

Memphis Order 23, Amendment 5, covering dry groceries in the Memphis Area filed 10:22 a. m.

Montgomery Order 1-C, Amendment 1, covering poultry in certain counties in the Montgomery Area, filed 10:36 a. m.

Montgomery Order 2-C, Amendment 1, covering poultry in certain counties in the Montgomery Area, filed 10:37 a. m.

Montgomery Order 24-F, Amendment 15, covering fresh fruits and vegetables in Dallas County, Ala., filed 10:37 a. m.

REGION V

Dallas Order 1-F, Amendment 50, covering fresh fruits and vegetables in the Dallas Area, filed 10:39 a. m.

Dallas Order 2-F, Amendment 17, covering fresh fruits and vegetables in the Dallas Area, filed 10:39 a. m.

Houston Order 1-F, Amendment 41, covering fresh fruits and vegetables in the Houston Area, filed 10:34 a. m.

Houston Order 3-F, Amendment 30, covering fresh fruits and vegetables in the Houston Area, filed 10:34 a. m.

Kansas City Order 1-C, Amendment 2, covering poultry in the Kansas City Area, filed 10:33 a. m.

Little Rock Order 2-F, Amendment 45, covering fresh fruits and vegetables in the Pulaski County, Ark., Area, filed 10:32 a. m.

Little Rock Order 4-F, Amendment 38, covering fresh fruits and vegetables in Miller County, Ark., filed 10:32 a. m.

New Orleans Order 1-F, Amendment 16, covering fresh fruits and vegetables in certain counties in Louisiana, filed 10:33 a. m.

New Orleans Order 2-F, Amendment 50, covering fresh fruits and vegetables in certain counties in Louisiana, filed 10:33 a. m.

Oklahoma City Order 2-F, Amendment 13, covering fresh fruits and vegetables in the Oklahoma City Area, filed 10:43 a. m.

Oklahoma City Order 3-F, Amendment 49, covering fresh fruits and vegetables in the Oklahoma City Area, filed 10:43 a. m.

St. Louis Order 3-F, Amendment 26, covering fresh fruits and vegetables in the St. Louis Area, filed 10:34 a. m.

Wichita Order 4-F, Amendment 29, covering fresh fruits and vegetables in the Wichita, Kans., Area, filed 10:31 a. m.

REGION VI

Green Bay Order 1-C, covering poultry in certain counties in the State of Wisconsin, filed 10:17 a. m.

Green Bay Order 4-F covering fresh fruits and vegetables in certain counties in the State of Wisconsin, filed 10:16 a. m.

Green Bay Order 5-F, covering fresh fruits and vegetables in certain counties in Wisconsin, filed 10:16 a. m.

Green Bay Order 6-F, covering fresh fruits and vegetables in certain counties in Wisconsin, filed 10:16 a. m.

Green Bay Order 9, Amendment 13, covering dry groceries in certain counties in Wisconsin, filed 10:15 a. m.

Green Bay Order 12, Amendment 12, covering dry groceries in certain counties in Wisconsin, filed 10:15 a. m.

Omaha Order 20, Amendment 3, covering dry groceries in certain areas in Nebraska and Iowa, filed 10:29 a. m.

Omaha Order 21, Amendment 3, covering dry groceries in Lancaster County, Nebraska, filed 10:28 a. m.

Omaha Order 22, Amendment 2, covering dry groceries in certain counties in Nebraska, filed 10:28 a. m.

Omaha Order 23, Amendment 2, covering dry groceries in certain counties in Nebraska and Iowa, filed 10:27 a. m.

Omaha Order 24, Amendment 3, covering dry groceries in certain counties in Nebraska and Iowa, filed 10:23 a. m.

Springfield Order 13-F, covering fresh fruits and vegetables in certain areas in Illinois, filed 10:17 a. m.

Springfield Order 14-F, covering fresh fruits and vegetables in certain areas in Illinois, filed 10:18 a. m.

Springfield Order 15-F, covering fresh fruits and vegetables in certain areas in Illinois, filed 10:18 a. m.

Twin Cities Order 3-W, Amendment 1, covering dry groceries in the Twin Cities Area, filed 10:31 a. m.

Twin Cities Order 9, Amendment 1, covering dry groceries in the Twin Cities Area, filed 10:30 a. m.

Twin Cities Order 10, Amendment 1, covering dry groceries in the Twin Cities Area, filed 10:30 a. m.

Twin Cities Order 11, Amendment 1, covering dry groceries in the Twin Cities Area, filed 10:29 a. m.

REGION VIII

Fresno Order 3-F, Amendment 40, covering fresh fruits and vegetables in certain areas in California, filed 10:37 a. m.

Fresno Order 4-F, Amendment 15, covering fresh fruits and vegetables in certain areas in California, filed 10:38 a. m.

