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Washington, Tuesday, October 23, 1945

The President

EXECUTIVE ORDER 9644

AUTHORIZING THE CIVIL SERVICE COMMISSION TO CONFER A COMPETITIVE CLASSIFIED CIVIL-SERVICE STATUS UPON CERTAIN DISABLED VETERANS

By virtue of the authority vested in me by section 1753 of the Revised Statutes of the United States (5 U.S.C. 631), and by section 2 of the Civil Service Act (22 Stat. 403), it is hereby ordered as follows:

SECTION 1. The Civil Service Commission is authorized to confer a competitive classified civil-service status or a probational status upon any veteran serving under a war-service indefinite appointment who establishes the present existence of a service-connected disability of not less than ten per cent, subject to the following conditions:

(a) If such veteran has completed a trial period of one year he may be given a competitive classified civil-service status upon certification to the Civil Service Commission by the head of the agency concerned that the veteran has completed a trial period of one year and that his services have been satisfactory.

(b) If such veteran has not completed a trial period of one year he may be given a probational status upon certification to the Civil Service Commission by the head of the agency concerned that the employee was given an indefinite war-service appointment and has been serving satisfactorily during his trial period. Any person given a probational status under this subsection shall be required to complete satisfactorily a one-year trial period beginning the date he entered on duty under a war-service indefinite appointment.

SECTION 2. During the period the Civil Service Commission is operating under the War Service Regulations prescribed pursuant to Executive Order No. 9063 of February 16, 1942, probational appointment shall be given to any disabled veteran who establishes the present existence of a service-connected disability of not less than ten per cent and who is selected for appointment from a certification of eligibles issued by the Commission. Any person given a probational appointment under this section shall be required to complete satisfactorily a one-year trial period.

SECTION 3. The Civil Service Commission shall prescribe regulations necessary for the administration of this order.

HARRY S. TRUMAN

THE WHITE HOUSE,
October 19, 1945.

[F. R. Doc. 45-19481; Filed, Oct. 22, 1945; 11:12 a. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 91—EXECUTIVE ORDERS AFFECTING THE CIVIL SERVICE NOT OTHERWISE COVERED IN THIS CHAPTER.

CROSS REFERENCE: For addition to tabulation in § 91.1 see Executive Order 9644, *supra*.

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 927—MILK IN THE NEW YORK METROPOLITAN MARKETING AREA

RULES AND REGULATIONS ISSUED BY MARKET ADMINISTRATOR

Pursuant to the provisions of Order No. 27, as amended, regulating the handling of milk in the New York metropolitan milk marketing area (7 CFR, Cum. Supp., 927.0 et seq., 8 F.R. 8569, 10 F.R. 6156), approval is hereby given to the tentative rules and regulations set forth in Schedule A, attached hereto and made a part hereof, issued on September 19, 1945, by the market administrator, New York metropolitan milk marketing area, pursuant to the provisions of said Order No. 27, as amended. Copies of such rules and regulations may

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NOTICE

1944 Supplement

Book 1 of the 1944 Supplement to the Code of Federal Regulations, containing Titles 1-10, including Presidential documents in full text, is now available from the Superintendent of Documents, Government Printing Office, at $3.00 per copy.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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be procured from the market administrator, 205 East 42d Street, New York City, N. Y.

Done at Washington, D. C., this 13th day of October 1945.

[SEAL] J. B. HUTSON,
Acting Secretary of Agriculture.

SCHEDULE A—RULES AND REGULATIONS ISSUED BY MARKET ADMINISTRATOR

SECTION 1. *Definitions.* The terms used herein shall have the same definitions as are set forth in the orders. In addition, for the purpose only of classifying and accounting for milk under the terms of the orders, other terms shall have the meanings set forth in this section.

(a) "The orders" means Order No. 27 as amended, issued by the Secretary,[1] and revised official Order No. 126 as amended, issued by the Commissioner.[2]

(b) The term "pooled", when used in conjunction with milk, butterfat, skim milk, or other dairy product, means that the butterfat in such product or the skim milk in such product was at some time received from producers in the form of milk at a pool plant.

(c) The term "exempt", when used in conjunction with milk, butterfat, skim milk, or other dairy product, means that the milk equivalent of the butterfat in such product or the skim milk in such product is exempt from the computation of the uniform price, pursuant to § 927.7 of the orders.

(d) The term "non-pooled", when used in conjunction with milk, butterfat, skim milk, or other dairy product, means that the butterfat in such product or the skim milk in such product was at no time received from producers in the form of milk at a pool plant.

[1] Part 927 of this chapter.

[2] Not filed with the Division of the Federal Register.

(e) "Milk" means (1) the product delivered to a plant by dairy farmers as cow's milk, or (2) the product composed of skim milk and of not less than 3 percent nor more than 15 percent butterfat. This definition shall not be deemed to include products that are included in other definitions of this section.

(f) "Skim milk" means all parts of milk as defined in (e) (1) of this section except butterfat.

(g) "Fluid skim milk" means the product consisting principally of uncondensed skim milk, including buttermilk obtained from churning, and containing less than 3 percent butterfat.

(h) "Cultured or flavored milk drink" means a flavored or cultured beverage containing milk or skim milk but not more than 15 percent butterfat.

(j) "Cream" means the combination of butterfat and skim milk which contains more than 15 percent butterfat, and which may or may not have been fermented by the addition of a lactic acid or other harmless milk culture. This definition shall not be deemed to include products that are included in other definitions of this section. In sections 2, 3, and 4 of these rules and regulations, when the fermented cream is referred to, the term "sour cream" will be used.

(k) "Frozen cream" (sometimes referred to as storage cream), means pooled cream which has met the requirements necessary for the classification of the milk equivalent of such cream as Class II-B frozen cream pursuant to § 927.4 (c) (5) of the orders.

(l) "Plain condensed milk" means the unsterilized product resulting from the evaporation of water from milk which product contains not less than 5 per cent butterfat, not less than 20 per cent total milk solids, and not less than 5 per cent moisture. It may or may not contain sugar or other sweetening agents but such sugar or other sweetening agents shall be equivalent to less than 38 per cent sugar. Other milk products may be added during the process of manufacture.

(m) "Evaporated milk" means the product resulting from the evaporation of water from milk which product contains not less than 7.9 per cent butterfat and not less than 25.9 per cent total milk solids, and which product is packed in hermetically-sealed cans. Other milk products, stabilizer, or vitamin D may be added during the process of manufacture. Failure to meet the minimum percentages set forth herein by an amount not to exceed 2 per cent of the percentages set forth herein shall not disqualify a product from meeting this definition.

(n) "Sweetened condensed milk" means the product resulting from the evaporation of water from milk or plain condensed milk and the addition of sugar or other sweetening agent. It shall contain not less than 8 per cent butterfat, 28 per cent total milk solids, and 38 per cent sugar or equivalent sweetening agent. Other milk products may be added during the process of manufacture.

(o) "Condensed by-product" means the product resulting from the evaporation of at least 50 per cent of the water

from fluid skim milk, with or without the addition of other products. This definition includes but is not limited to the products known as condensed skim milk, sweetened condensed skim milk, and condensed buttermilk.

(p) "Milk powder" means the product which results from the removal of water from milk, cream, plain condensed milk, or fluid skim milk, with or without the addition of other products, and which contains not less than 10 per cent butterfat, not more than 5 per cent moisture, and not more than 5 per cent solids not milk solids.

(q) "Malted milk powder" means the product which is made by combining milk with liquid separated from mash of ground barley malt and wheat flour, with or without the addition of other products, and by removing water, and which contains not less than 7.5 per cent butterfat and not more than five per cent of moisture.

(r) "Ice cream powder" means the product containing milk solids, sugar (or other sweetening agent), and other ingredients, prepared for use in making frozen desserts. It shall contain not less than 26 per cent butterfat and not more than 5 per cent moisture.

(s) "Powdered by-product" means a product which results from the removal of water from fluid skim milk or a condensed by-product and which contains less than 10 per cent butterfat and not more than 5 per cent moisture. This definition includes but is not limited to products known as non-fat dry milk solids and dried buttermilk.

(t) "Cheese" means the product made from the separated curd obtained by coagulating the casein of milk, fluid skim milk, or cream.

(u) "Cheddar cheese," "American Cheddar cheese," "Colby cheese," "washed curd cheese," and "part skim Cheddar cheese," means those cheeses manufactured for sale under one of these names and made from milk or fluid skim milk by the Cheddar, Colby, or washed curd process.

(v) "Cream cheese" means cheese manufactured for sale under the name of "cream cheese," "neufchatel cheese," "cream cheese curd," or as a cheese with a cream cheese or neufchatel cheese base and made by the cream cheese or neufchatel process. The curd shall contain not less than 20 per cent butterfat and the cheese may have non-milk products added but may not have other cheeses added. Failure to meet the minimum percentage set forth herein by an amount not to exceed 2 percent of the percentage set forth herein shall not disqualify a product from meeting this definition.

(w) "Frozen desserts" means those products commonly known as ice cream, frozen custard, sherbet, and frozen confections such as, but not restricted to, Bisque Tortoni, Spumoni, creamsicles, fudgicles, popsicles, mousses, parfaits, puddings (such as Nesselrode puddings), and decorations for the frozen desserts, but not including products properly known as candy.

(x) "Homogenized mixture" means the product which results from homogenizing a mixture containing milk solids, moisture, and sugar (or other sweetening agent) or other ingredients, and which is prepared for use in the manufacture of frozen desserts. It shall contain not less than 5 per cent sugar (or other sweetening agent) or other ingredients, and not less than 5 per cent moisture.

(y) "Butter" means the product containing not less than 80 per cent butterfat resulting from churning cream. Failure to meet this minimum percentage by an amount not to exceed 1 percent of such percentage shall not disqualify the product from meeting this definition.

(z) The term "packaged" when used in conjunction with milk, cultured or flavored milk drinks, cream, or sour cream, means that such product is in a container of two quarts or less. These products in any other container will be referred to as bulk.

SEC. 2. *Procedure for accounting for the receipt and disposition of butterfat, and plant loss.* Milk shall be classified and accounted for on a monthly basis in accordance with the form in which the butterfat from such milk is held at or moved from the plant at which classification is to be determined pursuant to § 927.4 (a) (3) of the orders. Before classifying milk the butterfat in milk shall be accounted for in accordance with provisions of this section and shall be classified in the same classes as the milk equivalent of such butterfat is required, pursuant to § 927.4 of the orders, to be classified. Any deductions or additions required in any paragraph shall be made to the result obtained after all additions or deductions required in the preceding paragraphs have been made.

(a) Tabulate the total pounds of butterfat in the opening inventories in each product and received at the plant in each product. Butterfat should be shown separately in packaged and bulk forms. The total of all butterfat so tabulated shall be known as the total butterfat to be accounted for.

(b) Tabulate and classify the butterfat in each product on hand at or leaving the plant. Such tabulation should show separately the butterfat in each product leaving the plant and in the closing inventories at the plant. In the event that the butterfat in the product might be classified in more than one class, the tabulation should be further subdivided to show the quantity of butterfat in each class. The tabulation should be further subdivided to show the quantity of butterfat in the packaged product and in the bulk product. The total of the butterfat tabulated herein shall be known as the butterfat accounted for at the plant.

(c) Subtract the total butterfat accounted for from the total butterfat to be accounted for at the plant. The remainder shall be known as the plant loss. In the event that the total butterfat accounted for at the plant is greater than the total butterfat to be accounter for, the excess butterfat shall be accounted for as follows:

(1) If the plant is in the marketing area, the excess shall be considered to have been received in the form of milk from an undisclosed source and be subject to the payments required in § 927.8 (e) (2) (iii) of the orders.

(2) If the plant is a pool plant outside the marketing area, the excess shall be considered to have been received in the form of milk from producers and such excess shall be classified and paid for without equalization from the pool.

(3) If the plant is a non-pool plant outside the marketing area, the excess shall be considered to have been received in the form of the product or products leaving or on hand at the plant which yields the lowest class price to producers, after deduction of butterfat in the opening inventories or received at the plant in like form.

(d) Deduct butterfat in opening inventories or received in forms other than milk, cultured or flavored milk drinks, cream, sour cream, plain condensed milk, frozen desserts, and homogenized mixtures from butterfat leaving the plant or in the closing inventories at the plant in like forms to the extent possible.

(e) Deduct remaining butterfat in the opening inventories or received in the form of cheese from butterfat leaving the plant or in the closing inventories at the plant in the form of other cheese, to the extent that such opening inventories or receipts of cheese are used in the manufacture of such other cheese.

(f) Deduct the opening inventories of butterfat in the form of frozen desserts or homogenized mixtures from butterfat leaving the plant or in the closing inventories at the plant in accordance with section 4.

(g) Deduct the butterfat received in the form of frozen desserts or homogenized mixtures pro rata from the remaining classes of butterfat in frozen desserts or homogenized mixtures leaving the plant or in the closing inventories at the plant, to the extent possible.

(h) Deduct any remaining butterfat in the opening inventories or received in forms other than milk, cultured or flavored milk drinks, cream, sour cream, frozen cream, plain condensed milk, sweetened condensed milk, milk powder, malted milk powder, ice cream powder, and butter from plant loss.

(j) Deduct butterfat in the opening inventories of packaged cream or sour cream from butterfat leaving the plant or in the closing inventories at the plant in accordance with section 4.

(k) (1) Deduct butterfat received in the form of packaged cream pro rata from butterfat leaving the plant or in the closing inventories at the plant in the form of packaged cream.

(2) Deduct butterfat received in the form of packaged sour cream from butterfat leaving the plant or in the closing inventories at the plant in the form of packaged sour cream. If such butterfat is pooled butterfat it should be deducted, as far as possible, from Class II-A packaged sour cream and then pro rata from other classes of packaged sour cream. If such butterfat is non-pooled butterfat, it should be deducted pro rata, as far as possible, from packaged sour cream other than Class II-A packaged sour cream.

(l) Deduct butterfat in the opening inventories in the form of cultured or

flavored milk drinks of less than 3 percent butterfat from butterfat in cultured or flavored milk drinks of less than 3 percent butterfat leaving the plant or in the closing inventories at the plant in accordance with Sec. 4.

(m) Deduct butterfat received in the form of cultured or flavored milk drinks of less than 3 percent butterfat from butterfat in cultured or flavored milk drinks of less than 3 percent butterfat leaving the plant or in the closing inventories at the plant. If such butterfat is pooled butterfat, it should be deducted, as far as possible, from butterfat in cultured or flavored milk drinks of less than 3 percent butterfat sold in or distributed in the marketing area. If such butterfat is non-pooled butterfat, it should be deducted, as far as possible, from butterfat in cultured or flavored milk drinks of less than 3 percent butterfat sold or distributed outside the marketing area. Deduct any remaining butterfat in opening inventories or received in the form of cultured or flavored milk drinks of less than 3 percent butterfat from plant loss and classify it as Class II-A.

(n) Add to the remaining butterfat in each class leaving the plant or in the closing inventories at the plant in the form of:

(1) Packaged cream, 2.5 per cent;

(2) Packaged sour cream, 2.5 per cent;

(3) Frozen desserts or homogenized mixtures, 3 per cent;

(4) Cream cheese, 5 per cent;

(5) Butter, 3 per cent;

Provided, That, if such additions are greater than the remaining plant loss, they shall be reduced pro rata to the point where they are equal to the remaining plant loss. Such additions shall be deducted from the remaining plant loss.

(o) Deduct remaining butterfat in the opening inventories or received in the form of butter, sweetened condensed milk, milk powder, ice cream powder, or malted milk powder pro rata from the remaining butterfat leaving the plant or in the closing inventories at the plant in the form of frozen desserts or homogenized mixtures, ice cream powder or candy products. Deduct any remaining butterfat in the opening inventories or received in such forms from plant loss.

(p) Deduct butterfat in opening inventories in the form of plain condensed milk from butterfat leaving the plant or in the closing inventories at the plant in accordance with section 4.

(q) Deduct the butterfat received in the form of plain condensed milk pro rata from the classes of butterfat leaving the plant or in the closing inventories at the plant in the form of plain condensed milk. Deduct any remaining butterfat received in the form of plain condensed milk pro rata from the butterfat on hand at or leaving the plant in the form of frozen desserts, homogenized mixtures, evaporated milk, sweetened condensed milk, milk powder, ice cream powder, malted milk powder, or candy products. If any butterfat received in the form of plain condensed milk still remains, it shall be deducted from plant loss and classified as Class II-B.

(r) Deduct butterfat in opening inventories of sour cream from butterfat leaving the plant or in the closing inventories at the plant in accordance with section 4.

(s) Deduct butterfat received in the form of sour cream from butterfat leaving the plant or in the closing inventories at the plant in the form of sour cream. If such butterfat is pooled butterfat, it should be deducted, as far as possible, from Class II-A butterfat in sour cream and then pro rata from other classes of butterfat in sour cream. If such butterfat is non-pooled butterfat, it should be deducted pro rata, as far as possible, from butterfat in sour cream other than Class II-A sour cream.

(t) Deduct remaining butterfat in the opening inventories or received in the form of sour cream from butterfat leaving the plant or in the closing inventories at the plant in cheese or butter, to the extent that the handler claims utilization of sour cream in the manufacture of such cheese or butter.

(u) Deduct any remaining butterfat in the opening inventories or received in the form of sour cream from plant loss and classify it as Class II-A.

(v) Deduct 3 per cent of the remaining butterfat in the opening inventories or received in the form of frozen cream from plant loss: *Provided,* That, the amount so deducted shall not exceed the remaining plant loss.

(w) Deduct remaining butterfat in the opening inventories or received in the form of frozen cream from butterfat leaving the plant or in the closing inventories at the plant in the form of sour cream classified as Class II-A to the extent possible.

(x) Deduct remaining butterfat in the form of frozen cream pro rata from the remaining butterfat leaving the plant or in the closing inventories at the plant in the form of sour cream other than Class II-A, frozen desserts, homogenized mixtures, cream cheese, butter, and, to the extent that cream or frozen cream is used in the manufacture of such products, from butterfat leaving the plant or in the closing inventories at the plant in the form of plain condensed milk, evaporated milk, sweetened condensed milk, milk powder, ice cream powder, malted milk powder, candy products or Class III cheese.

(y) Deduct remaining butterfat in the opening inventories or received in the form of frozen cream pro rata from the classes of butterfat leaving the plant or in closing inventories at the plant in cream, except Class II-A, and in Class II-A cultured or flavored milk drinks distributed outside the marketing area.

(z) Deduct any remaining butterfat in the opening inventories or received in the form of frozen cream pro rata from butterfat leaving the plant or in the closing inventories at the plant in Class II-A cream and Class II-A cultured or flavored milk drinks distributed in the marketing area.

(aa) Deduct remaining butterfat in the opening inventories or received in the form of frozen cream from plant loss.

(bb) Deduct the opening inventories of butterfat in cream from butterfat leaving the plant or in the closing inventories at the plant in accordance with section 4.

(cc) Deduct butterfat received in the form of cream pro rata from remaining butterfat leaving the plant or in the closing inventories at the plant in the form of cream, sour cream, frozen cream, Class II-A cultured or flavored milk drinks, frozen desserts, homogenized mixtures, cream cheese, butter, and, to the extent that cream or frozen cream is used in the manufacture of such products, from butterfat leaving the plant or in the closing inventories at the plant in the form of milk, plain condensed milk, evaporated milk, sweetened condensed milk, milk powder, ice cream powder, malted milk powder, candy products, or Class III cheese.

(dd) Deduct any remaining butterfat received in the form of cream from plant loss and classify it as Class II-A.

(ee) Deduct butterfat in opening inventories of packaged cultured or flavored milk drinks of 3 per cent butterfat or more from butterfat leaving the plant or in the closing inventories at the plant in accordance with section 4.

(ff) Deduct butterfat received in the form of packaged cultured or flavored milk drinks of 3 per cent butterfat or more from butterfat leaving the plant or in the closing inventories at the plant in the form of packaged cultured or flavored milk drinks of 3 per cent butterfat or more. If such butterfat is pooled butterfat, it should be deducted, as far as possible, from Class I-A butterfat. If such butterfat is non-pooled butterfat, it should be deducted, as far as possible, pro rata from Class I-B and Class I-C butterfat.

(gg) Deduct butterfat in the opening inventories in the form of packaged milk from the butterfat leaving the plant or in the closing inventories at the plant in accordance with section 4.

(hh) Deduct receipts of packaged milk pro rata from butterfat leaving the plant or in the closing inventories at the plant in the form of packaged milk.

(jj) Add to the remaining butterfat leaving the plant or in the closing inventories at the plant in the form of:

(1) Packaged milk, 1.5 per cent;

(2) Packaged Class I-A, I-B, I-C cultured or flavored milk drinks, 1.5 per cent;

(3) Cream, 2.5 per cent;

(4) Sour cream, 2.5 per cent;

(5) Frozen cream, 2.5 per cent;

(6) Plain condensed milk, 2.5 per cent;

(7) Frozen desserts and homogenized mixtures, 2.5 per cent;

(8) Evaporated milk, 2.5 per cent;

(9) Sweetened condensed milk, 2.5 per cent;

(10) Milk powder, 4 per cent;

(11) Malted milk powder, 4 per cent;

(12) Ice Cream powder, 4 per cent;

(13) Cream cheese, 2.5 per cent;

(14) Butter, 2.5 per cent.

Provided, That, if such additions are greater than the remaining plant loss, they shall be reduced pro rata to the point where they are equal to the plant loss. Deduct such additions from the plant loss.

(kk) Deduct remaining butterfat in the opening inventories of cultured or

flavored milk drinks of 3 per cent butterfat or more from butterfat leaving the plant or in the closing inventories at the plant in accordance with section 4.

(ll) Deduct butterfat received in the form of cultured or flavored milk drinks of 3 per cent butterfat or more from butterfat leaving the plant or in the closing inventories at the plant in the form of cultured or flavored milk drinks of 3 per cent butterfat or more. If such butterfat is pooled butterfat, it should be deducted, as far as possible, from Class I-A butterfat. If such butterfat is non-pooled butterfat, it should be deducted, as far as possible, from Class I-B or Class I-C butterfat. Deduct any remaining butterfat in cultured or flavored milk drinks of 3 per cent butterfat or more from plant loss and classify it as Class I-A.

(mm) Deduct butterfat in the opening inventories in the form of milk from butterfat leaving the plant or in the closing inventories at the plant in accordance with section 4.

(nn) Deduct a quantity of butterfat, equal to the butterfat received in the form of milk from other plants and in the form of exempt milk, pro rata from the remaining butterfat leaving the plant or in the closing inventories at the plant: *Provided,* That, such deductions shall not be greater than the remaining butterfat leaving the plant or in the closing inventories at the plant.

(oo) Add to remaining butterfat in all classes 1 per cent: *Provided,* That, if such additions are greater than the remaining plant loss, they shall be reduced pro rata to the point where they are equal to the plant loss. Deduct such additions from the plant loss. Classify any remaining plant loss as Class I-A.

(pp) Classification of butterfat deducted pursuant to (cc) may be interchanged with the classification of butterfat deducted pursuant to (nn) from the same products covered by (cc) or with the classification of butterfat in receipts from dairy farmers classified on the basis of products covered by (cc): *Provided,* That such interchange does not change the total classification of total pooled butterfat, or *Provided,* That, such interchange results in more pooled butterfat classified as Class I-A or Class II-A and less non-pooled butterfat being classified as Class I-A or Class II-A.