Fresno Order 6-F, Amendment 26, covering fresh fruits and vegetables in Kern and Bakersfield Counties, Calif., filed 10:33 a. m.

Fresno Order 7-F, Amendment 5, covering fresh fruits and vegetables in the city of Merced, filed 10:38 a. m.

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

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-2833; Filed, Feb. 21, 1945; 4:27 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 811-C0]

UTILITIES SHARES CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of February, A. D. 1945.

An application having been filed by Utilities Shares Corporation pursuant to the provisions of 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 March 5, 1945 at 10:00 a. m., eastern war time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and *It is further ordered*, That Allen MacCullen, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-2305; Filed, Feb. 22, 1945; 11:03 a. m.]

WAR MANPOWER COMMISSION.

[Amdt. 3]

BURLINGTON, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Burlington Area, effective October 15, 1943, (9 F.R. 10328), is hereby amended as follows:

Paragraph (d) of section 13 is hereby amended by inserting in parentheses immediately after the word "or" which follows the 5th comma, and before the word "to" the following: "(for purposes of section 6 only)" so that the same shall read as follows:

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or (for purposes of section 6 only) to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

Dated: January 26, 1945.

E. REYNOLD JOHNSON,
State Director.

Approved: February 1, 1945.

DAVID G. NAGLE,
Acting Regional Director.

[F. R. Doc. 45-2837; Filed, Feb. 20, 1945; 2:25 p. m.]

[Amdt. 3]

BRATTLEBORO, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Brattleboro Area, effective October 15, 1943 (9 F.R. 10322), is hereby amended as follows:

Paragraph (d) of section 13 is hereby amended by inserting in parentheses immediately after the word "or" which follows the 5th comma, and before the word "to" the following: "(for purposes of section 6 only)", so that the same shall read as follows:

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or (for purposes of section 6 only) to the hiring of any of their employees, unless such foreign, State, county, or municipal government

or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

Dated: January 26, 1945.

E. REYNOLD JOHNSON,
State Director.

Approved: February 1, 1945.

DAVID G. NAGLE,
Acting Regional Director

[F. R. Doc. 45-2838; Filed, Feb. 20, 1945;
2:25 p. m.]

WAR PRODUCTION BOARD.

[C-269]

THEODORE W FOSTER & BROTHER CO., INC.
CONSENT ORDER

Theodore W Foster & Brother Company, Inc., a corporation in Providence, Rhode Island, jewelry manufacturer, is charged by the War Production Board with purchases in excess of its silver quota in the period from February 25, 1943, to December 31, 1944, by 97,584 ounces (fine) in violation of Conservation Order M-199. Theodore W Foster & Brother Company, Inc. admits these violations, but not that they were wilful, and does not care to contest the issue of wilfulness, and has consented to the issuance of this order; and whereas the company has now sold to its suppliers under the terms of Order M-199 all silver which it had on hand December 31, 1944, consisting of raw flat stock, semi-processed items, scrap in shop and scrap at refiners, amounting to a total of approximately 36,205 ounces fine;

Wherefore, upon the agreement and consent of Theodore W Foster & Brother Company, Inc., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Theodore W Foster & Brother Company, Inc. during the four calendar quarters of 1945 shall not purchase, accept delivery of or put into process any domestic silver for List B uses as defined in Order M-199 as amended September 18, 1944, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Theodore W Foster & Brother Company, Inc. from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on date of issuance and shall expire on December 31, 1945.

Issued this 20th day of February 1945.

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

[F. R. Doc. 45-2845; Filed, Feb. 20, 1945;
4:26 p. m.]

[C-270]

THE STAR PUBLISHING CO.
CONSENT ORDER

The Star Publishing Company is a corporation with its principal place of business at Indianapolis, Indiana. It is engaged in publishing and circulating newspapers, one of which is The Muncie Star at Muncie, Indiana. During the third

quarter of 1943 and the third quarter of 1944, it used or caused to be used in the publication of The Muncie Star print paper in excess of its quota established by Limitation Order L-240 amounting to 26.895 tons. The Star Publishing Company admits such excess usage of print paper and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of the Star Publishing Company, the Regional Compliance Chief, the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) The Muncie Star, its successors and assigns, shall reduce its consumption of print paper during the balance of the first quarter of 1945, so that its total usage for said quarter shall be 4 tons less than it would otherwise be permitted to use during that quarter under the provisions of Limitation Order L-240. It shall also reduce its consumption of print paper during each of the second, third and fourth quarters of 1945, so that its total usage for each of such quarters shall be 7.63 tons less than it would otherwise be permitted to use during each of those quarters under the provisions of Limitation Order L-240.

(b) Nothing contained in this order shall be deemed to relieve the Star Publishing Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except as the same may be inconsistent with the provisions hereof.

Issued this 20th day of February 1945.

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

[F. R. Doc. 45-2846; Filed, Feb. 20, 1945;
4:26 p. m.]