SEC. 3. *Assignment of pooled, non-pooled, and exempt butterfat and skim milk to butterfat and skim milk classes.* As used in this section the terms Class I-A, Class II-A and Class V-A are deemed to exclude any such classification based on some product leaving or on hand at the plant in some form other than milk, cream, skim milk, or other than cultured or flavored milk drinks shipped to or distributed in the marketing area.

(a) *Frozen desserts or homogenized mixtures.* (1) Tabulate the classes of all butterfat received in the form of frozen desserts or homogenized mixtures (butterfat deducted pursuant to Section 2 (g) and butterfat in frozen desserts or homogenized mixtures deducted pursuant to section 2 (h)).

(2) Butterfat received in the form of non-pooled frozen desserts or homogenized mixtures shall be assigned pro rata to the classes established pursuant to (1) of this paragraph, for all butterfat received in the form of frozen desserts or homogenized mixtures.

(3) After the assignment pursuant to (2) of this paragraph, at the option of the handler or handlers involved, butterfat in pooled frozen desserts or homogenized mixtures may be assigned to any of the remaining classes of butterfat received in the form of frozen desserts or homogenized mixtures.

(b) *Plain condensed milk.* (1) Tabulate the classes of all butterfat received in the form of plain condensed milk (total of the butterfat deducted pursuant to section 2 (q)).

(2) Butterfat received in the form of non-pooled plain condensed milk shall be assigned pro rata to the classes which have been tabulated pursuant to (1) of this paragraph, for all butterfat received in the form of plain condensed milk.

(3) After the assignment pursuant to (2) of this paragraph, at the option of the handler or handlers involved, butterfat received in pooled plain condensed milk from other plants may be assigned to any of the remaining classes of butterfat received in the form of plain condensed milk.

(c) *Cream.* (1) Tabulate the classes of all butterfat received in the form of cream (total of the butterfat deducted from the several classes pursuant to section 2 (k) (1), (cc), and (dd), as such deductions are modified by any interchanges made pursuant to section 2 (pp)).

(2) Butterfat received in the form of non-pooled cream shall be assigned pro rata, as far as possible, to the classes, except Class I-A and Class II-A, which have been tabulated pursuant to (1) of this paragraph. Any remaining non-pooled butterfat shall be assigned to Class II-A, as far as possible, and then assigned to Class I-A.

(3) After the assignment pursuant to (2) of this paragraph, at the option of the handler or handlers involved, butterfat in pooled cream from other plants may be assigned to any of the remaining classes of butterfat received in the form of cream.

(d) *Milk.* (1) Tabulate the classes of all butterfat received in the form of milk (total of the butterfat deducted from the several classes pursuant to section 2 (hh) and (nn), the butterfat resulting after the additions pursuant to section 2 (oo), and butterfat classified as Class I-A pursuant to section 2 (oo), as such deductions or additions are modified by any interchanges made pursuant to section 2 (pp)).

(2) Butterfat received in the form of non-pooled milk, including non-pooled milk from dairy farmers, shall be assigned pro rata, as far as possible, to the classes, except Class I-A and Class II-A, which have been tabulated pursuant to (1) of this paragraph. Any remaining non-pooled butterfat shall be assigned to Class II-A, as far as possible, and then assigned to Class I-A.

(3) Butterfat in exempt milk shall be assigned, after the assignment of (2) of this paragraph, pro rata to the remaining classes of butterfat received in the form of milk.

(4) After the assignments pursuant to (2) and (3) of this paragraph, at the option of the handler or handlers involved, butterfat in pooled milk from other plants may be assigned to any of the remaining classes of butterfat received in the form of milk.

(5) Compute the classification of milk received from producers by converting the pounds of butterfat in each class to pounds of milk equivalent of the average test of milk received from producers: *Provided* That, in the case of plants handling breed milk or other special milk (such as hi-test), the butterfat in such special milk shall be converted to milk equivalent of the average test established for such special milk, and the remaining butterfat shall be converted to milk equivalent of the average test of the remaining milk.

(e) *Skim milk.* (1) Pooled skim milk (including exempt skim milk) which must be classified pursuant to § 927.4 (c) (11) and (12) of the orders, shall be assigned, as far as possible, to Class V-A. Any remaining pooled skim milk shall be assigned to Class V-B.

(2) Exempt skim milk shall be assigned pro rata to the classes of pooled skim milk.

(3) Pooled skim milk from the separate sources may be assigned, at the option of the handler or handlers involved, to either of the classes of pooled skim milk after the assignment pursuant to (2) of this paragraph.

SEC. 4. *Inventories.* Butterfat or skim milk in closing inventories of milk, fluid skim milk, cultured or flavored milk drinks, cream, sour cream, plain condensed milk, and frozen desserts and homogenized mixtures may be accounted for and classified by the handler at the time for filing reports in accordance with § 927.6 (a) of the orders in any of the products and classes in which it is intended that butterfat or skim milk in like products be assigned during the next month. Before classifying butterfat or skim milk received during the next month, the opening inventories of butterfat and skim milk shall be deducted from the products and classes, if any, leaving the plant, in which they were accounted for at the end of the preceding month. If there is not sufficient butterfat or skim milk in such products and classes leaving the plant, the remaining butterfat and skim milk in the opening inventories shall be assigned by the market administrator at the time of audit to other products and classes on hand at or leaving the plant, and the audit for the previous month shall be adjusted accordingly. Butterfat in opening inventories of cream which is allocated to butterfat in closing inventories of cream shall be classified as Class II-A. Butterfat in opening inventories of plain condensed milk that is allocated to butterfat in closing inventories of plain condensed milk shall be classified as Class II-B. In the event that the opening inventories of any product were also opening inventories for the previous month, the butterfat in such product shall be deducted pro rata from the butterfat in all products and classes from

which butterfat in like form could be deducted. In the event that an audit has not been necessary for the previous month, opening inventories shall be treated as receipts of non-pooled product.

SEC. 5. *Conversion factors*—(a) *Butterfat tests.* In the absence of specific butterfat tests the following table shall be used:

Product:	*Test in percent*
Butter (salt)	80
Butter (unsalted)	82
Cream (except New Jersey)	18
Cream (New Jersey)	16
Cream Cheese (sold as cream cheese)	33
Cream Cheese (sold as Neufchatel)	20
Evaporated milk	7.9
Homogenized mixtures (chocolate)	8
Homogenized mixtures (except chocolate)	10
Plain condensed milk	5
Sweetened condensed milk	8
Victory-mix	11

Milk shipped from a plant or received from another plant (no specific test shall be recognized for milk shipped from a plant having no operations other than receiving milk from dairy farmers and shipping such milk, except for breed milk and other special milk): Average test of all milk received at the shipping plant.

(b) *Weights.* In the absence of specific weights the following table shall be used:

Product	Unit	Net weight, pounds
Cream:		
(11% bf)	40 quarts or 40 quart can.	85.67
(12% bf)		85.62
(13% bf)		85.57
(14% bf)		85.52
(15% bf)		85.47
(16% bf)		85.42
(17% bf)		85.34
(18% bf)		85.26
(19% bf)		85.18
(20% bf)		85.10
(21% bf)		85.02
(22% bf)		84.94
(23% bf)		84.86
(24% bf)		84.78
(25% bf)		84.70
(26% bf)		84.62
(27% bf)		84.52
(28% bf)		84.42
(29% bf)		84.36
(30% bf)		84.30
(31% bf)		84.24
(32% bf)		84.18
(33% bf)		84.12
(34% bf)		84.06
(35% bf)		84.00
(36% bf)		83.94
(37% bf)		83.88
(38% bf)		83.82
(39% bf)		83.76
(40% bf)		83.70
(41% bf)		83.64
(42% bf)		83.58
(43% bf)		83.52
(44% bf)		83.46
(45% bf)		83.40
(46% bf)		83.34
(47% bf)		83.28
(48% bf)		83.22
(49% bf)		83.16
(50% bf)		83.10
(51% bf)		83.04
(52% bf)		82.98
(53% bf)		82.92
(54% bf)		82.86
(55% bf)		82.80
Plain condensed milk		91.00
Sweetened condensed milk.		108.00
Homogenized mixtures (except choc.).		91.00
Chocolate homogenized mixtures.		92.50
Evaporated milk	Case, tall cans	43.65
Evaporated milk	Case, baby cans	18.10
Milk	40 quart can	85.00
Milk (packaged)	Quart (in any package).	2.15

NOTE: Abbreviation bf means butterfat.

(c) *Methods of determining butterfat in specific products*—(1) *Frozen desserts.* The butterfat in frozen desserts shall be assumed to be the same as the butterfat in the homogenized mixtures used in making such frozen desserts.

(2) *Homogenized mixtures.* (i) Determine the weight of the homogenized mixture. In the absence of specific weights, convert volume to weight by the use of the conversion factor in (b) of this section.

(ii) Determine the total amount of fat in the homogenized mixture on the basis of fat tests and the weight of the product.

(iii) Determine the total amount of fat other than butterfat in the homogenized mixture on the basis of the fat content of the non-milk products used in the manufacture of the homogenized mixture.

(iv) Determine the butterfat content of the homogenized mixture by subtracting from the total fat content of the homogenized mixture, the fat in the non-milk products used.

(3) *Cultured and flavored milk drinks containing less than 3 per cent butterfat.* The butterfat content of such products shall be assumed to be the same as the butterfat content of the milk or cream used in making such product if such butterfat content appears reasonable in the light of the butterfat tests of the products. In the absence of butterfat tests, the butterfat content of such products shall be assumed not to exceed 2 per cent.

(4) *Milk chocolate and other candy products.* The butterfat content of milk chocolate and other candy products shall be assumed to be the same as the butterfat in the milk, cream, or other milk product used in the manufacture of such products.

(5) *Class IV-B cheeses.* The butterfat content of Class IV-B cheeses (including the whey butterfat) shall be assumed to be the same as the butterfat content of the milk used in the manufacture of such cheeses: *Provided,* That, the yield of such cheese is reasonable in view of the butterfat content of the milk and the moisture content of the cheese.

(6) *Class III cheeses.* The butterfat content of Class III cheeses shall be assumed to be the same as the butterfat content of the milk, cream, or other cheese used in the manufacture of such cheese if such butterfat content appears reasonable in the light of the butterfat tests and yield of the cheese.

In the absence of butterfat tests of creamed cottage cheese, the butterfat content of such cheese shall be assumed not to exceed 4.5 percent.

SEC. 6. *Butterfat in by-products.* (a) Butterfat on hand at or leaving the plant in the form of whey, whey cream, or whey butter, obtained from the manufacture of Class III or Class IV-B cheeses, shall be classified the same as the butterfat in the cheese.

(b) Butterfat in by-products of milk or milk product manufacturing or shipping operations except that classified pursuant to (a) of this section shall be considered plant loss. Such by-products shall include but not be limited to fluid skim milk obtained from the separator or churn, condensed by-products, powdered by-products, or rinsings.

Dated: September 19, 1945.

C. J. BLANFORD,
Market Administrator,
New York Metropolitan
Milk Marketing Area.

[F. R. Doc. 45-19380; Filed, Oct. 19, 1945; 11:15 a. m.]

PART 927—MILK IN NEW YORK METROPOLITAN MARKETING AREA

PARTIAL SUSPENSION ORDER

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area (7 F.R. 2370, 9109; 8 F.R. 6327, 8589; 10 F.R. 6156) hereinafter referred to as the "order," it is hereby determined that the table contained in § 927.5 (a) (1) of the order, with the exception of the words "Dollars per cwt." and the figure or price "3.70" does not tend to effectuate the declared policy of the act with respect to milk received from producers or cooperative associations of producers from November 1, 1945, to March 31, 1946, both dates inclusive.

It is therefore ordered, That the entire table contained in § 927.5 (a) (1) of the order, with the exception of the words "Dollars per cwt." and the figure or price "3.70" be and it hereby is suspended with respect to milk received from producers or cooperative associations of producers from November 1, 1945, to March 31, 1946, both dates inclusive.

Done at Washington, D. C., this 18th day of October 1945.

[SEAL] J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-19479; Filed, Oct. 22, 1945; 11:07 a. m.]

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 114, Termination]

PART 1480—ELEVATION FACILITIES

RESTRICTIONS ON USE OF ELEVATION FACILITIES TERMINATED

War Food Order No. 114 (9 F.R. 11421) is hereby terminated.

This order shall become effective at 12:01 a. m., E. s. t., October 22, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 114, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violations, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 6937)

Issued this 19th day of October 1945.

[SEAL] J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-19480; Filed, Oct. 22, 1945; 11:07 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 110—PRIMARY INSPECTION AND DETENTION

AMENDMENT OF NAME OF CHALKS FLYING SERVICE AIRPORT, MIAMI, FLA.

OCTOBER 19, 1945.

Pursuant to the authority contained in section 7(d) of the Air Commerce Act of 1926 (44 Stat. 572; 49 U. S. C. 177 (d)) and section 1 of Reorganization Plan No. V (3 CFR, Cum. Supp., Ch. IV); and in view of the facts that the name of the Chalk's Flying Service Airport at Miami, Florida, has been changed to Chalks Flying Service Seaplane Base and that the Acting Secretary of the Treasury has redesignated such airport for a temporary period as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, the Chalks Flying Service Seaplane Base at Miami, Florida, is hereby redesignated as a temporary port of entry for aliens arriving in the United States by aircraft.

Section 110.3 (b), Title 8, Chapter I, Code of Federal Regulations is amended by substituting the word "Miami, Fla., Chalks Flying Service Seaplane Base" for the words "Miami, Fla., Chalk's Flying Service Airport" in the list of temporary ports of entry for aliens arriving in the United States by aircraft.

TOM C. CLARK,
Attorney General.

Approval recommended: October 11, 1945.

UGO CARUSI,
Commissioner of Immigration and Naturalization.

[F. R. Doc. 45-19445; Filed, Oct. 19, 1945; 4:04 p. m.]

PART 116—CIVIL AIR NAVIGATION

APPLICATION TO CIVIL AIR NAVIGATION OF LAWS AND REGULATIONS RELATING TO CUSTOMS, PUBLIC HEALTH, ENTRY AND CLEARANCE, AND IMMIGRATION

OCTOBER 18, 1945.

The regulations for the application to civil air navigation of the laws and regulations relating to customs, public health, entry and clearance, and immigration issued by the Acting Secretary of the Treasury, the Federal Security Administrator, the Acting Secretary of Commerce, and the Acting Attorney General, within their respective authorities, on August 28, 1941, as amended on October 31, 1941, June 5, 1942, September 21, 1942, April 14, 1943, August 26, 1944, and July 16, 1945 (6 F.R. 4516, 4536, 4537, 4514, 5582, 5583, 5596; 7 F.R. 4471, 4472, 4496, 7800, 7813; 8 F.R. 5291, 5296, 5320; 9 F.R. 10446, 10448, 10503; and 10 F.R. 9314, 9315, 9338; 19 CFR 6.1 to 6.11, 42 CFR 11.501 to 11.516, and 8 CFR 116.1 to 116.16), are hereby further amended as follows:

The following sentence is inserted next after the first sentence in subparagraph (7) of § 116.8 (b) of Title 8, Code of Federal Regulations, also designated as § 6.8 (b) of Title 19 and § 11.508 (b) of Title 42:

The immigration list will be acceptable also if properly executed with a notation thereon "As per attached passenger manifest of ____ sheets", and such attached manifest is furnished on a form approved with respect to size, wording, arrangement, and quality and color of paper by the Commissioner of Immigration and Naturalization.

(R.S. 161, 251, sect. 644, 46 Stat. 761, sec. 7, 44 Stat. 572, secs. 367, 602, 58 Stat. 706, 712, sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166; 5 U.S.C. 22, 19 U.S.C. 66, 1644, 49 U.S.C. 177, 42 U.S.C. Sup. IV, 201 note, 270, 8 U.S.C. 102, 222. Sec. 1, President's Reorganization Plan No. V; 5 F.R. 2132, 2223. E.O. 9083, Feb. 1942; 7 F.R. 1609)

TOM C. CLARK,
Attorney General.
W. R. JOHNSON,
Commissioner of Customs.
FRED M. VINSON,
Secretary of the Treasury.
WATSON B. MILLER,
Federal Security Administrator.

[F. R. Doc. 45-19444; Filed, Oct. 19, 1945; 4:04 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4518]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

FRACKMAN DIAMOND CORP. ET AL.

§ 3.6 (m10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.6 (r) *Advertising falsely or misleadingly—Prices—Exaggerated as regular and customary:* § 3.6 (r) *Advertising falsely or misleadingly—Prices—Retail or selling as wholesale, jobbing, etc., or discounted:* § 3.6 (r) *Advertising falsely or misleadingly—Prices—Usual as reduced, special, etc.:* § 3.6 (bb10) *Advertising falsely or misleadingly—Size or weight:* § 3.6 (gg) *Advertising falsely or misleadingly—Value:* § 3.66 (c20) *Misbranding or mislabeling—Manufacture or preparation.* In connection with the offering for sale, sale, and distribution of jewelry or other merchandise in commerce (1) representing, directly or by implication, that the prices at which respondents' merchandise is regularly offered for sale at retail are wholesale prices; (2) representing as the usual or customary prices of respondents' merchandise prices which are fictitious or in excess of the prices at which such merchandise is customarily sold by respondents in the usual and normal course of business; (3) representing, directly or by implication, that the prices at which respondents' merchandise is offered for sale are less than the customary prices of such merchandise when such prices are in fact the usual and customary prices at which such merchandise is regularly sold by respondents; (4) representing, directly or by implication, that any ring mounting not made entirely by hand is hand made; (5) using a single carat weight designation in connection with rings containing one large diamond and other smaller diamonds unless such large diamond alone is of the weight indicated by such designation; or (6) misrepresenting in any manner the carat weight of the diamonds in respondents' rings or other jewelry; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Frackman Diamond Corporation, et al, Docket 4518, September 18, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 18th day of September, A. D. 1945.

In the Matter of Frackman Diamond Corporation, a Corporation, and Morton Frackman, Joseph Frackman, Gilbert E. Horton, Individuals, All Trading and Doing Business Under the Name Horton Fifth Avenue Jewelers

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and the exceptions to such report, and brief in support of the complaint (no brief having been filed on behalf of respondents and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Frackman Diamond Corporation, a corporation, and its officers, and Morton Frackman, Joseph Frackman, and Gilbert E. Horton, individuals, trading under the name Horton Fifth Avenue Jewelers or any other name, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of jewelry or other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that the prices at which respondents' merchandise is regularly offered for sale at retail are wholesale prices.

2. Representing as the usual or customary prices of respondents' merchandise prices which are fictitious or in excess of the prices at which such merchandise is customarily sold by respondents in the usual and normal course of business.

3. Representing, directly or by implication, that the prices at which respondents' merchandise is offered for sale are less than the customary prices of such merchandise when such prices are in fact the usual and customary prices at which such merchandise is regularly sold by respondents.

4. Representing, directly or by implication, that any ring mounting not made entirely by hand is hand made.

5. Using a single carat weight designation in connection with rings containing one large diamond and other smaller diamonds unless such large diamond alone is of the weight indicated by such designation.

6. Misrepresenting in any manner the carat weight of the diamonds in respondents' rings or other jewelry.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc 45-19496; Filed, Oct. 28, 1945; 11:23 a. m]

[Docket No. 5328]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LANKENAU CO.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Manufacturer.* In connection with the offering for sale, sale, and distribution in commerce, of wool and rayon fabrics and other textile products, using the word "manufacturers," or any other word or words of similar import to designate, describe, or refer to respondents or the business operated by them; or otherwise representing, directly or by implication, that respondents manufacture the products sold and distributed by them; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Lankenau Company, Docket 5328, September 25, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of September, A. D. 1945.

In the Matter of Henry Lankenau, Richard Lankenau, and Harry Lankenau, Copartners, Trading as Lankenau Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Henry Lankenau, Richard Lankenau, and Harry Lankenau, individually and trading as Lankenau Company, or trading under any other name, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of wool and rayon fabrics and other textile products, do forthwith cease and desist from:

Using the word "manufacturers," or any other word or words of similar import to designate, describe, or refer to respondents or the business operated by them; or otherwise representing, directly or by implication, that respondents manufacture the products sold and distributed by them.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-19494; Filed, Oct. 22, 1945; 11:23 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

PART 6—AIR COMMERCE REGULATIONS

APPLICATION TO CIVIL AIR NAVIGATION OF LAWS AND REGULATIONS RELATING TO CUSTOMS

CROSS REFERENCE: For an amendment to subparagraph (7) of § 6.8 (b) see Part 116 of Chapter I of Title 8, *supra.*

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

BITUMINOUS COAL AVAILABLE FOR EXPORT

Pursuant to SFAW Regulation No. 31, as amended, SFAW has approved the export of tonnages of strip and lower grade bituminous coal produced in northern West Virginia, Pennsylvania, Alabama, and certain coal in surplus supply in Oklahoma, New Mexico and West Kentucky. Substantially all of such coal is mine run. This office has repeatedly emphasized that consumers and retail dealers desiring to purchase such coal may do so. Demand for this coal may have been stimulated by curtailment of production due to the recent widespread work stoppages in the bituminous mines.

Retail dealers and consumers are hereby notified that if they desire to purchase any of the coal available for export from the United States, they should communicate with the SFAW Area Distribution Manager for the district in which the coal is produced.

Issued this 18th day of October 1945.

C. J. POTTER, *Deputy Solid Fuels Administrator for War.*

[F. R. Doc. 45-19540; Filed, Oct. 22, 1945; 11:50 a. m.]

PART 602—GENERAL ORDERS AND DIRECTIVES

PROHIBITION OF SHIPMENTS OF BITUMINOUS COAL TO INDUSTRIAL CONSUMERS HAVING 45 DAYS' OR MORE SUPPLY

On October 17, 1945, SFAW issued a notice of direction to all persons shipping bituminous coal produced in Districts 1-4 inclusive, and 6-8, inclusive, and to certain dock operators. By the second paragraph of that direction, shippers of coal produced in Districts 1-4, inclusive, and 6-8, inclusive, and all commercial dock operators except commercial dock operators located on the Great Lakes, are prohibited from shipping during any calendar month, any bituminous coal to any industrial consumer whose days' supply of coal, as of the last day of the preceding month, is 45 days or more.

Shippers who have surplus coal available after meeting all orders required or permitted to be filled under SFAW Regulation No. 27, as amended, and outstanding orders and directions, are required to report such surplus tonnage to the Area Distribution Manager for the district in which the coal is produced. The Area Distribution Manager is authorized to permit distribution of such surplus tonnage to consumers having 45 days' or more supply of coal on hand if, in the judgment of the Area Distribution Manager, such tonnage is not more urgently required by other consumers or retail dealers. Shippers, when reporting surplus tonnage, may request permission from the Area Distribution Manager to ship such surplus in whole or in part to industrial consumers whose days' supply of coal is 45 days or more.

In the event that a consumer whose days' supply of coal is 45 days or more will experience extreme hardship from the application of the prohibition contained in the direction because of inability to obtain his full monthly coal requirements or for other reasons, the shipper supplying coal to such consumer may request the SFAW Area Distribution Manager for the district in which the coal is produced for relaxation of the prohibition. The Area Distribution Manager is authorized to relax the prohibition when it is demonstrated that such relaxation is required to eliminate extreme hardship but in no event shall such consumer be permitted to obtain from all sources more than 50 per cent of his monthly consumption requirements.

Issued this 18th day of October 1945.

C. J. POTTER, *Deputy Solid Fuels Administrator for War.*

[F. R. Doc. 45-19541; Filed, Oct. 22, 1945; 11:50 a. m.]

PART 602—GENERAL ORDERS AND DIRECTIVES

PREFERENCE SHIPMENTS ON BITUMINOUS COAL

This statement is issued to clarify the schedule of preference to be accorded shipments of bituminous coal pursuant to SFAW Regulation No. 27, as amended, and as modified by special notices of di-

rection. The following schedule of shipments is to be observed:

1. First preference—shippers of coal produced in Districts 2, 7 and 8 shall first fill commitments for coal moving via the Great Lakes to any dock or other unloading facility except those located at the following points: all points on Lake Erie, Lake Ontario, the Welland Canal, and the St. Lawrence River; all points on Lake Michigan within the States of Illinois and Indiana. (Notice of direction to shippers of coal produced in Districts 2, 7 or 8 moving via the Great Lakes, issued September 14, 1945.) Shippers of coal produced in Districts 1, 3, 4 or 6 shall first fill commitments for coal moving via the Great Lakes to any dock or other unloading facility except those located at the points set forth above. (Notice of direction to shippers of coal produced in Districts 1, 3, 4 or 6 moving via the Great Lakes, issued October 15, 1945.)

2. Second preference—shippers of coal produced in any district shall accord a second preference to orders for special purpose coal to the extent set forth in § 602.702 of SFAW Regulation No. 27, as amended.

3. Third preference—shippers of coal produced in Districts 1-4, inclusive, 6-11, inclusive, or 13 shall accord a third preference to orders to the extent set forth in § 602.703 of SFAW Regulation No. 27, as amended.

4. Fourth preference—shippers of coal produced in Districts 1-4, inclusive, 6-11, inclusive, shall accord a fourth preference to orders for coal moving via the Great Lakes not entitled to first preference, as indicated above.

After making shipments in accordance with the above preference schedules, shippers of bituminous coal may then make shipments in accordance with the provisions of SFAW Regulation No. 27, as amended.

Issued this 18th day of October 1945.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 45-19542; Filed, Oct. 22, 1945; 11:50 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 93]

PART 815—LIMITED PRODUCTION LICENSE FOR PASSENGER AUTOMOBILES PRODUCED IN 1945

Sec.
815.1 General provisions.
815.2 Clearance for export.
815.3 Period of validity.

AUTHORITY: §§ 815.1 to 815.3 inclusive issued under sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361; 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320.

§ 815.1 *General provisions.* (a) There is hereby established a limited production license designated "LPL", authorizing, subject to the other provisions of this part and subject to the conditions contained in the license issued by the Foreign Economic Administration, the exportation of new passenger automobiles manufactured in 1945 pursuant to the provisions of War Production Board Order L-352 for export and classified under one of the following Department of Commerce Schedule B numbers: 790700 through 791000.

(b) Any person, who is a manufacturer, or the agent of a manufacturer, authorized, under the provisions of War Production Board Order L-352 to produce for export any of the types of passenger automobiles described in paragraph (a) of this section may, as an alternative procedure to the filing of applications for individual licenses, file an "Application for Limited Production License" accompanied by an "Application for Distribution Schedule for Passenger Automobiles" on the forms prescribed by the Foreign Economic Administration. All of the terms, conditions, provisions and instructions contained in such forms are hereby incorporated as a part of the regulations in this subchapter. All such applications shall contain such information as may be required by the Foreign Economic Administration, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(c) Applications for limited production licenses and related distribution schedules for new passenger automobiles shall be filed with the Requirements and Supply Branch, Foreign Economic Administration, Washington 25, D. C.

(d) Any exporter, whose application for a limited production license and related application for a distribution schedule for new passenger automobiles has been approved by the Foreign Economic Administration may, during the period of validity of the license, export under such license to each country or group of countries listed in the related distribution schedule not more than the quantity and type of vehicles approved by the Foreign Economic Administration for export to each such country or group of countries in said distribution schedule.

(e) Limited production licenses and related distribution schedules for vehicles described in paragraph (a) of this section may be amended by the Foreign Economic Administration upon application of the holder of such license in the form of a letter addressed to the Requirements and Supply Branch, Foreign Economic Administration, Washington 25, D. C. Amendments will be issued by the Foreign Economic Administration by letter which shall be considered a part of the limited production license and distribution schedule to which the amendment is applicable.

§ 815.2 *Clearance for export.* (a) The provisions of § 801.7 of this subchapter shall not apply to exportations under any limited production license for new passenger automobiles. In lieu of the presentation of an original export license or other document issued by the Foreign Economic Administration, an exporter making an exportation of automobiles under the limited production license shall present to the United States Collector of Customs at the port of exit a Shipper's Export Declaration bearing the symbol "LPL", and the number of the limited production license pursuant to which such exportation is being made.

(b) The use by any exporter of the symbol "LPL" on a Shipper's Export Declaration for the purpose of clearing an exportation of new passenger automobiles constitutes a certification by the exporter (1) that the exportation of the commodities described in such Shipper's Export Declaration is authorized under the limited production license therein identified to the destination specified; (2) that the type and quantity of such commodities are within the limitations set by the distribution schedule relating to such license; and (3) that all of the other provisions and conditions of said license have been met.

§ 815.3 *Period of validity.* Limited production licenses for new passenger automobiles shall be valid for the period beginning with the date of issuance and expiring on January 31 of the next succeeding calendar year, unless the period of validity is reduced or extended by the Foreign Economic Administration. All limited production licenses for such vehicles are subject to revocation or revision at any time by the Foreign Economic Administration.

WALTER FREEDMAN,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

SEPTEMBER 27, 1945.

[F. R. Doc. 45-19443; Filed, Oct. 19, 1945; 3:35 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, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 11, Revocation]

DISPOSITION OF LIVESTOCK

Section 903.19 *Directive 11* is hereby revoked.

Issued this 19th day of October 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-19472; Filed, Oct. 19, 1945; 4:44 p. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 12, Revocation]

SPRAY DRIED MILK

Section 903.21 *Directive 12* is hereby revoked.

Issued this 19th day of October 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-19471; Filed, Oct. 19, 1945; 4:44 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, as Amended Oct. 22, 1945]

§ 944.23 *Priorities Regulation 3*—(a) *Purpose of this regulation.* This regulation states the rules for the use of preference ratings, what kind of purchase orders or services may be rated and how a rating may be put on an order. It also places restrictions on the use of ratings and includes lists of products for which ratings may not be used at all. In general this regulation should be consulted before using a rating whether it was gotten directly from the War Production Board or from a customer.

(b) *Definitions.* For the purposes of this regulation:

(1) "Person" and "material" mean the same thing they do in Priorities Regulation 1.

(2) "Assignment" of a preference rating. A preference rating is assigned to a person when the War Production Board or someone that it has authorized issues an order or preference rating certificate giving him the right to use the rating.

(3) "Application" of a preference rating. A preference rating is applied when the person to whom it is assigned uses the rating. A rating is applied also when any governmental agency which is authorized by the War Production Board rates an order for delivery of material directly to it.

(4) "Extension" of a preference rating. A preference rating is extended when it is used by the person to whom it is applied or extended by another person.

(c) *Use of ratings in general.* (1) When a regulation, preference rating order or preference rating certificate assigns a rating to any person, either by naming him or by describing the class of persons to which he belongs, that person may apply the rating to get delivery of material or the performance of certain services. Also, a person may under certain conditions extend a rating which has been applied or extended to his deliveries of material, but not one applied to services. More detailed rules as to how and when ratings may be applied or extended are set out below in this regulation.

(2) When a War Production Board order or certificate states the quantities and kinds of material or the particular services which are rated, the person to whom it is assigned may use the rating to get only that quantity and kind of material or that particular service named in the order or certificate. If the quantities of material are not stated in the order or certificate assigning the rating it may be applied only to get the minimum amount needed.

(3) No person may place rated orders for more material than he is authorized to rate even though he intends to cancel some of the orders or reduce the quantity of material ordered to the authorized amount before it is all delivered.

(d) *When AAA or MM ratings may be extended for material.* The following provisions of this paragraph (d) apply to all extensions of AAA or MM preference ratings to get deliveries of material, unless they are modified by or are inconsistent with the provisions of any particular order.

(1) [Deleted Oct. 1, 1945.]

(2) When a person has received a AAA or MM rated order for the delivery of material, he may extend the AAA or MM rating to get the material which he will deliver on that order, or which will be physically incorporated in material which he will deliver. If the material is to be processed, this includes the portion of it which would normally be consumed or converted into scrap or by-products in the course of processing.

(3) If a person has made delivery of material, or has incorporated it into other material which he has delivered on an AAA or MM rated order, he may extend the AAA or MM rating to replace it in his inventory. However, if after delivering the material he still has a practicable working minimum inventory he may not extend the AAA or MM rating to replace the material delivered; and if by making the delivery his inventory is reduced below this minimum, the AAA or MM rating may be extended to get only the amount necessary to restore the inventory to a practicable working minimum. Any material ordered to replace in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape or design.

(4) A person to whom a rating of AAA or MM has been applied or extended to get material may not extend that AAA or MM rating to get any material for his own plant improvement expansion or construction, or to get machine tools or other items which he will carry as capital equipment, or to get business machines for his own use whether purchased or leased, or to get maintenance, repair or operating supplies for his own use.

(d-1) *CC ratings may not ordinarily be extended.* CC ratings may not be extended by a supplier to get production materials needed to make the item sold to his customer, or to replace in inventory materials used to make the item or to get containers or closures needed to pack the item. A distributor, warehouse, retailer, or other person who resells the item without further fabrication may extend the CC rating where he does not have the item in inventory, but may not extend the rating to replace the item in inventory.

A textile converter receiving a CC rating from his customer for finished fabric may extend the rating to get the gray fabric (including the portion of it which would normally be consumed or converted into scrap or by-product in the course of processing) which he will deliver in finished state on that order, or to replace in inventory fabric used to fill the order. However, if after delivering the material he still has a practicable working minimum inventory he may not extend the CC rating to replace the material delivered; and if by making the delivery his inventory is reduced below this minimum, the CC rating may be extended to get only the amount necessary to restore the inventory to a practicable working minimum. Any material ordered to replace inventory must be substantially the same (except for the finishing) as the material which the person delivered, except for minor variations in construction.

(e) *Additional restrictions upon use of ratings for certain materials.* Because of special circumstances which exist with respect to certain materials and products, the use of preference ratings to get items on List A attached to this regulation is restricted as follows:

(1) *Items as to which preference ratings have no effect; List A.* Any item on List A may be produced or delivered without regard to preference ratings. No person shall apply or extend any rating to get any of these items and no person selling any such item shall require a rating as a condition of sale. Any rating purporting to be applied or extended to any such item shall be void and no person shall give any effect to it in filling an order.

(2) [Deleted Oct. 1, 1945.]

(3) [Deleted Oct. 1, 1945.]

(f) *Use of ratings for services*—(1) *Ratings may not be used for personal services.* Preference ratings may never be used to get labor or personal services as distinct from services performed in the course of a regular business involving the use of plant, machinery or equipment owned by the person furnishing the services. For example, ratings may be used to get a repair job done in a repair shop as explained below but may not be used to compel an individual employee to work on a repair job or to obtain the services of a consulting engineer.

(2) *Three cases where ratings may be used for services.* There are only three situations in which a preference rating may be used to get services, as distinct from the production or delivery of material:

(i) *A rating assigned for the purpose.* If the War Production Board assigns a rating to a named person to get specified services, he may use the rating for that purpose.

(ii) *For processing.* When a person has a rating which he may use to get processed material, he may (unless prohibited by another regulation or order) furnish the unprocessed material to a processor and use the same rating to get it processed.

(iii) *For repairs.* A rating assigned on Form WPB-541 (formerly PD-1A), or WPB-542 (formerly PD-3A), or any other rating which may be applied to the delivery of specific repair parts or materials, may also be applied to the installation of the repair parts or materials or to the repair job alone if it is found that installing the parts or materials is not necessary. However, in the case of ordinary plumbing, heating, electrical, automotive or refrigeration repairs, a rating may not be applied to repair work even if the rating is expressly applicable to repair parts or materials. As used in this subparagraph "repair" means to fix a plant, machinery or equipment after it has broken down or when it is about to break down. "Repair" does not mean upkeep or maintenance service such as periodic inspection, cleaning, painting, lubricating, etc.

(3) *Ratings for services only may not be extended.* A person to whom a rating for services, as distinct from the production or delivery of material, has been

applied or extended may not extend the rating for any purpose.

(g) *How to apply or extend a rating.* (1) When a person applies or extends a preference rating he must put the rating (and symbol, if appropriate) on the order together with a certification signed as prescribed in Priorities Regulation 7. He may use the standard certification set out in that regulation, or if he prefers the following:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

(Name of Purchaser)

(Address)

By ---
(Signature and Title of Duly Authorized Officer)

(Date)

The person who receives the certification shall be entitled to rely on it as a representation of the buyer unless he knows or has reason to know that it is false.

(4) When a person applies or extends a rating he shall also include on his purchase order or contract any information which may be required by any applicable War Production Board order.

(5) Each person who applies or extends a rating must keep at his regular place of business all documents including purchase orders and preference rating orders and certificates which authorize him to apply or extend the rating. These documents, orders and certificates must be kept in such a way that they can be readily segregated and furnished to representatives of the War Production Board for inspection.

(6) When either certification authorized in this paragraph (g) is used it will not be necessary to use any other certification in order to apply or extend a preference rating, nor will it be necessary to furnish a copy of any preference rating order no matter what any regulation, preference rating order or preference rating certificate says unless it expressly states that this regulation does not apply.

(7) No person shall knowingly purport to apply or extend a preference rating to any order unless he is entitled to do so. No person shall apply or extend a rating for material or services after he has received the material or after the services have been performed, and any person who receives such a rating shall not extend it.

(h) *Provisions applicable to extensions; deferment and grouping.* No matter what any applicable preference rating order or certificate may say,

(1) No person may extend any rating to replace inventory after three months have passed from the time he could have first extended it;

(2) When a person has two or more ratings of the same grade which were assigned by different preference rating certificates or orders he may combine them and extend them to one delivery; and

(3) When a person has two or more ratings of different grades, or where they were assigned by the same or different certificates or orders, he may extend them to deliveries under one purchase order. However, the purchase order must show the amount of each material to which a particular grade of rating is extended. If the type and quantity of the material is such that the supplier can readily determine the exact effect of the extension of the rating on his production and delivery schedule from percentage figures alone, then the purchase order may show the amount of the material to which the particular grade of rating is extended on a percentage basis; otherwise, it must be shown as a separate item. In order to avoid production or delivery of material in quantities smaller than the minimum commercially practicable a person may combine ratings of different grades and extend the rating of the lowest grade to the total production or delivery.

(i) *Restrictions in other orders.* When any person applies or extends a rating he shall be subject to any applicable rule or restriction which may be set forth in the order of the War Production Board which assigns the rating or any other order which regulates transactions in the material or the facilities for which he is using the rating. This includes restrictions as to the kind and amount of material to which ratings may be applied or extended, requirements for written approval of any particular transaction, restrictions on certain uses of material or facilities and any other rules which may be applicable to the particular transaction. However, the rules of paragraph (g) (6) apply unless some other order or certificate expressly says that they do not.

Issued this 22d day of October 1945.

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

LIST A

NOTE: List A amended Oct. 22, 1945.

The following items may be delivered without regard to any War Production Board preference ratings:

Chemicals of the following types manufactured or produced for exclusive use in the petroleum industry, as petroleum industry is defined in Preference Rating Order P-98-b:

a. Antioxidants (gum inhibitors) for motor fuels.

b. Chemical additives and compound bases for heavy duty gasoline engine, diesel engine and aviation engine oils.

c. Chemical additives and compound bases for hypoid gear oils.

d. Synthetic catalysts for oil cracking operation.

e. Synthetic catalysts for cumene and codimer manufacture.

f. Synthetic catalysts for petroleum isomerization operations.

g. Synthetic catalysts for petroleum sweetening operations.

Communications services.

Electric energy.

Gas manufactured combustible, of the type generally distributed by utilities.

Gas, natural.

Petroleum, including only the following products:

(1) Liquefied petroleum gas: propane, propylene, butanes, butenes, or any combination or dilution thereof commonly known as liquefied petroleum gas.

(2) Aviation gasoline: any liquid fuel (including components thereof), except Diesel fuel, used for aircraft propulsion which meets current provisional or permanent United States Army or Navy specifications for aircraft fuels.

(3. Motor fuel: any liquid fuel (including components thereof) suitable for use in the propulsion of motor vehicles or motor boats.

(4) Naphtha; any liquid petroleum fraction or derivative commonly known as naphtha, including that cut of gasoline or kerosene classified as naphtha; *Provided,* That the term naphtha shall not include any toluene fraction of Kauri-butanol value of 85 Kauri-butanol number or higher, or any aromatic petroleum solvent, as defined in General Preference Order M-150, as amended.

(5) Insecticide base: any liquid petroleum fraction or derivative used as or suitable for use as a base or carrier for the active chemical ingredients of an insecticide, germicide or deodorant.

(6) Fuel oil: any liquid petroleum fraction or derivative commonly known as fuel oil, including grades No. 1, 2, 3, 4, 5, or 6, Bunker "C" fuel oil, Diesel fuel, kerosene, range oil, gas, oil and any other liquid petroleum product used for the same purpose as the above designated grades.

(7) Lubricating oil: any liquid petroleum fraction or derivative regardless of the extent processed, (1) which is used for or is suitable for lubrication, including, but not limited to, cutting, drawing, processing, soluble, transformer and white oils, and (2) which does not contain in excess of 50% by weight of additives or compounds.

(8) Lubricating grease: any lubricant manufactured from petroleum and a soap, organic salt or ester of any fatty oil or fatty acid.

(9) Asphalt: asphalt of petroleum origin and all asphaltic products of petroleum origin, including road oils.

(10) Micro-crystalline wax: any solid hydrocarbon mixture, commonly known as micro-crystalline wax (amorphous wax, petroleum wax) but not including paraffin wax defined as a solid hydro-carbon mixture having a melting point between 110° F. to 155° F. (ASTM-D-87) and a maximum kinematic viscosity of 5.74 centistokes at 210° F (ASTM-D445-42T), wholly derived by low temperature solidification and expression, or by solvent extraction, from that portion of crude petroleum known as paraffin distillate.

(11) Petrolatum: any semi-solid hydrocarbon mixture, plastic and unctuous, commonly known as petrolatum or petroleum jelly, regardless of the extent processed.

(12) Mineral oil polymers: any resinous product produced by the polymerization of mixtures of unsaturated hydrocarbons

(either the solid resin or solvent extended product); but not including polystyrene, polyisobutylene, polyethylene, butadiene, or the copolymers of such materials.

Steam heating, central.

Ice.

Tobaccos.[1]

Vegetable, fish, marine animal and animal fats and oils, whether edible or inedible and including their by-products and residues (whether resulting from refining, distillation saponification, pressing or settling).[1]

Sulfated, sulfonated, and sulfurized fats and oils.

Tall oil.[1]

Wool grease.[1]

Soap (other than metallic).[1]

Fatty acids.[1]

Food for human or animal consumption.[1]

Glycerine.[1]

Water.

Low and high temperature fractional distillation equipment for gas and gasoline analysis.

Wood pulp.

LIST B: Deleted Oct. 1, 1945.

INTERPRETATION 1

Interpretation 1 of Priorities Regulation 3

[Revoked Nov. 17, 1943.]

INTERPRETATION 2

EFFECT OF LIST A ON UNFILLED ORDERS

The restrictions on the use of ratings for the items on List A apply to orders for such items which had been placed before the date the item was put on the list but were not yet filled. (Issued Oct. 1, 1945.)

INTERPRETATION 3: Revoked Oct. 1, 1945.

INTERPRETATION 4: Revoked Oct. 1, 1945.

INTERPRETATION 5

RESTRICTIONS OF OTHER ORDERS

(a) *Restrictions of other orders on use of ratings or delivery.* The provisions of paragraph (e) relate only to the items which appear on the list. When any other order of the War Production Board restricts the use of preference ratings to obtain any product, or restricts delivery of a product in any way, those restrictions are applicable even though that product is not listed in Priorities Regulation 3 (§ 944.23).

(b) [Deleted Oct. 1, 1945.]

(Issued Oct. 1, 1945.)

INTERPRETATION 6

EFFECT OF PREFERENCE RATING CERTIFICATE REFERRING TO PRODUCT OF A PARTICULAR MANUFACTURER

(a) When a preference rating certificate in assigning a rating to a product describes the product by its trade name or by the manufacturer's name and catalogue number, the rating may ordinarily be used to get the product from any manufacturer if the model actually obtained is substantially identical in size, operation and function with that named in the certificate.

(b) The rule stated in the preceding paragraph is consistent with the statement in paragraph (c) (2) of Priorities Regulation 3 (§ 944.23), that a preference rating may be applied only to the specific quantities and kinds of material authorized. Ordinarily a reference in a preference rating certificate to a particular product of a particular manufacturer is no more than a shorthand way of describing the product. It is safe to assume, unless the certificate clearly states otherwise, that what is being rated is a certain kind and size of product which may be obtained from any manufacturer who makes that kind and size. If it is intended to confine the rating to a particular product of a particular manufacturer, the certificate should say so explicitly. (Issued Sept. 8, 1943.)

INTERPRETATION 7: Revoked Oct. 1, 1945.

INTERPRETATION 8: Revoked Oct. 1, 1945.

INTERPRETATION 9: Revoked Oct. 1, 1945.

INTERPRETATION 10

USE OF RATING TO OBTAIN LEASED MACHINERY

(a) A preference rating which has been assigned for the delivery of an item of machinery or equipment may be used to lease the equipment as long as the following conditions are fulfilled:

(1) The lease must be a long-term semi-permanent arrangement where both parties contemplate the comparatively permanent installation of the machine or equipment. For instance, a rating could be used to obtain a machine under lease where the lease was for one year, with provision for renewal at the end of each year, and both parties expected that the lease would be renewed from time to time. However, the rating could not be used to obtain a machine for a month's use.

(2) If the rating is limited by specific dollar amount it may be used only to lease machinery or equipment whose fair market value is no greater than the amount specified.

(b) If the instrument assigning the ratings specifies a lease rather than a purchase, it is not necessary to comply with the above conditions. (Issued Oct. 1, 1945.)

INTERPRETATION 11: Revoked Oct. 1, 1945.

INTERPRETATION 12

RECORDS OF EXPORTERS

Paragraph (g) (5) of Priorities Regulation No. 3 requires each person who applies or extends a rating to keep all documents including preference rating orders and certificates which authorize him to apply or extend the rating at his regular place of business. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have assigned preference ratings to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments of preference ratings on export licenses are not in a position to retain the original of the export license and thus are not required to do so by paragraph (g) (5) except only in those cases where other government regulations do not require the surrender to the government of the documents referred to. However, such persons must keep any copies of the export licenses which are returned to them for their files. (Issued August 24, 1945.)

INTERPRETATION 13

TIME LIMIT ON USE OF RATINGS

Preference ratings may not be extended to replace material in inventory after three months from the time delivery was made to the customer. This is the rule of paragraph (h) (1) of the regulation.

When a rating is being applied (except a blanket rating such as one assigned by CMP Regulation 5) or when any rating is extended for some purpose other than to replace inventory, this may be done only within a reasonable time after the rating was received. Generally speaking, more than three months is deemed to be an unreasonable delay in the use of a rating. In a particular case there may be circumstances which make a reasonable time shorter or longer than three months. For example,

(1) [Deleted Oct. 1, 1945.]

(2) A rating assigned in connection with an export license may be applied as long as the license is valid and expires when the license expires or is revoked. (For explanation of this rule see Interpretation 2, Directive 27.)

(3) When a rating is applied to a long term contract (such as the construction of a ship), it may be extended for material needed to fill the contract, even though more than three months have elapsed.

(4) If the purpose for which the rating was assigned no longer exists, the rating may not be applied even though three months have not elapsed.

(5) When a rating is extended by a person to get material to deliver to his customer, or to incorporate in such material, the time within which it may be done will, in general, be controlled by the delivery date on his customer's order.

The fact that a person has not been able to get his rated order accepted by a supplier does not lengthen the time within which he may use his rating.

Nothing in this interpretation means that any AA rating still has any effect. All AA ratings become ineffective in every respect on September 30, 1945. (Issued Oct. 1, 1945.)

INTERPRETATION 14: Revoked Apr. 23, 1945.

INTERPRETATION 15

REFERENCES IN LIST A TO ORDERS WHICH HAVE BEEN REVOKED

In many items on List A of Priorities Regulation 3 reference is made to specific WPB orders or schedules for a definition of the specific items covered by the lists. Sometimes the order or schedule referred to is revoked without any change in the listing on List A. When one of these orders or schedules is revoked, the listing of the item on List A, nevertheless, remains in full force and effect, and the item as listed on List A has the same meaning as before the revocation of the order. (Issued Oct. 1, 1945.)

[F. R. Doc. 45-19493; Filed, Oct. 22, 1945; 11:39 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 31 as Amended Oct. 1, 1945, Amdt. 2]

BLANKET REVOCATION OF CERTAIN WPB ORDERS

Section 944.52, Priorities Regulation 31, is amended by adding to the list of orders revoked the following orders:

LIST OF ORDERS REVOKED AND EFFECTIVE DATE OF REVOCATION

PETROLEUM

Section 1041.2, P-93-b (except Direction 1 to P-93-b); production, transportation, refining and marketing of petroleum, September 30, 1945. Direction 1 to P-93-b, petroleum industry housing, October 15, 1945.

Section 3528.1, M-291, preference rating exclusion order for petroleum products, October 22, 1945.

Issued this 22d day of October 1945.

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

[F. R. Doc. 45-19591; Filed, Oct. 22, 1945; 11:39 a. m.]

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[1] Subject to War Food Order 71 (formerly FD Regulation No. 1) of the War Food Administration.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-828, Amdt. 2]

KIMEL SHOE CO.

Suspension Order No. S-828 was issued June 20, 1945 against Kimel Shoe Company, a partnership composed of Morris E. Kimel, Harry Moss and Stanley Kimel, a corporation engaged in the business of manufacturing shoes in Los Angeles, California. This suspension order required the respondent to reduce their production of women's and growing girls' shoes in the $4.25 to $4.60 price line, 3,320 pairs below their allowable quota in each of the six months' period beginning March 1, 1945 and September 1, 1945. By amendment of Conservation Order M-217 on September 20, 1945 the quota period was changed from a six months' period to a four months' period. The Chief Compliance Commissioner has directed that the suspension order be amended to conform with the amendment of M-217.

In view of the foregoing, it is hereby ordered, that: § 1010.828, *Suspension Order No. S-828*, issued June 20, 1945, be and hereby is amended by the substitution of the following paragraph (a) for the present paragraph (a) of the suspension order as reinstated and amended August 24, 1945.

(a) Morris E. Kimel, Harry Moss, and Stanley Kimel, whether doing business as Kimel Shoe Company or otherwise, their successors or assigns, unless otherwise specifically authorized in writing by the War Production Board shall reduce their production of women's and growing girls' shoes in the $4.25 to $4.60 price line, 2,213 pairs below their allowable quota in each of the four months' periods beginning September 1, 1945 and ending September 1, 1946.

Issued this 19th day of October 1945.

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

[F. R. Doc. 45-19393; Filed, Oct. 19, 1945; 11:16 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-858, Amdt. 2]

SUPREME SHOE CO.

Suspension Order No. S-858 was issued July 24, 1945 against Supreme Shoe Company, Inc., Los Angeles, California, a corporation engaged in the manufacture of shoes. This suspension order required the respondent to reduce by 10,267 pairs of shoes the number of shoes it would otherwise be entitled to produce during the six months' period beginning September 1, 1945. By amendment of Conservation Order M-217 on September 20, 1945 the quota period was changed from a six months' period to a four months' period. The Chief Compliance Commissioner has directed that the suspension order be amended to conform with the amendment of M-217.

In view of the foregoing it is hereby ordered, that: § 1010.858, *Suspension Order No. S-858*, issued July 24, 1945, be and hereby is amended by the substitution of the following paragraph (a) for the present paragraph (a) of the suspension order as amended August 20, 1945.

(a) Supreme Shoe Company, Inc., its successors or assigns, unless otherwise specifically authorized in writing by the War Production Board shall reduce by 500 pairs of shoes the number of pairs of shoes it would otherwise be entitled to produce during the six months' period beginning March 1, 1945 and ending August 31, 1945 under the authorization to manufacture granted respondent by the War Production Board, and the corporation shall reduce by 6,844 pairs of shoes the number of pairs of shoes it would otherwise be entitled to produce during the four months' period beginning September 1, 1945 and ending December 31, 1945, and the corporation shall reduce by 3,423 pairs of shoes the number of pairs of shoes it would otherwise be entitled to produce during the quota period as established by M-217 or by any amendment thereof beginning January 1, 1946 under the authorization to manufacture granted by the War Production Board.

Issued this 19th day of October 1945.

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

[F. R. Doc. 45-19473; Filed, Oct. 19, 1945; 4:44 p. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257-c, Revocation of Direction 2]

PRIORITY TO REPLACE OR REPAIR MACHINES DAMAGED BY FLOODS, ETC.

Direction 2 to Limitation Order L-257-c, is revoked. A farmer who needs a priority to replace or repair farm machinery and equipment damaged by floods, etc., may apply under Priorities Regulation 28 on Form WPB-541A (revised).

Issued this 22d day of October 1945.

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

[F. R. Doc. 45-19500; Filed, Oct. 22, 1945; 11:39 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-221, as Amended Oct. 22, 1945]

TEXTILE BAGS

The fulfillment of requirements for the defense of the United States, has created a shortage in the supply of new and used textile bags 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.

§ 3270.23 *Conservation Order M-221*—(a) *What this order does.* This order places limitations on the manufacture, delivery and use of textile bags. There are various restrictions on bag makers, such as the requirement of standard size bags for packing certain commodities (paragraph (e)). The bag makers' inventories of cotton textiles are also restricted (paragraph (c)). There are also various general restrictions on the delivery and use of new and used textile bags, such as the prohibition against converting and delivery of new and used textile bags (paragraph (j)), and the requirements on the users' inventories of such bags (paragraphs (k) (1) and (k) (2)). There are also special restrictions on the use of new textile bags such as requirements that only certain products may be packed in such bags (paragraphs (n) and (o)). There are also certain special restrictions covering used textile bags, such as requirements on commercial emptiers with respect to the time limit on holding empty bags (paragraph (s)).

(b) *Definitions.* Wherever used in this order: (1) "Textile bag" means any hand or machine sewed bag made for commercially packing, storing or shipping some commodity and manufactured of cotton, burlap or other textile fabric including open mesh fabrics woven from cotton or twisted paper yarns, but excepting bags made from flannel, shopping bags, carry-out bags, combination textile paper bags (bags made of textile laminated with paper) and spiral tubing.

(2) "New textile bag" means any textile bag when neither the fabric nor the bag has been previously used.

(3) "Used textile bag" means any textile bag when the bag or fabric has been previously used.

(4) "Bag maker" means any person engaged in the business of manufacturing new textile bags.

(5) "Dealer" means any person whose principal business is that of buying, selling or reconditioning empty textile bags.

(6) "User" means any person who acquired 500 or more empty new or used textile bags for use in his business during 1942 or who acquires such amount during any subsequent calendar year.

(7) "Commercial emptier" means any person who, in the preceding three months, acquired in his business and emptied 400 filled textile bags.

(8) "Export" means any shipment from the United States (the 48 states, the District of Columbia, the territories, the island possessions of the United States and the Panama Canal Zone).

(9) "Agricultural products" includes, but is not limited to, beans; chocolate; coffee; cotton; feed; flour; fruits; grain; meal; nuts; potatoes; poultry grits; rice; salt; seeds; starch; sugar; tobacco; vegetables.

(10) [Deleted Aug. 29, 1945.]

RESTRICTIONS ON BAG MAKERS

(c) *Inventories of cotton textiles.* No bag maker shall accept delivery of any cotton textiles as defined in Order M-317, which will increase his inventory of such cotton textiles to more than his reasonable requirements for the next 60 days, except that whenever such inventory is less than a 60-day supply, he may accept the minimum delivery customarily required by his supplier. For the purpose

of this paragraph, a bag maker shall be deemed to "accept delivery" of such cotton textiles when he either takes legal title to such textiles or physical possession or control of them (whichever event occurs first) except that he may exclude from his inventory those textiles which are in transit to him or in transit to the finisher for his account. However, in addition to the above inventory restrictions, a bag maker's inventory as defined above plus such cotton textiles in transit to him or in transit to the finisher for his account must not exceed at any time his reasonable requirements for the next 90 days.

(d) *Rules applicable to inventory restrictions.* All bag makers owned or controlled directly or indirectly by the same person shall be deemed to be a single bag maker for the purpose of applying the inventory restrictions of this order. Any bag maker who accepts cotton textiles at more than one plant must apply the inventory restrictions of this order to the collective operations of all its plants. In the case where a bag maker is also engaged in the business of manufacturing cotton textiles, the inventory restrictions of this order shall apply to such a bag maker as if his operations as a bag maker are done by a separate person.

(e) *Bag sizes for certain commodities.* Except for bags to be exported, empty or filled, no bag maker shall manufacture any new textile bag designed for packing any commodity listed below, except in any size of more than 100 lbs., or in any of the sizes specified below for that commodity.

Commodity	*Bag size (net weight capacity unless otherwise specified)*
Beans	2-5-10-25-50-100 lbs.
Cement (standard portland)	94 lbs.
Flour (milled wheat)[1]	2-5-10-25-50-100 lbs.
Meal	2-5-10-25-50-100 lbs.
Plaster (gypsum)	2-5-10-25-50-100 lbs. (gross weight).
Potatoes[2]	2-5-10-15-25-50-100 lbs.
Processed feed (mixed, mill)	2-5-10-25-50-100 lbs.
Rice	2-3-5-10-15-25-50-100 lbs.
Salt	2-4-10-25-50-60-100 lbs.
Seeds	2-5-10-25-50-100 lbs. 1, 2 bu.[3]
Starch (corn)	2-5-10-25-50-100 lbs.
Sugar (refined cane, beet)	2-5-10-25-50-100 lbs.

[1] "Flour (milled wheat)" means any flour product produced by milling wheat, including blends of wheat flours and bleached, promated, enriched, phosphated, and self-rising flours, but excluding durum wheat products (semolina), farina, pancake flour, and cake flour.

[2] These restrictions do not apply to open mesh bags used for packing potatoes.

[3] Additional sizes are permitted as follows: 8 lb. or ½ bu. of hybrid seed corn; 3 bu. for cotton seed.

(f) [Deleted Aug. 29, 1945.]

RESTRICTIONS ON DELIVERY OR USE OF NEW OR USED TEXTILE BAGS

(g) *Joint responsibility.* No person shall sell or deliver cotton textiles or new or used textile bags which he knows or has reason to believe will be accepted or used in violation of the terms of this order.

(h) *Use of preference rating*—(1) *Bag makers.* A bag maker obtains his burlap for the manufacture of textile bags under the provisions of Order M-47 which allocates certain quantities of burlap to him, and no preference ratings are needed by him for such purchases. A bag maker's purchase of certain cotton textiles for the manufacture of textile bags is controlled by the provisions of Orders M-317 and M-317A which set aside a percentage of a cotton mill's production of certain cotton textiles for purchase by the bag makers, and in most cases no preference rating will be needed by the bag makers for such purchases.

(2) *Users of textile bags.* No preference rating shall be applied or extended to obtain delivery of new or used textile bags, except a rating which has been specifically assigned for textile bags by the Army, Navy, Maritime Commission or War Shipping Administration for the direct or ultimate delivery of such bags either filled or empty to them.

(i) [Deleted Aug. 29, 1945.]

(j) *Converting or delivery of textile bags.* Except as stated below, no person shall commercially convert any new or used jute, burlap or cotton textile bag into an article for any other use than as a bag, and no person shall commercially deliver any new or used jute, burlap or cotton textile bag, if he knows or has reason to believe that such bag will be used for any purpose other than as a bag. These restrictions shall not apply to (1) used cotton liners; (2) used cotton textile bags which are commonly known in the trade as "No. 2 quality bags", that is, bags which are caked, badly stained, badly torn (including ragged tops or large hand-sewn holes), or double-marked (printed on both inside and outside of bag); (3) used jute or burlap textile bags which have no commercial use as bags, with or without mending.

(k) *Users' inventories*—(1) *New textile bags.* No user shall accept delivery of or have set aside for his account, any new textile bags which will increase his inventory of new textile bags (including those held by others for his account as well as those he has on hand) to more than a practicable minimum working inventory for packing the commodities which are permitted to be packed in such bags by this order. Except in the case of bags required by a user for packing a seasonal commodity, (whether or not produced by him) (see Interpretation 1 to Priorities Regulation 32) such inventory shall not exceed the aggregate number of new empty textile bags which will be required to carry on his business during the next sixty days.

(2) *Used textile bags.* No user shall accept delivery of, or have set aside for his account, any used textile bags which will increase his inventory of used textile bags (including those held by others for his account as well as those he has on hand) to more than a practicable minimum working inventory for the uses which are not prohibited by this order. Except in the case of bags required by a user for packing a seasonal commodity (whether or not produced by him) (see Interpretation 1 to Priorities Regulation 32) such inventory shall not exceed the aggregate number of used empty textile bags which will be required to carry on his business during the next sixty days.

(l) [Deleted Aug. 29, 1945.]

(m) [Deleted Aug. 29, 1945.]

SPECIAL RESTRICTIONS ON NEW TEXTILE BAGS

(n) *Products permitted for new burlap bags.* No person shall use any new textile bag made of burlap for packing fish meal, fish scrap, tankage, meat scraps or for any purpose other than the packing of the following permitted products: agricultural products; abrasives; crushed oyster shells; fertilizer; meat; mohair; petroleum waxes; stearic acid; wool or wool products; or chemicals for export. These restrictions do not apply to surplus new military sand bags which may be used to pack any product.

(o) *Products permitted for new cotton bags and open mesh bags made of cotton or twisted paper yarn*—(1) *Permitted products.* No user shall use any new textile bag made of cotton or open mesh bag made of cotton or twisted paper yarn for packing fish meal, fish scrap, tankage, meat scraps, or for any purpose other than the packing of the following permitted products: agricultural products; abrasives; chemicals; cements; coins; currency; fertilizer; glue; gypsum; malt; meat; paste; plaster; samples; sand; securities; shell fish; small parts; tire chains; or such other uses as may be authorized by the War Production Board in writing pursuant to paragraph (o) (2) below.

(2) *Authorizations for other uses.* Applications for authorizations for other uses shall be made by letter in triplicate addressed to the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C., Ref: M-221. Authorizations to make such use of textile bags will be granted only on the basis of the essential need for new bags, the availability of the supply and the availability of used bags or substitute containers.

(p) *Certification.* No person shall sell or deliver any new textile bags in quantities of over 1,000 unless he has received from the purchaser a certificate signed manually or as provided in Priorities Regulation 7. This certificate shall be in substantially the following form, and once filed by a purchaser with a supplier covers all future deliveries from the supplier to that purchaser:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M-221 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.

The standard certificate provided for in paragraph (d) of Priorities Regula-

tion 7 cannot be used in place of the above certificate nor may the certificate be waived in accordance with paragraph (f) of that regulation.

SPECIAL RESTRICTIONS ON USED TEXTILE BAGS

(q) *Processing of used bags for sale.* No dealer, user, or commercial emptier shall sell or deliver any used textile bag to any person for his own use unless the bag has been processed and repaired and all holes, including trier or probe holes, properly mended or patched. Nothing in this paragraph shall prevent the delivery of any bag for the purpose of repair or for delivery to the owner. For the purposes of this provision, "process" means to clean a used textile bag by washing, vacuuming, or any other method sufficient to prepare the bag for further reuse.

(r) [Deleted Aug. 29, 1945.]

(s) *Time-limit on holding empty bags.* Within 60 days after emptying any number of textile bags, a commercial emptier shall use, or transfer to dealers or users, an equal amount of empty used textile bags from his inventory. Such disposition may be deferred beyond the 60-day period in the following cases:

(1) *Seasonal reuse.* If the commercial emptier needs the bags for packing a seasonal product (whether or not produced by him), he may retain them until the product becomes available for packing, subject, however, to the inventory restrictions of paragraph (k) (2) above.

(2) *Carload accumulation.* If, in accordance with his past practice, the commercial emptier wishes to accumulate a carload quantity of such bags for return to users for further packing of the kind of product last packed in them, he may retain such bags until he has accumulated a carload quantity.

GENERAL EXCEPTIONS

(t) *Bags for certain Government agencies.* The provisions of this order (except paragraphs (c), (d), and (h) (2)) shall not apply to (1) textile bags manufactured to meet the packaging specifications of, and for delivery to or for the account of the Government agencies or persons listed below, or (2) textile bags for delivery of a product for the account of any of the agencies or persons listed below, provided the packing specifications call for textile bags, or (3) the purchase, acceptance, use or export of textile bags by these agencies or persons: Army, Navy, United States Post Office, Federal Reserve System, United States Treasury Department, any agency procuring for delivery pursuant to the act of Congress of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), Veterans' Administration and Maritime Commission or War Shipping Administration of the United States.

(u) *Export of empty bags.* No permission from the War Production Board is necessary to export empty new or used textile bags. The War Production Board has assigned an export quota to the Foreign Economic Administration and no person is permitted to export such bags to any destination other than Canada unless authorized by the Foreign Economic Administration. Application for export licenses should be sent to the Foreign Economic Administration, Bureau of Supplies, Requirements & Supply Branch, Washington 25, D. C. General information and instructions for export are contained in the Comprehensive Export Schedule issued by the Foreign Economic Administration.

(v) *Exception for mailing bags.* The provisions of this order (except paragraphs (c), (d), (h) (2)) shall not apply to any textile bag which is purchased or used for commercial shipment of articles in the United States mails. In any case where a textile bag which was purchased for such mailing purposes is not used for these purposes, then the use of the bag is subject to the provisions of this order.

MISCELLANEOUS PROVISIONS

(w) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref: M-221.

(x) *Appeals.* Appeals from Order M-221 shall be filed by addressing a letter to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref: M-221. The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in excessive and individual hardship, and such other statistical and narrative information as may be pertinent.

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

(z) *Budget approval.* The application and reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

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

Issued this 22d day of October 1945.

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

[F. R. Doc. 45-19502; Filed, Oct. 22, 1945; 11:39 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[SO 126, Amdt. 4]

EXEMPTION AND SUSPENSION OF CERTAIN ARTICLES OF CONSUMER GOODS FROM PRICE CONTROL

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.

Supplementary Order 126 is amended in the following respects:

1. Section 2 (a) is amended by adding the following articles to the list contained therein:

Plaques and loving cups awarded as trophies for tournaments, athletic events, etc.
Imitation, synthetic and semiprecious stones for jewelry purposes only.
Jewelry:
Findings.
Mountings.
Insignia and emblems.

2. Section 2 (e) is amended by deleting the following articles from the list contained therein:

Boats, 25 ft. or less in length constructed and sold solely for use as pleasure craft, made substantially of wood or wood and canvas.

3. Section 2 (e) is amended by adding the following articles to the list contained therein:

Boats, 25 ft. or less in length, except toy boats. (See S. O. 129 covering boats over 25 ft. in length.)
Bowling and billiard equipment and accessories.
Boxing, wrestling and striking bag equipment except apparel and shoes.

4. Section 2 (g) is amended by deleting the following articles from the list contained therein:

Magazine racks and baskets when sold under the following conditions:
Consumers for $5.00 or less.
Retailers for $2.50 or less.
Wholesalers for $2.15 or less.

5. Section 2 (g) is amended by adding the following articles to the list contained therein:

Magazine racks and baskets. (This does not include tables or combination units.)
Porch gates, when sold under the following conditions:
To consumers for $3.00 or less.
To dealers for $1.65 or less.
To jobbers for $1.40 or less.

6. Section 2 (j) is amended by adding the following articles to the list contained therein:

Bronze cinerary urns, sarcophagi.
Casket lowering devices.
Ice cans when sold to industrial users.
Scientific instruments designed primarily for use in laboratories and hospitals (except those covered by RMPR No. 136).
Stereograph machines.
Watch repair hand tools designed specifically for use in repair or assembling of watches or clocks such as case openers, movement holders, hand and pinion removers, jewel tools, balance poising calipers, and tools, etc. General purpose tools such as tweezers, pliers, saws, screw drivers are not exempt.

7. Section 2 (l) is amended by adding the following articles to the list contained therein:

Braille writers (portable).

This amendment shall become effective on the 24th day of October 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19432; Filed, Oct. 19, 1945; 1:55 p. m.]

PART 1340—FUEL

[RMPR 122, Amdt. 36]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

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

Revised Maximum Price Regulation No. 122 is amended in the following respect:

Section 1340.255 (a) (10) is amended to read as follows:

(10) "Purchaser of the same class" means a purchaser belonging to a commercially recognizable group of purchasers to whom it was the customary practice of a dealer in December 1941 to sell or offer to sell a certain kind, size or grade of solid fuel at the same price level. If a single purchaser from a dealer is recognizable as different from other purchasers for commercial reasons and the dealer observed a uniform relation to prices charged other groups of purchasers the single purchaser may also constitute a class. Purchasers may be recognizable as a commercial group or as different for commercial reasons because of the use for which the solid fuel is intended, as for domestic, commercial, industrial use, or the business in which the purchaser is engaged, or by reason of being located in different areas, or purchasing different quantities, or under different conditions of sale other than difference in price alone but including methods and terms of delivery. These are examples and individual dealers may have had other commercially recognizable groups of purchasers; it would depend upon a dealer's own practices.

This amendment shall become effective October 24, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19427; Filed, Oct. 19, 1945; 1:56 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 4 to Supp. 13]

PACKED FRUITS, BERRIES AND VEGETABLES (1945 AND LATER PACKS)

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

Section 13 is amended to read as follows:

SEC. 13. *Individual adjustment of processors' maximum prices*—(a) *For sales to purchasers other than government procurement agencies*—(1) *When adjustments may be made.* Either on his own motion or upon application in accordance with Revised Procedural Regulation No. 1,[2] the Price Administrator may adjust a processor's maximum price for any item determined under this supplement for sales to purchasers other than government procurement agencies, where it appears that:

(i) The maximum price is (*a*) below the mid-point of the price range applicable to the item, in the case of a product covered by section 5, or (*b*) below the median price at which sales of the item (regardless of brand) may be made to purchasers other than government procurement agencies by processors located in the general processing area, in the case of a product covered by section 6;

(ii) The processor would be entitled to a price increase under the standards set forth in subparagraph (2), below; and

(iii) In the judgment of the Price Administrator, an increase in the processor's maximum price would be in furtherance of the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250, 9328 and 9599.

(2) *Amount of adjustment.* The maximum price, as adjusted under this section, shall in no event be higher than the mid-point of the price range applicable to the item, in the case of a product covered by section 5, or the median price at which sales of the item (regardless of brand) may be made to purchasers other than government procurement agencies by processors located in the general processing area, in the case of a product covered by section 6. Subject to this limitation and the limitation of subparagraph (1) (iii), above, the adjusted maximum price shall not exceed the following amount (less the amount of any direct subsidy payment, payable per unit of the finished product, the amount of which has previously been announced by the Commodity Credit Corporation or other agency responsible for the administration of the subsidy and which is applicable to the particular goods):

(i) Processing costs for the item if the processor's percentage of net operating profits (before income and excess profits taxes) to net sales of packed fruits, berries and vegetables, during the most recent fiscal year, was 6 percent or higher; or

(ii) Total costs for the item, if the processor's percentage of net operating profits (before income and excess profits taxes) to net sales of packed fruits, berries and vegetables, during the most recent fiscal year, was less than 6 percent but no lower than 3 percent; or

(iii) Total costs for the item plus a profit equal to 3% of the adjusted maximum price, if the processor's percentage of net operating profits (before income and excess profits taxes) to net sales of packed fruits, berries and vegetables, during the most recent fiscal year, was lower than 3 percent.

(b) *For sales to government procurement agencies*—(1) *When adjustments may be made.* Either on his motion or upon application in accordance with Revised Procedural Regulation No. 1, the Price Administrator may adjust a processor's maximum price for any item determined under this supplement for sales to government procurement agencies when the processor has entered into or proposes to enter into a government contract or subcontract thereunder, where it appears that:

(i) The maximum price is (*a*) below the mid-point of the price range applicable to the item (after application of the provisions of section 10 (j)), in the case of a product covered by section 5, or below the median price at which sales of the item (regardless of brand) may be made to government procurement agencies by processors located in the general processing area, in the case of a product covered by section 6;

(ii) The processor would be entitled to a price increase under the standards set forth in subparagraph (2), below; and

(iii) In the judgment of the Price Administrator, an increase in the processor's maximum price would be in furtherance of the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250, 9328 and 9599.

(2) *Amount of adjustment.* The maximum price, as adjusted under this section, shall in no event be higher than the mid-point of the price range applicable to the item (after application of the provisions of section 10 (j)), in the case of a product covered by section 5, or the median price at which sales of the item (regardless of brand) may be made to government procurement agencies by processors located in the general processing area, in the case of a product covered by section 6. Subject to this limitation and the limitation of subparagraph (1) (iii), above, the adjusted maximum price shall not exceed the following amount:

(i) Processing costs for the item if the processor's percentage of net operating profits (before income and excess profits taxes) to net sales of packed fruits, berries and vegetables, during the most recent fiscal year, was 6 percent or higher; or.

(ii) Total costs for the item if the processor's percentage of net operating profits (before income and excess profits taxes) to net sales of packed fruits, berries and vegetables, during the most recent fiscal year, was less than 6 percent but no lower than 3 percent; or

(iii) Total costs for the item plus a profit equal to 3 percent of the adjusted maximum price, if the processor's percentage of net operating profits (before income and excess-profits taxes) to net sales of packed fruits, berries and vegetables, during the most recent fiscal year, was lower than 3 percent.

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[1] 10 F.R. 11118, 11578, 11748.

[2] 9 F.R. 10476, 13715.

(3) *Contracts pending authorization of prices.* While an application for authorization of a maximum price under section 10 (c) is pending, the processor may file written notice with the Office of Price Administration, Washington, D. C., of his intention to seek an adjustment under this paragraph (b) if the maximum price subsequently authorized is less than the price for sales to government procurement agencies proposed by him in his application and named in the notice. When such a notice is filed, contracts, bids, payments, and deliveries may be made on the basis of the price named in the notice, provided that the contract in each case stipulates that final settlement (including any necessary refunds) shall be made consistently with the maximum price as finally established. If the maximum price authorized is less than the amount to which it may be adjusted under this paragraph (b), and the processor files his application for adjustment within 30 days after the maximum price is authorized, any adjustment granted shall be effective from the date of the filing of the notice of intention.

(4) *Contracts pending disposition of application for adjustment.* Upon the filing of an application for adjustment under this paragraph (b) or within 30 days prior thereto, and until final disposition of the application, contracts may be entered into or proposed and bids submitted at the price or prices requested in the application, and deliveries may be made under such contracts, except that the processor may not receive and the buyer may not pay the amount by which the price exceeds the maximum price unless and until an order granting a higher price has been issued. The processor shall include in any sale, contract to sell, or offer to sell at the price requested in an application the following:

(i) His maximum price for sales of the item to government procurement agencies.

(ii) A statement that the quoted price is subject to approval of the Office of Price Administration.

(iii) A statement that an appropriate application has been filed, or will be filed within 30 days, with the Office of Price Administration.

Any government agency may appear as an interested party in the case of any such application.

(c) *Time, form and place of filing application.* No application for adjustment shall be filed before the processor has completed at least 75% of his current pack of the product. Applications shall be filed with the Office of Price Administration, Washington, D. C., in duplicate on Office of Price Administration Form No. 6039-2526, and shall contain the information specified in that form. Copies may be obtained from any field office of the Office of Price Administration or from the Wholesale-Retail and Fruit and Vegetable Branch, Food Price Division, Office of Price Administration, Washington, D. C. The Office of Price Administration may request the processor to file any additional cost data based upon operating experience.

(d) *Determination of limitations on adjustment in certain cases*—(1) *Items covered by section 5 for which price ranges are not named.* In the case of a product covered by section 5, if no price range is named for the particular item, for the purpose of making adjustments the Price Administrator may determine a corresponding price range for that item by application of the appropriate conversion factors to the price range named for the nearest container type and size.

(2) *Items covered by section 6 which are not basic items.* In the case of a product covered by section 6, if the particular item (regardless of brand), is not the "basic item" of that product, for the purpose of making adjustments the Price Administrator may determine the applicable median price at which sales of the item (regardless of brand) may be made to the appropriate class of purchasers by processors located in the general processing area, by customary differential from the reported maximum prices for the basic item of the same product sold by processors in the same or nearest general processing area.

"Basic item" of any product means the item (regardless of brand) for which the greatest number of maximum prices have been reported.

(e) *Determination of adjustments for grower-processors and cooperative processors.* For the purposes of this section, "net operating profits (before income and excess profits taxes) to net sales of packed fruits, berries and vegetables" for a grower-processor or cooperative processor means the amount by which net sales of these products exceeded total costs computed on the basis of the raw material costs, for the crop year represented by its most recent fiscal year, which he was required to use in figuring his maximum prices under Supplement 7 to Food Products Regulation No. 1.[3]

However, if the cooperative processor by agreement with its patrons accounts to such patrons for the amount received for a particular product (or products) through a "product pool", the term means the amount by which net sales of that product (or products) exceeded total costs computed on the basis of raw material costs figured in the manner described above.

In determining adjustments under this section, "processing costs for the item" or "total costs for the item" shall be computed in each case on the basis of the raw material cost which the grower-processor or cooperative processor is required under this supplement to include in the maximum price for the item.

(f) *Definitions.* When used in this section:

(1) "Net sales" means total sales less return sales of finished product.

(2) "Processing costs for the item" means current:

(i) Actual cost per unit of all ingredients (other than raw agricultural commodities) and of packaging materials, for which maximum prices have been established, figured at no more than the current maximum prices applying to the class of purchasers to which the processor belongs, or, if no maximum prices have been established, figured at no more than their current market prices;

(ii) Actual cost per unit of all raw agricultural ingredients, included in the Commodity Credit Corporation's purchase and resale program, figured at no more than the Commodity Credit Corporation's resale prices for the area in which the processor's customary receiving point is located, in the case of adjustments under paragraph (a), above, and figured at no more than the Commodity Credit Corporation's purchase prices for the area in which the processor's customary receiving point is located, in the case of adjustments under paragraph (b), above.

(iii) Actual cost per unit of all other raw agricultural ingredients, for which maximum prices have been established, figured at no more than the current maximum prices applying to the class of purchasers to which the processor belongs;

(iv) Actual cost per unit of all other raw agricultural ingredients, for which no maximum prices have been established but for which the Department of Agriculture has announced prices recommended for payment to growers or support prices, figured at no more than these prices, or, if no recommended or support prices have been announced, figured at no more than their current market prices;

(v) Direct labor costs per unit, figured at no more than lawful current rates;

(vi) Transportation costs per unit by the usual mode of transportation, from the processor's customary supplier to his factory with respect to any cost used in (i), above, and from his customary receiving point to his factory with respect to any cost used in (ii), (iii), or (iv), above, if that cost is not a delivered cost and if these charges are customarily incurred; and

(vii) Other costs of processing per unit, such as indirect labor (figured at no more than lawful current rates), depreciation, factory rental, insurance, machinery repairs, and other cost factors generally pertaining to processing operations, but not including general administrative and selling expenses.

(3) "Total costs for the item" means processing costs plus current general administrative and selling expenses per unit.

(4) "Median price" means the middle price of a series of prices arranged in order of size or, if the series consists of an even number of prices, the simple arithmetic average of the two middle prices.

(5) "Government contract" means any contract with the United States or any agency thereof or with the Government or any agency thereof of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act To Promote the Defense of the United States."

(6) "Subcontract" means any purchase order or agreement to make or furnish any commodity needed for the performance of another Government contract or subcontract thereunder.

[3] 10 F.R. 1750, 2188, 6153, 7928, 8291.

(g) *Effect of prior adjustments.* In determining adjustments under this section, changes in prices resulting from the granting of prior adjustments to other processors under this section shall, so far as practicable, be disregarded.

(h) *Relationship with Revised Supplementary Order No. 9.* No application for adjustment filed after October 20, 1945, under Revised Supplementary Order No. 9[4] with respect to maximum prices of processors for sales to government procurement agencies of commodities covered by this supplement will be granted.

This amendment shall become effective October 20, 1945.

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

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

Approved: October 15, 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-19425; Filed, Oct. 19, 1945; 1:55 p. m.]

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

[RMPR 169,[1] Amdt. 60]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

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

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. The headnote above the table of prices in § 1364.452 (l) (2) is amended by the addition of a footnote reference [3] to appear after footnote reference [2], and footnote [3] is added to appear below the table to read as follows:

[3] Any person, other than a slaughterer, may add 50 cents per hundredweight to the table of prices listed above. The term "slaughterer" means a person who owns or controls in whole or in substantial part a slaughtering plant or facilities or who is owned or controlled in whole or in substantial part by a person who owns or controls in whole or in substantial part a slaughtering plant or facilities.

2. The headnote above the table of prices in § 1364.452 (n) (2) is amended by the addition of a footnote reference [3] and a footnote [3] is added to appear below the table to read as follows:

[3] Any person, other than a slaughterer, may add 50 cents per hundredweight to the table of prices listed above. The term "slaughterer" means a person who owns or controls in whole or in substantial part a slaughtering plant or facilities, or who is owned or controlled in whole or in substantial part by a person who owns or controls in whole or in substantial part a slaughtering plant or facilities.

[4] 8 F.R. 6175.

This amendment shall become effective October 24, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

Approved: October 11, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-19428; Filed, Oct. 19, 1945; 1:57 p. m.]

PART 1406—GLASS AND GLASS CONTAINERS

[MPR 382, Amdt. 10]

WIDE MOUTH GLASS CONTAINERS

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

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

Section 3.5 (c) is amended to read as follows:

(c) *Applicable period of this section.* The provisions of this section shall be applicable only on shipments made during the period May 1, 1945, to December 31, 1945, inclusive.

This Amendment No. 10 shall become effective October 24, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19429; Filed, Oct. 19, 1945; 1:56 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14J,[1] Amdt. 11]

AUTOMOBILE SEAT COVERS

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

Supplementary Regulation No. 14J is amended in the following respect:

A new section 3.5 is added to read as follows:

SEC. 3.5 *Maximum prices for resales of automobile seat covers manufactured by Crawford Manufacturing Company, Inc.* (a) This section establishes maximum prices for certain resales of automobile seat covers manufactured by Crawford Manufacturing Company, Inc., of Richmond, Virginia.

(b) The sales covered are the following:

(1) Sales by Standard Oil Company of New Jersey and Standard Oil Company of Pennsylvania, herein called "Standard" and sales by Colonial Beacon Oil Company, herein called "Colonial", to their jobbers and distributors, to retailers, and to consumers.

(2) Sales to retailers by jobbers and distributors who purchased the articles from Standard or Colonial.

[1] 10 F.R. 1216, 2975, 4102, 4103, 4350, 4983, 5526, 7500, 8937, 11858, 11906.

(3) Sales to consumers by persons who purchased the articles from Standard or Colonial or any of their jobbers or distributors.

(c) The maximum prices for the above sales are as follows:

Automobile seat cover model	Maximum prices for sales to retailers	Maximum prices for sales to consumers
	Set	*Set*
702	$3.93	$9.40
710F, 712F, 713F	5.40	8.75
714F	5.53	9.00
710, 712, 716, 717, 718, 720, 722, 723	9.70	15.75
714, 721	10.23	16.50
720	11.34	18.25
Bucket: coach or front sedan only	6.51	10.50
Coupe (front only)	6.51	10.50
5-passenger coupe, coach, or sedan w/o center arm rest	11.21	18.00
5-passenger coupe, coach or sedan with center arm rest	11.52	20.25

The maximum prices for sales to jobbers and distributors are the maximum prices listed above for sales to retailers less 10% and 5%.

This amendment shall become effective on the 24th day of October 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19426; Filed, Oct. 19, 1945; 1:56 p. m.]

PART 1340—FUEL

[MPR 120, Amdt. 150]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

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

In § 1340.207, paragraph (d) is redesignated (e) and new paragraph (d) is added to read as follows:

(d) (1) The administrator may by order grant an adjustment of maximum prices for truck shipment from rail connected mines, when it appears that:

(i) Due to inadequacy of truck-loading facilities there exists or threatens to exist a shortage in the supply of truck coal in the area in which the mine is located; and

(ii) More extensive use of existing truck-loading facilities or construction of new facilities would substantially reduce or eliminate such shortage.

(2) In determining whether an adjustment should be granted under this paragraph (d), the Office of Price Administration will consider the additional costs incurred or to be incurred by reason of the inadequacy of the mines' truck-loading facilities and the resulting loss in margin because of the more extensive use or construction of such facilities as compared to its margin on rail shipments. In no event shall an adjustment granted under this paragraph (d) exceed an amount necessary to compensate for such additional costs or be such as to place the mine in a more favorable margin position than it would

be if its entire production were shipped by rail.

This amendment shall become effective October 19, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19447; Filed, Oct. 19, 1945; 4:38 p. m.]

PART 1389—APPAREL

[2d Rev. MPR 578]

MAXIMUM PRICES FOR CERTAIN ESSENTIAL LOW PRICED GARMENTS

Revised Maximum Price Regulation 578[1] (Maximum Prices for Certain Garments Produced with WPB Priorities Assistance) is redesignated 2d Revised Maximum Price Regulation 578 (Maximum Prices for Certain Essential Low Priced Garments) and is revised and amended to read as set forth below.

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

Sec.
1. Scope of this regulation.
2. Maximum prices for sales by manufacturers and manufacturing-retailers.
3. Maximum prices for sales at wholesale.
4. Maximum prices for sales at retail.
5. Maximum prices for garments which have been bought or sold at a "special sale".
6. Marking of garments.
7. When taxes may be added.
8. Sales slips and invoices.
9. Records.
10. Relation to other maximum price regulations.
11. What acts are prohibited.
12. Definitions.
13. Enforcement and licensing.
14. Amendment.

Appendix A: What garments are covered.
Appendix B: Cutoff prices for cotton garments.
Appendix C: Cutoff prices for wool garments.
Appendix D: Cutoff prices for rayon or synthetic garments.

AUTHORITY: § 1389.608 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155.

SECTION 1. *Scope of this regulation.* This regulation covers sales of a specified group of low priced essential garments by sellers at all levels of distribution.

(a) *What garments are covered.* As used in this regulation, the word "garment" means any commodity covered by the regulation, as described below.

(1) *Garments produced from fabrics obtained under WPB Order M-328B, Schedules C, J, K or Supplement XIII of Schedule A.* This regulation applies to all garments whose principal materials were obtained with priority assistance granted under WPB Order M-328B, Schedules C, J, K or Supplement XIII of Schedule A.

(2) *Other garments.* In addition to the garments described in (1), this regulation applies to every garment of a type listed in Appendix A which the manufacturer or manufacturing-retailer sells at or below the "cut-off" prices set forth in Appendices B, C or D for each type of garment made of cotton, wool or synthetic fabrics, respectively.

(b) *What sales are covered.* This regulation applies to all sales including sales at retail, sales at wholesale, sales by manufacturers and sales by manufacturing-retailers. These types of sales are defined as follows:

(1) *Sales at retail.* All sales to individual ultimate consumers by persons who sell garments in substantially the same form in which they purchase them are "sales at retail". Sales to industrial, commercial or institutional users are also "sales at retail" if made by persons who sell principally to individual ultimate consumers.

(2) *Sales at wholesale.* All sales to persons other than ultimate consumers by persons who sell garments in substantially the same form in which they purchase them are "sales at wholesale". "Sales at wholesale" also include sales to industrial, commercial or institutional users if they are made by persons who sell principally to persons other than individual ultimate consumers.

(3) *Sales by a manufacturer.* All sales by the person who fabricated the garment being sold, or who furnished the principal materials from which the garment was fabricated, are "sales by a manufacturer" unless they are "sales by a manufacturing-retailer", as defined in (4) below.

(4) *Sales by a manufacturing-retailer.* All sales to ultimate consumers by the person who fabricated the garment being sold, or who furnished the principal materials from which the garment was fabricated, are "sales by a manufacturing-retailer", if such person customarily sells to ultimate consumers most of the garments so fabricated.

(c) *Where this regulation applies.* This regulation covers sales in the 48 States and in the District of Columbia.

SEC. 2. *Maximum prices for sales by manufacturers and manufacturing-retailers.*

(a) *Over-riding ceiling price.* Each manufacturer and manufacturing-retailer must find his maximum price for garments covered by this regulation according to the instructions given in paragraph (b) of this section: except, however, that in no case may a manufacturer or a manufacturing-retailer establish a maximum price for any garment produced from fabrics obtained with priorities assistance under War Production Board Order M-328B, Schedules C, J, K or Supplement XIII of Schedule A, which exceeds the lower of: (1) the "cut-off" price listed for that garment in Appendix B, C or D of this regulation, or (2) the "highest price line limitation" provided in the regulation under which the maximum price for that garment is established in accordance with paragraph (b) of this section.

(b) *Maximum prices.* Subject to the limitation set forth in paragraph (a), each manufacturer and manufacturing-retailer finds his maximum price for the garments covered by this regulation in accordance with the provisions of the existing price regulation which governs his sales of these garments. This means, for example, that for any men's or boys' tailored clothing garments specified in Appendices A and B of this regulation, the manufacturer or manufacturing-retailer determines his maximum price in accordance with the provisions of Maximum Price Regulation 177. Similarly, for any women's outerwear garments covered by this regulation, the manufacturer or manufacturing-retailer determines his maximum price in accordance with the provisions of Revised Maximum Price Regulation 287. However, in the case of garments covered by Maximum Price Regulation 570,[2] Maximum Price Regulation 572 and Revised Maximum Price Regulation 287,[3] the manufacturer or manufacturing-retailer may, in determining his maximum price, add to the direct cost of each garment the direct labor cost incurred in attaching labels, as provided in section 6 (d) of this regulation.

SEC. 3. *Maximum prices for sales at wholesale.* This section sets forth dollars-and-cents maximum prices for all sales at wholesale except that the maximum prices of garments which have been or are being sold at a "special sale" must be determined under section 5.

Dollars-and-cents ceiling prices for regulating sales at wholesale are set forth in Table I below. This table shows the net ceiling price for a regular sale at wholesale which corresponds to the manufacturer's net selling price (after deduction of all available discounts) or net ceiling price, whichever is lower, for the garments f. o. b. manufacturer's place of business. When the wholesaler has found his manufacturer's net selling price (after deduction of all available discounts) in column 1 of the table, the corresponding figure in column 2 is his net ceiling price for a regular sale at wholesale.

NOTE: This table is applicable whether the manufacturer's net selling price is on a "per dozen" or a "per garment" basis. Where the manufacturer's net selling price in column 1 is a price per dozen, the corresponding wholesaler's net price in column 2 is his price per dozen garments. Where the manufacturer's net selling price in column 1 is a price per garment, the corresponding wholesaler's net price in column 2 is his per garment price.

TABLE I—MAXIMUM PRICES FOR REGULAR SALES AT WHOLESALE

Column 1 If the manufacturer's net selling price is—	*Column 2* The maximum net price for a regular sale at wholesale is—
$1.00–$1.07	$1.30
$1.08–$1.16	1.40
$1.17–$1.24	1.50
$1.25–$1.33	1.60
$1.34–$1.39	1.70
$1.40–$1.47	1.80
$1.48–$1.55	1.90
$1.56–$1.63	2.00

[1] 10 F.R. 9024, 9928.

[2] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11271.

[3] 8 F.R. 2350, 2783.

TABLE I—Continued

Column 1 If the manufacturer's net selling price is—	*Column 2* The maximum net price for a regular sale at wholesale is—
$1.64–$1.74	$2.10
$1.75–$1.83	2.25
$1.84–$1.95	2.35
$1.96–$2.07	2.50
$2.08–$2.17	2.62½
$2.18–$2.27	2.75
$2.28–$2.37	2.87½
$2.38–$2.48	3.00
$2.49–$2.58	3.12½
$2.59–$2.68	3.25
$2.69–$2.78	3.37½
$2.79–$2.88	3.50
$2.89–$2.98	3.62½
$2.99–$3.08	3.75
$3.09–$3.18	3.87½
$3.19–$3.29	4.00
$3.30–$3.39	4.12½
$3.40–$3.49	4.25
$3.50–$3.59	4.37½
$3.60–$3.69	4.50
$3.70–$3.79	4.62½
$3.80–$3.89	4.75
$3.90–$3.99	4.87½
$4.00–$4.10	5.00
$4.11–$4.20	5.12½
$4.21–$4.30	5.25
$4.31–$4.40	5.37½
$4.41–$4.50	5.50
$4.51–$4.60	5.62½
$4.61–$4.70	5.75
$4.71–$4.80	5.87½
$4.81–$4.91	6.00
$4.92–$5.01	6.12½
$5.02–$5.11	6.25
$5.12–$5.21	6.37½
$5.22–$5.31	6.50
$5.32–$5.41	6.62½
$5.42–$5.51	6.75
$5.52–$5.61	6.87½
$5.62–$5.72	7.00
$5.73–$5.82	7.12½
$5.83–$5.92	7.25
$5.93–$6.02	7.37½
$6.03–$6.12	7.50
$6.13–$6.22	7.62½
$6.23–$6.32	7.75
$6.33–$6.42	7.87½
$6.43–$6.53	8.00
$6.54–$6.63	8.12½
$6.64–$6.73	8.25
$6.74–$6.83	8.37½
$6.84–$6.93	8.50
$6.94–$7.03	8.62½
$7.04–$7.13	8.75
$7.14–$7.23	8.87½
$7.24–$7.34	9.00
$7.35–$7.44	9.12½
$7.45–$7.54	9.25
$7.55–$7.64	9.37½
$7.65–$7.74	9.50
$7.75–$7.84	9.62½
$7.85–$7.94	9.75
$7.95–$8.04	9.87½
$8.05–$8.15	10.00
$8.16–$8.25	10.12½
$8.26–$8.35	10.25
$8.36–$8.45	10.37½
$8.46–$8.55	10.50
$8.56–$8.65	10.62½
$8.66–$8.75	10.75
$8.76–$8.85	10.87½
$8.86–$8.96	11.00
$8.97–$9.06	11.12½
$9.07–$9.16	11.25
$9.17–$9.26	11.37½
$9.27–$9.36	11.50
$9.37–$9.46	11.62½
$9.47–$9.56	11.75
$9.57–$9.66	11.87½
$9.67–$9.77	12.00
$9.78–$9.87	12.12½
$9.88–$9.97	12.25
$9.98–$10.07	12.37½
$10.08–$10.17	12.50
$10.18–$10.27	12.62½
$10.28–$10.37	12.75

TABLE I—Continued

Column 1 If the manufacturer's net selling price is—	*Column 2* The maximum net price for a regular sale at wholesale is—
$10.38–$10.47	$12.87½
$10.48–$10.58	13.00
$10.59–$10.68	13.12½
$10.69–$10.78	13.25
$10.79–$10.88	13.37½
$10.89–$10.98	13.50
$10.99–$11.08	13.62½
$11.09–$11.18	13.75
$11.19–$11.28	13.87½
$11.29–$11.39	14.00
$11.40–$11.49	14.12½
$11.50–$11.59	14.25
$11.60–$11.69	14.37½
$11.70–$11.79	14.50
$11.80–$11.89	14.62½
$11.90–$11.99	14.75
$12.00–$12.09	14.87½
$12.10–$12.20	15.00
$12.21–$12.30	15.12½
$12.31–$12.40	15.25
$12.41–$12.50	15.37½
$12.51–$12.60	15.50
$12.61–$12.70	15.62½
$12.71–$12.80	15.75
$12.81–$12.90	15.87½
$12.91–$13.01	16.00
$13.02–$13.11	16.12½
$13.12–$13.21	16.25
$13.22–$13.31	16.37½
$13.32–$13.41	16.50
$13.42–$13.51	16.62½
$13.52–$13.61	16.75
$13.62–$13.71	16.87½
$13.72–$13.82	17.00
$13.83–$13.92	17.12½
$13.93–$14.02	17.25
$14.03–$14.12	17.37½
$14.13–$14.22	17.50
$14.23–$14.32	17.62½
$14.33–$14.42	17.75
$14.43–$14.53	17.87½
$14.54–$14.63	18.00
$14.64–$14.73	18.12½
$14.74–$14.83	18.25
$14.84–$14.93	18.37½
$14.94–$15.03	18.50
$15.04–$15.13	18.62½
$15.14–$15.23	18.75
$15.24–$15.33	18.87½
$15.34–$15.43	19.00
$15.44–$15.54	19.12½
$15.55–$15.64	19.25
$15.65–$15.74	19.37½
$15.75–$15.84	19.50
$15.85–$15.94	19.62½
$15.95–$16.04	19.75
$16.05–$16.14	19.87½
$16.15–$16.24	20.00
$16.25–$16.34	20.12½
$16.35–$16.45	20.25
$16.46–$16.55	20.37½
$16.56–$16.65	20.50
$16.66–$16.75	20.62½
$16.76–$16.84	20.75
$16.85–$16.94	20.87½
$16.95–$17.06	21.00
$17.07–$17.16	21.12½
$17.17–$17.26	21.25
$17.27–$17.36	21.37½
$17.37–$17.46	21.50
$17.47–$17.56	21.62½
$17.57–$17.66	21.75
$17.67–$17.76	21.87½
$17.77–$17.87	22.00
$17.88–$17.97	22.12½
$17.98–$18.07	22.25
$18.08–$18.18	22.37½
$18.19–$18.27	22.50
$18.28–$18.37	22.62½
$18.38–$18.47	22.75
$18.48–$18.57	22.87½
$18.58–$18.68	23.00
$18.69–$18.78	23.12½
$18.79–$18.88	23.25
$18.89–$18.98	23.37½

TABLE I—Continued

Column 1 If the manufacturer's net selling price is—	*Column 2* The maximum net price for a regular sale at wholesale is—
$18.99–$19.08	$23.50
$19.09–$19.18	23.62½
$19.19–$19.28	23.75
$19.29–$19.38	23.87½
$19.39–$19.49	24.00
$19.50–$19.59	24.12½
$19.60–$19.69	24.25
$19.70–$19.79	24.37½
$19.80–$19.89	24.50
$19.90–$19.99	24.62½
$20.00–$20.09	24.75
$20.10–$20.19	24.87½
$20.20–$20.30	25.00
$20.31–$20.40	25.12½
$20.41–$20.50	25.25
$20.51–$20.60	25.37½
$20.61–$20.70	25.50
$20.71–$20.80	25.62½
$20.81–$20.90	25.75
$20.91–$21.00	25.87½
$21.01–$21.11	26.00
$21.12–$21.21	26.12½
$21.22–$21.31	26.25
$21.32–$21.41	26.37½
$21.42–$21.51	26.50
$21.52–$21.61	26.62½
$21.62–$21.71	26.75
$21.72–$21.81	26.87½
$21.82–$21.92	27.00
$21.93–$22.02	27.12½
$22.03–$22.12	27.25
$22.13–$22.22	27.37½
$22.23–$22.32	27.50
$22.33–$22.42	27.62½
$22.43–$22.52	27.75
$22.53–$22.71	28.00
$22.72–$23.11	28.50
$23.12–$23.51	29.00
$23.52–$23.91	29.50
$23.92–$24.31	30.00
$24.32–$24.71	30.50
$24.72–$25.11	31.00
$25.12–$25.51	31.50
$25.52–$25.91	32.00
$25.92–$26.31	32.50
$26.32–$26.71	33.00
$26.72–$27.11	33.50

SEC. 4. *Maximum prices for sales at retail.* Dollar and cents ceiling prices for sales at retail are set forth in Tables II and III below. Table II is used to find the retail ceiling prices of the garments made of wool and of rayon or synthetic fabrics listed in Appendices C and D, respectively. Table II is in two parts, (a) and (b). Table II (a) is to be used when the supplier's price is on a "per dozen" basis. Table II (b) is to be used when the supplier's price is on a "per garment" basis. Table III is used to find the retail ceiling prices of the garments made of cotton fabrics listed in Appendix B.

These tables show the retail ceiling price which corresponds to the "supplier's price" f. o. b. the supplier's place of business. As used in this section, "supplier's price" means the supplier's net selling price (after the deduction of all available discounts) or his net ceiling price, whichever is lower, if the supplier is a manufacturer. It means the supplier's net ceiling price if the supplier is a wholesaler. When the retailer has found his "supplier's price" per dozen or per garment, whichever is appropriate, in column 1 of the appropriate table, the corresponding price in column 2 is his retail ceiling price per garment. (This price should be already marked on the garment when the retailer receives it.)

TABLE II—MAXIMUM PRICES FOR SALES AT RETAIL OF WOOL AND RAYON OR SYNTHETIC GARMENTS LISTED IN APPENDICES C AND D

(a) *Where supplier's price is on a "per dozen" basis.*

Column 1 If the supplier's price per dozen is—	*Column 2* The retail ceiling price per garment is—
$1.50–$1.57	$0.20
$1.58–$1.65	.21
$1.66–$1.72	.22
$1.73–$1.80	.23
$1.81–$1.88	.24
$1.89–$1.95	.25
$1.96–$2.03	.26
$2.04–$2.11	.27
$2.12–$2.18	.28
$2.19–$2.26	.29
$2.27–$2.34	.30
$2.35–$2.41	.31
$2.42–$2.49	.32
$2.50–$2.57	.33
$2.58–$2.64	.34
$2.65–$2.72	.35
$2.73–$2.80	.36
$2.81–$2.88	.37
$2.89–$2.95	.38
$2.96–$3.03	.39
$3.04–$3.11	.40
$3.12–$3.18	.41
$3.19–$3.26	.42
$3.27–$3.34	.43
$3.35–$3.41	.44
$3.42–$3.49	.45
$3.50–$3.57	.46
$3.58–$3.64	.47
$3.65–$3.72	.48
$3.73–$3.80	.49
$3.81–$4.03	.50
$4.04–$4.41	.55
$4.42–$4.80	.60
$4.81–$5.18	.65
$5.19–$5.56	.70
$5.57–$5.95	.75
$5.96–$6.33	.80
$6.34–$6.72	.85
$6.73–$7.10	.90
$7.11–$7.48	.95
$7.49–$7.87	1.00
$7.88–$8.25	1.05
$8.26–$8.64	1.10
$8.65–$9.02	1.15
$9.03–$9.40	1.20
$9.41–$9.79	1.25
$9.80–$10.17	1.30
$10.18–$10.56	1.35
$10.57–$10.94	1.40
$10.95–$11.32	1.45
$11.33–$11.71	1.50
$11.72–$12.09	1.55
$12.10–$12.48	1.60
$12.49–$12.86	1.65
$12.87–$13.24	1.70
$13.25–$13.63	1.75
$13.64–$14.01	1.80
$14.02–$14.40	1.85
$14.41–$14.78	1.90
$14.79–$15.16	1.95
$15.17–$15.74	2.00
$15.75–$16.51	2.10
$16.52–$17.28	2.20
$17.29–$18.04	2.30
$18.05–$18.81	2.40
$18.82–$19.58	2.50
$19.59–$20.35	2.60
$20.36–$21.12	2.70
$21.13–$21.88	2.80
$21.89–$22.65	2.90
$22.66–$23.42	3.00
$23.43–$24.19	3.10
$24.20–$24.96	3.20
$24.97–$25.72	3.30
$25.73–$26.49	3.40
$26.50–$27.26	3.50
$27.27–$28.03	3.60
$28.04–$28.80	3.70
$28.81–$29.56	3.80
$29.57–$30.33	3.90
$30.34–$31.10	4.00

TABLE II—Continued

Column 1 If the supplier's price per dozen is—	*Column 2* The retail ceiling price per garment is—
$31.11–$31.87	$4.10
$31.88–$32.64	4.20
$32.65–$33.40	4.30
$33.41–$34.17	4.40
$34.18–$34.94	4.50
$34.95–$35.71	4.60

(b) *Where supplier's price is on a "per garment" basis.*

Column 1 If the supplier's price per garment is—	*Column 2* The retail ceiling price per garment is—
$1.00–$1.05	$1.60
$1.06–$1.12	1.70
$1.13–$1.18	1.80
$1.19–$1.25	1.90
$1.26–$1.31	2.00
$1.32–$1.37	2.10
$1.38–$1.44	2.20
$1.45–$1.50	2.30
$1.51–$1.57	2.40
$1.58–$1.63	2.50
$1.64–$1.69	2.60
$1.70–$1.76	2.70
$1.77–$1.83	2.80
$1.84–$1.89	2.90
$1.90–$1.95	3.00
$1.96–$2.01	3.10
$2.02–$2.08	3.20
$2.09–$2.14	3.30
$2.15–$2.21	3.40
$2.22–$2.27	3.50
$2.28–$2.33	3.60
$2.34–$2.40	3.70
$2.41–$2.46	3.80
$2.47–$2.53	3.90
$2.54–$2.59	4.00
$2.60–$2.65	4.10
$2.66–$2.72	4.20
$2.73–$2.78	4.30
$2.79–$2.85	4.40
$2.86–$2.91	4.50
$2.92–$2.97	4.60
$2.98–$3.04	4.70
$3.05–$3.10	4.80
$3.11–$3.17	4.90
$3.18–$3.23	5.00
$3.24–$3.29	5.10
$3.30–$3.36	5.20
$3.37–$3.42	4.30
$3.43–$3.49	5.40
$3.50–$3.55	5.50
$3.56–$3.61	5.60
$3.62–$3.68	5.70
$3.69–$3.74	5.80
$3.75–$3.81	5.90
$3.82–$3.87	6.00
$3.88–$3.93	6.10
$3.94–$4.00	6.20
$4.01–$4.06	6.30
$4.07–$4.13	6.40
$4.14–$4.19	6.50
$4.20–$4.25	6.60
$4.26–$4.32	6.70
$4.33–$4.38	6.80
$4.39–$4.45	6.90
$4.46–$4.51	7.00
$4.52–$4.57	7.10
$4.58–$4.64	7.20
$4.65–$4.70	7.30
$4.71–$4.77	7.40
$4.78–$4.83	7.50
$4.84–$4.89	7.60
$4.90–$4.96	7.70
$4.97–$5.02	7.80
$5.03–$5.09	7.90
$5.10–$5.15	8.00
$5.16–$5.21	8.10
$5.22–$5.28	8.20
$5.29–$5.34	8.30
$5.35–$5.41	8.40
$5.42–$5.47	8.50
$5.48–$5.53	8.60
$5.54–$5.60	8.70
$5.61–$5.66	8.80

TABLE II—Continued

Column 1 If the supplier's price per garment is—	*Column 2* The retail ceiling price per garment is—
$5.67–$5.73	$8.90
$5.74–$5.79	9.00
$5.80–$5.85	9.10
$5.86–$5.92	9.20
$5.93–$5.98	9.30
$5.99–$6.05	9.40
$6.06–$6.11	9.50
$6.12–$6.17	9.60
$6.18–$6.23	9.70
$6.24–$6.30	9.80
$6.31–$6.36	9.90
$6.37–$6.45	10.00
$6.46–$6.59	10.20
$6.60–$6.71	10.40
$6.72–$6.84	10.60
$6.85–$6.97	10.80
$6.98–$7.10	11.00
$7.11–$7.23	11.20
$7.24–$7.36	11.40
$7.37–$7.48	11.60
$7.49–$7.61	11.80
$7.62–$7.74	12.00
$7.75–$7.87	12.20
$7.88–$8.00	12.40
$8.01–$8.12	12.60
$8.13–$8.25	12.80
$8.26–$8.38	13.00
$8.39–$8.51	13.20
$8.52–$8.64	13.40
$8.65–$8.76	13.60
$8.77–$8.89	13.80
$8.90–$9.02	14.00
$9.03–$9.15	14.20
$9.16–$9.28	14.40
$9.29–$9.40	14.60
$9.41–$9.53	14.80
$9.54–$9.66	15.00
$9.67–$9.79	15.20
$9.80–$9.92	15.40
$9.93–$10.04	15.60
$10.05–$10.17	15.80
$10.18–$10.30	16.00
$10.31–$10.43	16.20
$10.44–$10.56	16.40
$10.57–$10.68	16.60
$10.69–$10.81	16.80
$10.82–$10.94	17.00
$10.95–$11.07	17.20
$11.08–$11.20	17.40
$11.21–$11.32	17.60
$11.33–$11.45	17.80
$11.46–$11.58	18.00
$11.59–$11.71	18.20
$11.72–$11.84	18.40
$11.85–$11.96	18.60
$11.97–$12.09	18.80
$12.10–$12.22	19.00
$12.23–$12.35	19.20
$12.36–$12.48	19.40
$12.49–$12.60	19.60
$12.61–$12.73	19.80
$12.74–$12.96	20.00
$12.97–$13.28	20.50
$13.29–$13.60	21.00
$13.61–$13.92	21.50
$13.93–$14.24	22.00
$14.25–$14.56	22.50
$14.57–$14.88	23.00
$14.89–$15.20	23.50
$15.21–$15.52	24.00
$15.53–$15.83	24.50
$15.84–$16.16	25.00
$16.17–$16.48	25.50
$16.49–$16.80	26.00
$16.81–$17.12	26.50
$17.13–$17.44	27.00
$17.45–$17.76	27.50
$17.77–$18.08	28.00
$18.09–$18.40	28.50
$18.41–$18.72	29.00
$18.73–$19.04	29.50
$19.05–$19.36	30.00
$19.37–$19.68	30.50
$19.69–$20.00	31.00
$20.01–$20.32	31.50

TABLE II—Continued

Column 1 If the supplier's price per garment is—	*Column 2* The retail ceiling price per garment is—
$20.33–$20.64	$32.00
$20.65–$20.96	32.50
$20.97–$21.28	33.00
$21.29–$21.60	33.50
$21.61–$21.92	34.00
$21.93–$22.24	34.50
$22.25–$22.56	35.00
$22.57–$22.88	35.50
$22.89–$23.20	36.00
$23.21–$23.52	36.50
$23.53–$23.84	37.00
$23.85–$24.16	37.50
$24.17–$24.48	38.00
$24.49–$24.80	38.50
$24.81–$25.12	39.00
$25.13–$25.44	39.50
$25.45–$25.76	40.00

TABLE III—MAXIMUM PRICES FOR SALES AT RETAIL OF COTTON GARMENTS LISTED IN APPENDIX B

Column 1 If the supplier's price per dozen is—	*Column 2* The retail ceiling price per garment is—
$2.02–$2.09	$0.26
$2.10–$2.17	.27
$2.18–$2.25	.28
$2.26–$2.33	.29
$2.34–$2.41	.30
$2.42–$2.49	.31
$2.50–$2.57	.32
$2.58–$2.65	.33
$2.66–$2.73	.34
$2.74–$2.81	.35
$2.82–$2.89	.36
$2.90–$2.97	.37
$2.98–$3.04	.38
$3.05–$3.12	.39
$3.13–$3.20	.40
$3.21–$3.28	.41
$3.29–$3.36	.42
$3.37–$3.44	.43
$3.45–$3.52	.44
$3.53–$3.60	.45
$3.61–$3.68	.46
$3.69–$3.76	.47
$3.77–$3.84	.48
$3.85–$3.92	.49
$3.93–$4.15	.50
$4.16–$4.55	.55
$4.56–$4.95	.60
$4.96–$5.34	.65
$5.35–$5.74	.70
$5.75–$6.13	.75
$6.14–$6.53	.80
$6.54–$6.93	.85
$6.94–$7.32	.90
$7.33–$7.72	.95
$7.73–$8.11	1.00
$8.12–$8.51	1.05
$8.52–$8.91	1.10
$8.92–$9.30	1.15
$9.31–$9.70	1.20
$9.71–$10.09	1.25
$10.10–$10.49	1.30
$10.50–$10.89	1.35
$10.90–$11.28	1.40
$11.29–$11.68	1.45
$11.69–$12.07	1.50
$12.08–$12.47	1.55
$12.48–$12.87	1.60
$12.88–$13.26	1.65
$13.27–$13.66	1.70
$13.67–$14.05	1.75
$14.06–$14.45	1.80
$14.46–$14.85	1.85
$14.86–$15.24	1.90
$15.25–$15.64	1.95
$15.65–$16.23	2.00
$16.24–$17.02	2.10
$17.03–$17.82	2.20
$17.83–$18.61	2.30
$18.62–$19.40	2.40
$19.41–$20.19	2.50
$20.20–$20.98	2.60
$20.99–$21.78	2.70

TABLE III—Continued

Column 1 If the supplier's price per dozen is—	*Column 2* The retail ceiling price per garment is—
$21.79–$22.57	$2.80
$22.58–$23.36	2.90
$23.37–$24.15	3.00
$24.16–$24.94	3.10
$24.95–$25.74	3.20
$25.75–$26.53	3.30
$26.54–$27.32	3.40
$27.33–$28.11	3.50
$28.12–$28.90	3.60
$28.91–$29.70	3.70
$29.71–$30.49	3.80
$30.50–$31.28	3.90
$31.29–$32.07	4.00
$32.08–$32.86	4.10
$32.87–$33.66	4.20
$33.67–$34.45	4.30
$34.46–$35.24	4.40

SEC. 5. *Maximum prices for garments which have been bought or sold at a "special sale."* This section provides a method for establishing ceiling prices for garments which previously have been, or are being sold, at a "special sale." A "special sale" is a sale outside the normal channel of distribution by a person who sells the garment in substantially the same form in which he purchased it.

(a) *Types of special sales.* The following types of sales are included among "special sales":

(1) Sales by a wholesaler to another wholesaler or to a manufacturer (as used in this section, the word "wholesaler" includes a manufacturer who has purchased completed garments from another manufacturer).

(2) Sales by a retailer to any person other than an individual ultimate consumer or an industrial, commercial or institutional user.

(b) *Ceiling prices*—(1) *First special sale.* In the case of the first special sale of a garment, the ceiling price is the net purchase price paid by the seller (not exceeding his supplier's ceiling price).

For example: A, a retailer, buys a dozen boys' cotton pants from a manufacturer at $12.75 per dozen on terms of 8/10 EOM, which is the manufacturer's ceiling price. A now wishes to resell the pants to B, another retailer.

A's ceiling price for the sale to B is $11.73 per dozen, his net cost ($12.75 less 8% = $11.73).

(2) *Subsequent special sales.* (i) In the case of all subsequent sales (except sales at retail) of garments which have previously been sold at special sales, the ceiling price is the net purchase price paid by the person who made the first special sale.

Example 1: X, a retailer, buys a dozen girls' cotton dresses from a manufacturer at $14.75 per dozen, net. X then liquidates his store and resells the dresses to Y, a wholesaler, for $13.00. Y now wishes to resell the dresses to Z, another wholesaler.

Y's ceiling price for these dresses is the net purchase price paid by X, the person who made the first special sale. This price is $14.75 per dozen, net. Y therefore uses this price of $14.75 net as his ceiling price for the sale to Z.

Example 2: If, in the above example Z now wishes to sell the dresses to R, a retailer, his ceiling price for the sale to R is also $14.75 (the net purchase price paid by X, the person who made the first special sale).

(ii) In the case of a sale at retail of a garment which previously has been sold at a special sale, the ceiling price is figured under section 4, above. However, in no event may the retailer, in calculating his ceiling price under section 4, use a cost exceeding the net purchase price paid by the person who made the first special sale.

NOTE: The net purchase price paid by the first person who made a special sale must be shown on the invoice which the retailer receives from his supplier, as provided by (c) below.

Example 1: Suppose that R, the retailer, (mentioned in the examples above) wants to sell one of the dresses to an individual consumer. The price paid by R to his supplier Z, was $14.75 per dozen.

R's ceiling price for the dress is figured by finding from Table III in section 4, the ceiling price which corresponds to a cost of $14.75 per dozen. (He uses Table III because the dresses are made of cotton and are listed in Appendix B.) This price is $1.85 per garment. (R could not legally have paid more than $14.75 for these dresses since this was the amount listed on his purchase invoice as the net purchase price paid for them by the person who made the first special sale. Therefore R may not use as his cost any price higher than $14.75 per dozen, net.)

Example 2: If R had paid $13.75 per dozen for the dresses, his ceiling price would be $1.75 per dress, according to Table III.

(c) *Disclosure in special sales.* (1) The seller who makes the first special sale must attach to or mark on the bill or invoice which he gives pursuant to section 8 (b), a statement in substantially the following form and fill in the information appropriate to the particular sale:

The following garments have been sold at a special sale under section 5 of 2d RMPR 573 (Describe garments).

The net purchase price paid for these garments by the first special seller is $_____ (per dozen or per garment as the case may be). This amount is the ceiling price for any future sale of these garments except a sale at retail.

If you sell these garments at retail your ceiling price is found in Table II (or Table III) in section 4 of 2d RMPR 573. However, in no event may a retailer's cost exceed the net purchase price paid by the first special seller, as set forth above in this statement.

OPA requires that if you make a sale of these garments (except a sale at retail) you must attach to or mark on your invoice or bill a statement in substantially the same form as this one.

(2) Any seller who makes a sale (except a sale at retail) of garments which previously have been sold at a special sale must attach to or mark on the bill or invoice a statement in substantially the same form as set forth in (1) above.

SEC. 6. *Marking of garments*—(a) *What marking is required.* On and after November 1, 1945, no manufacturer or manufacturing-retailer may sell, offer for sale or deliver any garment subject to this regulation unless it is marked with an imprint, label or ticket containing all of the following information:

(1) The letters "MPR 573–B" on all cotton garments listed in Appendix B, the letters "MPR 573–C" on all wool garments listed in Appendix C and the letters "MPR 573–D" on all rayon or synthetic garments listed in Appendix D.

However, in the case of any cotton garments listed in Appendix B which are made of fabrics obtained with priorities assistance under WPB orders M-328B, M-388A or M-385, the manufacturer or manufacturing-retailer may, at his election, mark the letters of the appropriate WPB order on the ticket instead of the MPR 578 letters required by this paragraph.

(2) The manufacturer's lot number or brand name for the garment. This must be a different name or number for each group of garments having a different manufacturer's selling price. "Style number" may be substituted for lot number if each group of garments having a different manufacturer's selling price carries a different style number.

(3) The OPA retail ceiling price for the garment stated in one of the following forms:

(i) "OPA Retail Ceiling Price: $------", or
(ii) "OPA Retail Ceiling: $------", or
(iii) "OPA Ceiling: $------".

(b) *What prices must be marked.* The marking required by paragraph (a) must be placed on the garment by the manufacturer or manufacturing-retailer prior to delivery.

(1) *Garments sold directly to retailers.* If the manufacturer sells the garment directly to a retailer, he must:

(i) Calculate his own selling price for the garment,

(ii) Find his net selling price (after deducting all available discounts) in column 1 of Table II or III (section 4 tells which table to use), and

(iii) Find the retail ceiling price which appears in column 2 opposite the manufacturer's net selling price found in (ii), and

(iv) Mark the garment with the OPA retail ceiling price found in (iii).

For example: A manufacturer wishes to sell directly to a retailer boys' cotton undershorts listed in Appendix B. He first calculates his ceiling price for these undershorts and finds that under section 2, his maximum price is $2.50 per dozen, less 3/10 EOM. He wishes to sell at his ceiling price. Therefore he deducts 3% from $2.50 and finds his net selling price is $2.42. Next he turns to Table III in section 4, and in column 1 of that table he finds his price of $2.42. He finds in column 2 that the retail ceiling price which corresponds to his manufacturer's selling price is $0.31 per undershort. He therefore marks $0.31 as the retail ceiling price on the undershorts.

(2) *Garments sold to wholesalers.* If the manufacturer sells the garment to a wholesaler he must:

(i) Calculate his own selling price for the garment,

(ii) Find his net selling price (after deducting all available discounts) in column 1 of Table I (section 3),

(iii) Find the wholesale net ceiling price which appears in column 2 of Table I opposite the manufacturer's net selling price found in (ii),

(iv) Find in column 1 of Table II or III (section 4 tells which table to use), the wholesaler's net ceiling price just found in (iii),

(v) Find the retail ceiling price which appears in column 2 of Table II or Table III opposite the wholesaler's net ceiling price found in (iv), and

(vi) Mark the garment with the retail ceiling price found in (v).

For example: The manufacturer in the above example wishes to sell some of these undershorts to a wholesaler. His selling price under section 2 for such a sale is $2.50 per dozen less 10/10 EOM. He first calculates his net selling price by deducting the 10% discount and finds that it is $2.25 per dozen. Then he turns to Table I in section 3, and finds $2.25 per dozen in column 1 of that table. The wholesaler's net ceiling price in column 2 opposite $2.25 per dozen is $2.75 per dozen net. Next he turns to Table III in section 4 and finds the wholesaler's net ceiling price of $2.75 per dozen in column 1 of that table, and discovers that the retail ceiling price corresponding to $2.75 per dozen is $0.35 per undershort. He therefore marks $0.35 as the retail ceiling price on each undershort.

(3) *Garments sold direct to ultimate consumers.* A manufacturer or manufacturing-retailer must mark garments which he sells or delivers to ultimate consumers with his selling price, which may not exceed his ceiling price calculated under section 2.

(c) *Manner of marking.* The required marking must be conspicuously placed on each garment by stitching, stamping, printing, adhesive, pins or staples, or by some other method which securely affixes the marking on the garment. The required markings may be in one or more parts, and may be accompanied by other information, but all portions must be clearly visible to the purchaser.

Example of marking

MPR 578-B
Lot No. 903
OPA Retail Ceiling—$1.15

(d) *Calculation of cost of marking.* Under section 2 (b) manufacturers and manufacturing-retailers of garments whose prices are governed by Maximum Price Regulation 570 Maximum Price Regulation 572, and Revised Maximum Price Regulation 287 may include in their cost the cost of direct labor incurred in attaching the required labels. This cost should be calculated as follows:

(1) Add together the amounts paid for direct labor performed in attaching labels during the second week when such labor is performed on any garments covered by this regulation.

(2) Find the total number of dozens of garments covered by this regulation to which labels have been attached during that week.

(3) Divide the number of dozens of garments found in (2) into the total labor cost found in (1). The result is the direct labor cost per dozen of attaching labels.

In calculating his direct cost of garments whose prices are established under Maximum Price Regulation 570, Maximum Price Regulation 572, or Revised Maximum Price Regulation 287 under section 2 (b) the manufacturer or manufacturing-retailer may use the amount found in (3) above as the direct labor cost of attaching labels to each dozen garments covered by this regulation. If the manufacturer or manufacturing-retailer changes his method of attaching labels he must recalculate his direct labor cost of attaching labels by using the steps found in (1), (2), and (3) above, for each change.

(e) *Special marking provision for retailers.* If the manufacturer has failed to mark the garments as required by this section, and the retailer knows or has reason to know that the garments are covered by this regulation, the marking required by this section must be made by the retailer.

SEC. 7. *When taxes may be added.* If a statute or ordinance imposes a tax upon a particular sale or delivery (such as a sales tax, gross proceeds or gross receipts tax or compensating use tax) and permits such tax to be stated separately from the selling price, the seller may collect such tax in addition to the maximum price under this regulation, provided that he states the amount of the tax separately. However, this provision does not apply to any tax imposed on a prior sale or delivery of the same article.

SEC. 8. *Sales slips and invoices*—(a) *Sales slips.* Every person selling to ultimate consumers, who has customarily given to the ultimate consumer a sales slip, receipt or similar evidence of purchase shall continue to do so. Upon request from an ultimate consumer, such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller, the description of each garment sold and the price received for it.

(b) *Invoices.* Every seller shall, in connection with every sale of garments covered by this regulation to a person other than an ultimate consumer, deliver an invoice showing: (1) the date, (2) the name and address of the seller and purchaser, (3) the types of garments, (4) the lot number or brand name of each garment, (5) the fabric (cotton, wool or rayon or other synthetic) of which each garment is made, (6) the quantity of each lot number or brand sold, (7) the letters "MPR 578" (8) the price charged for each lot number or brand, and (9) all discounts, allowances and other price differentials.

The seller must preserve a duplicate copy of each invoice given by him pursuant to this paragraph.

SEC. 9. *Records.* All records required by this section must be preserved for inspection by the OPA for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. Every manufacturer and manufacturing-retailer must keep a list of all lot numbers, brand names or style numbers of garments covered by this regulation. The list must show, for each lot number, brand name or style number, the construction of the fabric or fabrics from which that lot number, brand name, or style number was made.

(a) *Records of manufacturers of garments priced under the General Maximum Price Regulation*[4] *or Maximum Price Regulation 332.*[5] Every manufacturer and manufacturing-retailer must keep the records required by sections 11 and 12 of the General Maximum Price Regulation for all garments for which his maximum prices are established un-

[4] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.
[5] 8 F.R. 2350, 2783; 10 F.R. 11152.

der that regulation or under Maximum Price Regulation 332.

(b) *Cost records of manufacturers of garments priced under Maximum Price Regulation 570.* Every manufacturer and manufacturing-retailer must keep the records required in section 10 (c) and in Appendix C (section 21) of Maximum Price Regulation 570 for all garments for which his maximum prices are established under that regulation.

(c) *Cost records of manufacturers of garments priced under Revised Maximum Price Regulation 287.* Every manufacturer and manufacturing-retailer must keep the records required in section 17 (a), (b) and (c) and Appendix D (section 30) of Revised Maximum Price Regulation 287 for all garments for which his maximum prices are established under that regulation.

(d) *Records for manufacturers of garments priced under Maximum Price Regulation 177.* Every manufacturer and manufacturing-retailer of ready-made garments and every seller of "tailored to the trade" or "made to measure" garments must keep the records required by § 1389.114 (a), (b), (c) and (d), § 1389.115 (a) and (b) or § 1389.116 (a), (b) and (c) of Maximum Price Regulation 177, whichever applies to him.

(e) *Cost records for manufacturers of garments priced under Maximum Price Regulation 572.* Every manufacturer and manufacturing-retailer must keep the records required by section 3 and 4 and Appendix D of Maximum Price Regulation 572 for garments priced under that regulation.

(f) *Cost records of all wholesalers and retailers.* Every person who makes sales at wholesale or at retail must preserve for inspection by the OPA all bills and invoices received by him covering garments subject to this regulation.

(g) *Record of labor cost of labelling by manufacturers.* Every manufacturer and manufacturing-retailer who adds the cost of labeling to his direct cost of garments for which his maximum prices are established under Maximum Price Regulation 570, Revised Maximum Price Regulation 287 or Maximum Price Regulation 572, must prepare and maintain for inspection by the OPA, a record showing (1) his direct labor cost for the attaching of labels required by section 6 (d), during the second week that such labor operation is performed, and (2) the total number of garments to which labels are attached during that week.

SEC. 10. *Relation to other maximum price regulations*—(a) *Regulations superseded.* The coverage of this regulation is stated in section 1. On and after November 1, 1945, this regulation supersedes RMPR 578. Where this regulation applies, and except as provided in section 2 and section 9 (a), (b), (c) and (d), it supersedes the provisions of the following:

(1) General Maximum Price Regulation.
(2) Maximum Price Regulation 177.[6]
(3) Revised Maximum Price Regulation 287.
(4) Revised Maximum Price Regulation 330.[7]
(5) Maximum Price Regulation 332.
(6) Maximum Price Regulation 570.
(7) Maximum Price Regulation 572.[8]
(8) Maximum Price Regulation 580.[9]

(b) *Contractors' services.* This regulation does not apply to charges for contractors' services. These are governed by Maximum Price Regulation 172[10] (Charges of Contractors in Apparel Industry).

(c) *Export sales.* This regulation does not apply to export sales or deliveries of garments listed in the appendices of this regulation. Such sales and deliveries are covered by the Second Revised Maximum Export Price Regulation.[11]

(d) *Import sales.* The provisions of this regulation do not apply to sales or deliveries made from points outside the 48 States and the District of Columbia, or to sales of garments by the original importer. (See Maximum Import Price Regulation.)[12] This regulation does, however, apply to domestic sales by persons other than the original importer of garments which were originally imported.

SEC. 11. *What acts are prohibited.* On and after November 1, 1945, regardless of any contract or obligation no person shall:

(a) Sell or deliver any garment at a price higher than the ceiling price permitted by this regulation (sales and deliveries may, of course, be made at prices lower than ceiling prices); or

(b) Buy or receive, in the course of trade or business, any garment at a price higher than the ceiling price permitted by this regulation; or

(c) Detach or remove from any garment any label or ticket containing the marking required by section 6, except that this provision does not apply to ultimate consumers; or

(d) Require a purchaser to buy or agree to buy any article, service, package or wrapper in connection with the sale or delivery of any garment covered by this regulation; or

(e) Do any other act which directly or indirectly increases above the ceiling price the consideration paid by the purchaser for any garment covered by this regulation. Any practice which is a device to secure the effect of a higher than ceiling price is as much a violation as an outright sale above the ceiling price. This applies to cross-stream or upstream sales, transportation arrangements, premiums, discounts, special privileges, tying-agreements, trade understandings, and all similar practices; or

(f) Offer, attempt or agree to do any of the acts prohibited by this regulation.

SEC. 12. *Definitions.* Unless the context otherwise requires, or unless specifically provided herein, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

SEC. 13. *Enforcement and licensing*—(a) *Enforcement.* Any person who violates any provisions of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

(b) *Licensing.* The provisions of Licensing Order No. 1[13] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 14. *Amendment.* Any person seeking an amendment, which must have general applicability, may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[14] issued by the Office of Price Administration.

This regulation shall become effective November 1, 1945.

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

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

APPENDIX A—TYPES OF GARMENTS COVERED

This regulation covers garments of the following types:

(a) *Feminine garments*—(1) *Dresses.* All one-piece dresses and all two-piece dresses consisting of a skirt and a separate blouse or jacket (without lining or bound inner seams) sold at a unit price. This includes jumpers, pinafores, brunch coats, smocks, housedresses and bungalow aprons, christening dresses, and all similar garments used for street, evening, house or utility wear. It also includes work dresses and feminine work uniforms.

(2) *Blouses.* All blouses, waists and shirtwaists, including blouses with attached underskirts, slips or panties.

(3) *Separate skirts.* All skirts, including skating skirts, work skirts and culottes.

(4) *Feminine suits.* All feminine two-piece garments, untrimmed, trimmed and fur-trimmed, consisting of a separate skirt and a separate jacket having full or partial lining or bound inner seams, fabricated of either matching or contrasting material and sold at a unit price.

(5) *Feminine coats.* All feminine outerwear garments commonly known as coats untrimmed, trimmed and fur-trimmed, for sport or dress wear, including capes and wraps. Garments shorter than 26 inches in women's, misses' or juniors' size ranges are not included.

(6) *Slips.* All one-piece bodice top skirted under-garments designed to be worn directly under outer apparel. This includes shoulder strap and built-up shoulder types.

(7) *Panties.* All one-piece under-garments extending from the waistline to any point above the knee and having a crotch or tab. This includes briefs, drawers, bloomers and step-ins.

[6] 8 F.R. 13713; 10 F.R. 6231.

[7] 9 F.R. 11350; 10 F.R. 331.

[8] 10 F.R. 1433, 2387, 4813.

[9] 10 F.R. 3015, 3468.

[10] 7 F.R. 4882, 6634, 8351, 8946, 10804; 8 F.R. 8063.

[11] 8 F.R. 4132, 5987, 7663, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201.

[12] 8 F.R. 11681, 11237; 9 F.R. 2350, 7594, 8062, 10925, 12270; 10 F.R. 922.

[13] 8 F.R. 13240.

[14] 9 F.R. 10476, 13715.

(8) *Nightgowns.* All skirted feminine sleeping garments.

(9) *Gertrudes.* All infants' slips or petticoats made with built up shoulder commonly known as gertrudes.

(10) *Kimonos.* All infants' full-length garments commonly known as kimonos or wrappers.

(b) *Masculine Garments*—(1) *Dress or business shirts.* All shirts of styles customarily sold for dress and business wear, with or without attached collar.

(2) *Sport shirts and blouses.* All shirts or blouses with convertible or sport collar customarily used for other than business wear.

(3) *Undershorts and drawers.*

(4) *Separate trousers and pants.* Includes both long or short trousers and pants.

(5) *Suits.* Any tailored combination consisting of pants and coat (with or without vest, sweater, cap or hat) of any weight fabric, sold at a unit price.

(6) *Overcoats and topcoats.* All tailored coats, commonly known as overcoats, topcoats, reversible coats, fingertip coats or capes.

(7) *Boys' wash suits.*

(c) *Masculine and feminine garments*—(1) *Creepers and rompers.*

(2) *Overalls and coveralls.*

(3) *Sun suits.* All one-piece and two-piece playsuits and sunsuits. Playsuits and sunsuits with separate skirts, sold at a unit price, are included.

(14) *Pajamas.* All one-piece or two-piece pajamas, with or without feet, including pajamas with extra pants when sold at a unit price.

(5) *Snow suits or ski suits.* All one-piece and two-piece snow suits and ski suits, snow suits and ski suits with separate or attached hoods are included when sold at a unit price.

(6) *Legging sets or coat and ski pants sets.* All coats or jackets with leggings or ski pants, with or without hats, hoods or capes sold at a unit price.

(7) *Separate ski pants.* All ski pants or leggings sold separately.

Appendix B—Cotton Garments

This appendix lists the cut-off prices for garments made of woven cotton fabrics. Any garment sold or delivered by the manufacturer or manufacturing retailer at or below the net price listed in this appendix is covered by this regulation at all levels of distribution.

For purposes of this regulation, a garment is considered to be made of woven cotton fabric if 50% or more of the yardage incorporated in the garment (exclusive of linings, bindings and trimmings) is fabric containing less than 25% wool fiber by weight but of which 50% or more, by weight, of the remaining fibers are cotton.

Garment	Size range	Cut-off price: Manufacturer's price	Cut-off price: Manufacturing retailer's price
Dresses:		*Doz.*	*Ea.*
Infants'	0-1	$10.50	$1.35
Toddlers'	1-3	15.75	2.00
Children's	3-6x	15.75	2.00
Girls'	7-14	16.50	2.10
Teen-age girls'	10-16	18.75	2.40
Women's, misses' and juniors'.	(36-44) (8-20) (7-17).	24.00	3.00
Women's extra sizes	46 and up	27.00	3.40
Blouses:			
Children's	2-6x	12.00	1.50
Girls'	7-14	13.50	1.70

Appendix B—Cotton Garments—Continued

Garment	Size range	Cut-off price: Manufacturer's price	Cut-off price: Manufacturing retailer's price
Slips:		*Doz.*	*Ea.*
Toddlers'	1-3	$4.50	$0.55
Girls' (Gertrude type).	2-14	5.75	.75
Girls' (shoulder strap).	10-16	9.75	1.25
Women's	38-44	8.50	1.05
Women's extra sizes	46 and up	9.75	1.25
Panties: Girls'	2-12	4.50	.55
Nightgowns:			
Infants'	0-1	4.50	.55
Toddlers'	1-3	6.00	.75
Children's	2-8	8.50	1.05
Girls'	8-16	12.00	1.50
Women's	42 and up	18.50	2.30
Gertrudes (infants')	0-1	4.50	.55
Kimonos (infants')	0-1	4.50	.55
Shirts:			
Boys'	11-14½	12.00	1.50
Men's	14-17	16.50	2.10
Men's extra sizes	17½ and up	19.50	2.50
Shirts and blouses (boys').	2-10	9.00	1.15
Undershorts:			
Boys'	6-16	4.25	.55
Men's	28-44	5.50	.70
Men's extra sizes	46 and up	7.25	.90
Pants (boys')	4-10	13.50	1.70
Washsuits:			
Toddlers'	1-3	15.75	2.00
Boys'	3-12	17.25	2.20
Creepers and rompers (infants').	6 mos.-2 yrs	10.50	1.35
Overalls and coveralls:			
Infants'	6 mos.-2 yrs	10.50	1.35
Toddlers'	1-4	12.00	1.50
Children's (boys' and girls').	2-8	12.00	1.50
Sunsuits: Boys' and girls':	1-8	9.00	1.15
Pajamas:			
Toddlers'	1-4	12.00	1.50
Children's	2-8	13.50	1.70
Girls'	8-16	15.75	2.00
Boys'	8-16	15.75	2.00

NOTE: The size ranges listed in this appendix are intended to cover but are not limited to, the sizes in which these garments are customarily made. They include garments made in equivalent sizes, however designated.

Appendix C—Wool Garments

This appendix lists the cut-off prices for garments made of woven woolen or worsted fabrics, and for specified garments made of knitted woolen or worsted fabrics. Any garment sold or delivered by the manufacturer or manufacturing-retailer at or below the net price listed in this appendix is covered by this regulation at all levels of distribution.

For purposes of this regulation a garment is considered to be made of woven (or knitted) woolen or worsted fabric if 50% or more of the yardage incorporated in the garment (exclusive of linings, bindings, and trimmings) is fabric containing 25% or more, by weight, of new, reprocessed or reused wool fiber.

Garment	Size range	Cut-off price: Manufacturer's price	Cut-off price: Manufacturing retailer's price
Coats:		*Each*	*Each*
Infants' (boys' and girls').	6 mos.-2 yrs	$4.75	$7.40
Toddlers' (boys' and girls').	1-4	5.75	9.00
Children's (boys' and girls').	3-8	6.75	10.60
Girls'	7-14	8.75	13.60

Appendix C—Wool Garments—Continued

Garment	Size range	Cut-off price: Manufacturer's price	Cut-off price: Manufacturing retailer's price
Coats—Continued		*Each*	*Each*
Teen-age girls'	10-16	$10.75	$16.80
Women's, misses' and juniors'.	36-44, 8-20, 7-17	16.75	26.00
Women's extra sizes	46 and up	18.75	29.00
Suits (feminine):			
Girls'	7-14	8.75	13.60
Teen-age girls'	10-16	10.75	16.80
Women's, misses' and juniors'.	36-44, 8-20, 7-17	16.75	26.00
Women's extra sizes	46 and up	18.75	29.00
Skirts:			
Children's	3-6	2.00	3.10
Girls'	7-14	2.50	3.90
Teen-age girls'	10-16	3.00	4.70
Women's, misses' and juniors'.	36-44, 8-20, 7-17	3.50	5.50
Women's extra sizes	46 and up	4.00	6.20
Suits (masculine):			
Juniors'	3-12	7.50	11.80
Cadets'	8-16	11.75	18.40
Students'	32-38	16.75	21.60
Men's (other than tropical weight).	All sizes	21.00	33.00
Men's tropical weight (made of fabric weighing not more than 11 ounces per linear yard on a 54" basis).	All sizes	17.00	26.50
Separate trousers:			
Juniors'	3-16	2.50	3.90
Cadets'	21-20	3.25	5.10
Students'	25-32	4.25	6.60
Men's	All sizes	5.50	8.60
Overcoats and topcoats:			
Juniors'	4-12	8.50	13.20
Boys'	8-20	10.00	15.60
Students'	12-21, 32-38	12.75	20.00
Men's	All sizes	22.50	35.00
Snow or ski suits (knitted or woven):			
Toddlers'	1-4	4.75	7.40
Children's	2-6, 3-8	6.75	10.60
Girls' or boys'	7-14	8.75	13.60
Legging sets or coat and ski pants sets (knitted or woven):			
Toddlers'	1-4	6.75	10.60
Children's	2-6x, 3-8	8.75	13.60
Girls' or boys'	7-14	10.00	15.60
Separate ski pants (knitted or woven):			
Children's	2-6x, 3-8	2.50	3.90
Girls' or boys'	7-14	3.25	5.10

NOTE: The size ranges listed in this appendix are intended to cover, but are not limited to, the sizes in which these garments are customarily made. They include garments made in equivalent sizes, however designated.

Appendix D—Rayon and Other Synthetic Garments

This appendix lists the cut-off prices for garments made of woven rayon (or other synthetic) fabrics. Any garment sold or delivered by the manufacturer or manufacturing-retailer at or below the net price listed in this appendix is covered by this regulation at all levels of distribution.

For the purposes of this regulation a garment is considered to be made of woven rayon fabric if 50% or more of the yardage incorporated in it (exclusive of linings, bindings and trimmings) is fabric containing less than 25% wool by weight but of which the remaining fibers are more than 50% of synthetic fiber (staple or continuous filament) by weight.

APPENDIX D—RAYON AND OTHER SYNTHETIC GARMENTS—Continued

Garment	Size range	Cut-off price	
		Manufacturer's price	Manufacturing retailer's price
Dresses:		*Ea.*	*Ea.*
Girls'	7-14	$3.00	$5.50
Teen-age girls'	10-16	3.75	5.90
Women's, misses' and juniors'.	36-44, 8-20, 7-17	5.75	9.00
Women's extra sizes	46 and up	6.75	10.50
Maternity dresses	All sizes	6.75	10.50
Blouses:		*Dozen*	
Girls'	7-14	15.75	2.47
Teen-age girls'	10-16	16.50	2.10
Women's, misses' and juniors'.	28-40, 7-17	22.50	2.90
Women's extra sizes	42 and up	25.50	3.30
Nightgowns:			
Teen-age girls'	10-16	16.50	2.10
Women's	32-44	22.50	2.90
Women's extra sizes	46 and up	25.50	3.30
Slips:			
Teen-age girls'	10-16	12.00	1.55
Women's, misses' and juniors'.	32-44, 10-18, 7-17	15.75	2.10
Women's extra sizes	46 and up	18.00	2.30

NOTE: The size ranges listed in this appendix are intended to cover, but are not limited to, the sizes in which these garments are customarily made. They include garments made in equivalent sizes, however designated.

[F. R. Doc. 45-19449; Filed, Oct. 19, 1945; 4:38 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1,[1] Amdt. 109]

MAHOGANY LUMBER

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

Revised Supplementary Regulation 1 is amended by deleting the entire paragraph designated (e) in section 4.3.

This amendment becomes effective October 27, 1945.

Issued this 22d day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19508; Filed, Oct. 22, 1945; 11:42 a. m.]

PART 1499—COMMODITIES AND SERVICES

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

MAHOGANY LUMBER

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

Second Revised Supplementary Regulation 14 is amended in the following respects:

1. SEC. 3.1 *Mahogany lumber.* This section covers all sales of mahogany lumber made in the continental United States. It also covers sales in the United States of imported mahogany lumber. "Mahogany" means the wood of the several species of the genus Swietenia and the wood of the several species of the genus Khaya, both of the Meliaceae family.

(a) *Maximum prices for all sellers.* (1) Until October 27, 1945, mahogany lumber purchased by the government for use in filling government contracts was exempt from all price control by virtue of the provisions of Section 4.3 (e) of Revised SR 1. On and after October 27, 1945 the following grades of mahogany lumber are no longer exempt from price control but must be sold at no higher price than the highest price at which each person sold the identical item during the month of August 1945, or if no sale of such item was made in August 1945, at the sales price for such item on the nearest date preceding August 1945 on which a sale was made.

Grades subject to this August 1945 freeze provision are: All thicknesses of the grades Firsts and Seconds; Selects (except highly figured and cross grained mahogany); Selected Firsts and Seconds Pin Wormy (N. O. Grade); Firsts and Seconds Pin Wormy (A Wormy); No. 1 Common Pin Wormy (N Wormy); and log run Cuban mahogany. Grades referred to are those specified in National Hardwood Lumber Association Rule Book in effect January 1, 1945.

(2) Sales of mahogany lumber other than in those grades specified in subdivision (1) above shall be governed by the General Maximum Price Regulation as applied to each person making such sale or purchase.

(3) All sellers must report to the Lumber Branch, Office of Price Administration, Washington 25, D. C., their individual prices which are established by this Section for each grade listed in subparagraph (1) above. Such reports must be filed within 30 days after Oct. 27, 1945.

This amendment becomes effective October 27, 1945.

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

Issued this 22d day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19504; Filed, Oct. 22, 1945; 11:41 a. m.]

PART 1412—SOLVENTS

[MPR 37, Amdt. 14]

BUTYL ALCOHOL AND ESTERS THEREOF

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

Maximum Price Regulation 37 is amended by making the following changes in both § 1412.117 Appendix B (c) (2) and § 1412.118 Appendix C (c):

1. Substitute for the words "allocated at the beginning of that month by the War Production Board for delivery to him during the month" the following: "contracted for delivery to him during the month."

2. Substitute for the words "allocated to him during that current calendar month by the War Production Board" the following: "for which contracts for delivery during that month has been made."

This amendment shall become effective October 19, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19446; Filed, Oct. 19, 1945; 4:37 p. m.]

PART 1340—FUEL

[MPR 88, Amdt. 35]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

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

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 1.2 (a) (3) is amended to read as follows:

(3) Exchanges and sales of petroleum products other than natural gasoline between refiners except where a maximum price is specifically established hereafter for such exchanges or sales. For the purposes of this section an operator of a natural gasoline or recycling plant shall be considered a refiner.

2. Section 3.4 is amended by deleting the heading and inserting in lieu thereof *"Specific prices for heavy fuel oil f. o. b. certain shipping and delivery points."*

3. Section 3.4 (a) is amended by deleting the heading and inserting in lieu thereof *"No. 6 Commercial Standard Specification fuel oil."*

4. Sections 3.4 (c) and (d) are renumbered (d) and (e) respectively and the following is inserted as section (c):

(c) *Delivered-at-destination by tanker*—(1) *To consumers.* The maximum delivered-at-destination price for No. 6 Commercial Standard Specification fuel oil delivered by tanker to a consumer's storage at a particular delivery point located in any one of the Price Areas from "L" through "O" inclusive, as defined in section 3.4 (b), shall be the price set forth for the particular price area in section 3.4 (b), less 5¢ per barrel.

(2) *To resellers.* The maximum delivered-at-destination price for No. 6 Commercial Standard Specification fuel oil delivered by tanker to a reseller's storage at a particular delivery point located in any one of the Price Areas from "L" through "O" inclusive, as defined in section 3.4 (b), shall be the price set forth for the particular price area in section 3.4 (b), less 10¢ per barrel.

5. Section 3.4 (f) is added to read as follows:

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[1] 8 F.R. 4978.

[2] 10 F.R. 1154, 2026, 2161, 2432, 2618, 3551, 4107, 8620.

(f) *Certain tanker maximum delivered prices by order for No. 5 Commercial Standard Specification fuel oil, other heavy fuel oils of lower viscosities, No. 6 Commercial Standard Specification fuel oil and heavy fuel oil when sold for use as gas enrichment oil.* The Administrator may establish by order a maximum price for any seller of any product described in the title of this sub-section (f) who delivers such product to purchaser's storage by tanker at an Eastern Seaboard Port. Such delivered-at-destination maximum price will bear the proper relationship to the maximum prices established in sections 3.4 (c) (1) and 3.4 (c) (2).

This amendment shall be effective October 27, 1945.

Issued this 22d day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19505; Filed, Oct. 22, 1945; 11:41 a. m.]

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

[MPR 364,[1] Incl. Amdts. 1-34]

FROZEN FISH AND SEAFOOD

This compilation of Maximum Price Regulation 364 includes Amendment 34, effective October 27, 1945. The text added or amended by Amendment 34 is underscored. Changes in the table are indicated by a note.

In the judgment of the Price Administrator, it is necessary in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, that maximum prices be established for the sale by processors and wholesalers of frozen fish and seafood.

So far as practicable, the Price Administrator has consulted and advised with representative members of the industry which will be affected by the regulation. In the judgment of the Price Administrator, the prices established are generally fair and equitable and will effectuate the purposes of the act. The prices established are not below the average price of frozen fish and seafood in the year 1941.

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

[Preamble amended by Supplementary Order 63, 8 F.R. 12553, effective 9-11-43]

A statement of considerations involved in the issuance of the regulation has been issued herewith and filed with the Division of the Federal Register.[2]

[1] 9 F.R. 11065.

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

ARTICLE I—PURPOSE AND SCOPE OF REGULATION

Sec.
1 What this regulation does.
2 How processors' maximum prices are fixed.
3 How wholesalers' maximum prices are fixed.
4 Allowance for transportation.
5 Where the regulation applies.

ARTICLE II—RECORD KEEPING AND ENFORCEMENT

6 Records and reports.
7 Indirect price increases.
8 Licensing.
8a Enforcement.

ARTICLE III—MISCELLANEOUS PROVISIONS

9 Petition for amendment.
10 Adjustable pricing.
11 Definitions.

ARTICLE IV—BASE PRICES AND PACKAGE DIFFERENTIALS

12 Table of package differentials.
13 Table of base prices for frozen fish and seafood.

AUTHORITY: § 1364.1151 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

ARTICLE I—PURPOSE AND SCOPE OF REGULATION

SECTION 1. *What this regulation does*—(a) *Sales covered.* This regulation fixes the maximum prices at which processors and wholesalers may sell frozen fish and seafood. These maximum prices are fixed according to species, grade, style of processing and size, as listed in section 13. Maximum Price Regulation No. 579[3] fixes maximum prices at which processors and wholesalers may sell frozen fish or seafood of certain species not listed in section 13 of this regulation. The General Maximum Price Regulation[4] applies to sales of frozen fish and seafood of any species or style of processing not listed in section 13 nor in Article X of Maximum Price Regulation No. 579. The provisions of this regulation do not apply to any sales at retail. A sale at retail is a sale to an ultimate consumer other than an industrial or commercial user.

The maximum price at which a person may export frozen fish and seafood covered by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation,[5] and amendments.

[Paragraph (a) amended by Am. 31, 10 F.R. 9431, effective 8-15-45 (effective date amended by Am. 32, 10 F.R. 9879, effective 8-7-45)]

(b) *Brokers.* The maximum prices established by this regulation include all brokerages, commissions or other customary selling fees, transportation and other expenses incurred in making sales for which no additional charge may be made. In accordance with trade custom every broker or other agent is considered the agent of the seller and not of the buyer. The amount paid by the buyer to the seller plus any amount paid by the buyer to a broker or other agent shall not exceed the seller's maximum price plus any applicable allowance provided by this regulation for transportation actually paid by the broker or other agent.

[Paragraph (b) added and former (b) redesignated (c) by Am. 34, effective 10-27-45]

(c) *Prohibitions.* On and after April 13, 1943, the effective date of this regulation, no processor or wholesaler may sell or deliver, and no person in the course of trade or business may buy or receive from any processor or wholesaler, any frozen fish or seafood listed in section 13 at prices higher than those established by this regulation; and no person shall agree, offer, solicit or attempt to do any of the foregoing. However, prices lower than those established by this regulation may be charged and paid.

[Section 1 amended by Am. 20, 9 F.R. 11065, effective 9-11-44 and as otherwise noted]

SEC. 2. *How processors' maximum prices are fixed*—(a) *General rule.* The processor's maximum price for sales of frozen fish or seafood except as otherwise provided in paragraphs (b), (c) and (d) of this section is the applicable listed base price in section 13 with any appropriate adjustment for kind of package as provided in section 12 plus any transportation costs allowable under section 4. This is the maximum price f. o. b. shipping point nearest freezer or other warehouse.

[Paragraph (a) amended by Am. 31, 10 F.R. 9431, effective 8-15-45 (effective date amended by Am. 32, 10 F.R. 9879, effective 8-7-45)]

(b) *Branch warehouse sales.* Where the processor receives frozen fish or seafood in carload lots at a warehouse remote from the original freezer and sells and delivers such frozen fish or seafood in less-than-carload lots from the stock of such warehouse, his maximum price f. o. b. shipping point nearest warehouse for such sales to wholesalers, government agencies, retailer-owned cooperatives or chain store warehouses is the applicable listed base price in section 13, with any appropriate adjustment for kind of package as provided in section 12, plus any transportation cost allowable under section 4, plus a mark-up of 12 percent applied to the sum of the foregoing.

However, the price established by this paragraph (b) may be charged by such processor only if:

(1) The branch warehouse is remote from the processor's principal place of business (which is not a public freezer), at which he unloads and warehouses fish and keeps two or more fulltime employees for the purpose of handling or packing fish and seafood exclusively for him, and from the stock of which he distributes and sells fish and seafood to wholesalers, retailers and purveyors of meals;

(2) The processor maintains at the branch warehouse, or in its vicinity where such warehouse is a public freezer, a plant for the distribution of fish, at which plant he unloads and warehouses fish and keeps two or more fulltime employees for the purpose of handling or

[3] 10 F.R. 2300, 2684, 3555, 4035, 4306, 4348, 4536, 5905, 5658, 9432, 9880, 11579.

[4] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

[5] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9834, 11273, 12919, 14346; 10 F.R. 863, 923, 2432.

packing fish and seafood exclusively for him; and

(3) The processor sells out of the stock of such plant and warehouse to retailers (other than chain store warehouses) whose sales are covered by Revised Maximum Price Regulation No. 507,[6] and to purveyors of meals at least 20 percent of the fish or seafood he sells and distributes from such plant and warehouse.

[Paragraph (b) amended by Am. 33, 10 F.R. 10395, effective 8-27-45]

(c) *Cash and carry sales to retailers and purveyors of meals.* The processor's maximum price for sales of frozen fish and seafood ex freezer, platform or other warehouse to individual retailers or purveyors of meals is the applicable listed base price in section 13, with any appropriate adjustment for kind of package as provided in section 12, plus any transportation cost allowable under section 4 (a) (1), plus a mark-up of 15 percent applied to the sum of the foregoing, plus any transportation cost allowable under section 4 (a) (2).

(d) *Service and delivery sales to retailers and purveyors of meals.* The processor's maximum price for sales of frozen fish and seafood to individual retailers or purveyors of meals, where the processor delivers such fish or seafood in his own motor truck or wagon or in a motor truck or wagon used solely for his own deliveries from his established place of doing business to the individual retail store or to the place of doing business of the purveyor of meals, is the applicable listed base price in section 13, with any appropriate adjustment for kind of package as provided in section 12, plus any transportation cost allowable under section 4 (a) (1), plus a mark-up of 25 percent applied to the sum of the foregoing, plus any transportation cost allowable under section 4 (a) (2).

(e) [Revoked.]

[Paragraph (e) amended by Am. 23, 9 F.R. 12696, effective 10-25-44; revoked by Am. 31, 10 F.R. 9431, effective 8-15-45 (effective date of Am. 31 amended by Am. 32, 10 F.R. 9379, effective 8-7-45)]

(f) [Revoked.]

[Paragraph (f) added by Am. 25, 9 F.R. 14063, effective 11-25-44; revoked by Am. 31, 10 F.R. 9431, effective 8-15-45 (effective date of Am. 31 amended by Am. 32, 10 F.R. 9379, effective 8-7-45)]

(g) [Revoked.]

[Paragraph (g) added by Am. 26, 10 F.R. 2025, effective 2-18-45; revoked by Am. 30, 10 F.R. 5648, effective 5-16-45]

[Sec. 2 amended by Am. 1, 8 F.R. 5566 effective 4-26-43; Am. 16, 9 F.R. 4182, effective 4-22-44, except that with respect to sales made by sellers to buyers, both located west of the Mississippi River effective 5-11-44; Am. 18, 9 F.R. 5163, effective 5-20-44; Am. 19, 9 F.R. 7420, effective 7-1-44 and Am. 20, 9 F.R. 11065, effective 9-11-44]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894; 8 F.R. 1312, 3702, 9521) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Supplementary Order No. 108 (10 F.R. 2015) permits, under certain conditions, the addition of extra packing expenses to procurement agencies of the United States.]

SEC. 3. *How wholesalers' maximum prices are fixed*—(a) *General instructions.* Each wholesaler's maximum price for the kind of frozen fish or seafood listed in section 13 is found by multiplying his "net cost", as defined in the following paragraph (b), by the appropriate percentage mark-up figure, set out in the following paragraphs (c) and (d), adding the result to the net cost, and adding thereto the allowance in section 4 (b) (2) for transportation between warehouses of the same wholesaler, when such transportation is involved.

[Paragraph (a) amended by Am. 19, 9 F.R. 7420, effective 7-1-44 and Am. 20, 9 F.R. 11065, effective 9-11-44]

(b) *Net cost.* (1) Except as otherwise provided in subparagraph (2) of this paragraph the wholesaler's "net cost" is the amount he paid for the particular item of frozen fish or seafood delivered at his established place of doing business plus or minus any appropriate package differentials listed in section 12 less all discounts allowed him except the discount for prompt payment and excluding all charges for local trucking, hauling and handling.

When a wholesaler buys frozen fish or seafood in a style of processing for which a base price is listed in section 13 and further processes it in a style of processing for which a different price is listed he may add to his net cost the difference between the two base prices.

[Subparagraph (1) amended by Am. 31, 10 F.R. 9431, effective 8-15-45 (effective date amended by Am. 32, 10 F.R. 9379, effective 8-7-45)]

(2) The wholesaler's "net cost" must not exceed the sum of the following: (i) the applicable listed base price in section 13, plus or minus (ii) any appropriate package differentials listed in section 12 added or subtracted by previous handlers of the fish or seafood, plus (iii) allowable transportation costs added by previous handlers of the fish or seafood, plus (iv) the appropriate mark-up, if any, allowed his supplier, plus or minus (v) any package differentials listed in section 12 for repackaging, if any, by the wholesaler, plus (vi) allowable transportation costs for delivery of the frozen fish or seafood to the wholesaler's established place of doing business, from his supplier's place of business, exclusive of local trucking, hauling and handling charges.

[Subparagraph (2) amended by Am. 34, effective 10-27-45]

(3) [Revoked.]

[Subparagraph (3) amended by Am. 23, 9 F.R. 12696, effective 10-25-44; revoked by Am. 31]

(4) [Revoked.]

[Subparagraph (4) added by Am. 24, 9 F.R. 12590, effective 10-18-44; revoked by Am. 31]

[Paragraph (b) amended by Am. 9, 8 F.R. 16393, effective 12-17-43; Am. 16, 9 F.R. 4182, effective 4-22-44, except that with respect to sales made by sellers to buyers, both located west of the Mississippi River, effective 5-11-44; Am. 18, 9 F.R. 5163, effective 5-20-44; Am. 19, 9 F.R. 7420, effective 7-1-44; Am. 20, 9 F.R. 11065, effective 9-11-44; and as otherwise noted]

(c) *Wholesaler's mark-up for different classes of sales.* Mark-up is the percentage over net cost set forth hereinafter for the type of sale involved. To obtain the selling price, multiply the net cost by the percentage mark-up figure; the result added to the net cost is the selling price. The mark-up which applies in any particular sale depends on the class in which the buyer and seller fall and the kind of service performed in the particular sale. The classes, types of service, and mark-ups are set forth in the following paragraph (d).

No wholesaler who purchases frozen fish or seafood from another wholesaler or from a processor whose sales are governed by section 2 (b) may sell such frozen fish and seafood to other wholesalers at a price higher than his supplier's maximum price plus transportation cost allowable under section 4 (b).

In no event shall the price charged for a sale to an individual retailer or purveyor of meals include more than one mark-up of either 7 percent or 12 percent, as the case may be (regardless of whether the mark-up is taken pursuant to this section or section 2), and one retailer-owned cooperative or cash and carry or service and delivery wholesaler mark-up.

[Paragraph (c) amended by Am. 1, 8 F.R. 5566, effective 4-26-43; Am. 10, 9 F.R. 183, effective 1-8-44; Am. 19, 9 F.R. 7420, effective 7-1-44; and Am. 20, 9 F.R. 11065, effective 9-11-44]

(d) *Classes of sales at wholesale for the purpose of this regulation.* Depending upon the type sale to be made, a wholesaler will fall within one of the following classes. After the proper class is determined, the wholesaler will apply the mark-up provided for that class of sale:

(1) *Primary wholesalers.* Primary wholesalers with respect to any species of fish or seafood listed in the table of base prices of section 13 are wholesalers who buy frozen fish or seafood from processors in carload lots and distribute it for resale to other wholesalers, government agencies, retailer-owned cooperatives or chain store warehouses in less-than-carload lots, and who, during the greater part of the year preceding April 13, 1943, bought the greater portion of the frozen fish or seafood they sold in carload lots and distributed the greater portion of such fish or seafood in less-than-carload lots. In the sale of frozen fish or seafood which has been unloaded, stored and warehoused in the regular course of his business, the primary wholesaler's mark-up is 12 percent. In the case of sales of fish or seafood which has not been stored and warehoused,

[6] 9 F.R. 14601; 10 F.R. 2299, 3694, 3979, 7340, 10311, 11514.

the primary wholesaler's mark-up is 7 percent. In the case of sales involving delivery from the processor's cold storage warehouse to the primary wholesaler's customer, there is no mark-up. Sales to wholesalers, government agencies, retailer-owned cooperatives, or chain store warehouses by wholesalers other than those who qualify as primary wholesalers as defined in this section shall be at prices no higher than their supplier's ceiling prices plus transportation costs allowable under section 4 (b), except for such less-than-carload lot sales to government agencies to which subparagraphs (3) and (4) of section 3 (d) are applicable.

[Subparagraph (1) amended by Am. 9, 8 F.R. 16998, effective 12-17-43; Am. 10, 9 F.R. 183, effective 1-8-44; Am. 11, 9 F.R. 946, effective 1-24-44; Am. 16, 9 F.R. 4182, effective 4-22-44, except that with respect to sales made by sellers to buyers, both located west of the Mississippi River, effective 5-11-44; Am. 19, 9 F.R. 7420, effective 7-1-44; and Am. 20, 9 F.R. 11065, effective 9-11-44]

(2) *Retailer-owned cooperative wholesalers.* This class includes wholesalers which are either non-profit organizations or corporations of which 51% or more of the stock is owned by its retailer customers and which generally sell and deliver from a cold storage warehouse to affiliated retail stores. The mark-up for this class of wholesaler is 10% to affiliated retail stores.

(3) *Cash and carry sales.* Cash and carry sales are sales of frozen fish or seafood to individual retailers and purveyors of meals by wholesalers and whose sales are made ex freezer or platform. The mark-up for this class of sale is 15 percent.

[Subparagraph (3) amended by Am. 19, 9 F.R. 7420, effective 7-1-44; and Am. 20, 9 F.R. 11065, effective 9-11-44]

(4) *Service and delivery sales.* Service and delivery sales are sales of frozen fish or seafood by wholesalers to individual retailers or purveyors of meals where the wholesaler delivers such frozen fish or seafood in his own motor truck or wagon or in a motor truck or wagon used solely for his own deliveries from his established place of doing business to the individual retail store or to the place of doing business of the purveyor of meals. The mark-up for this class of sale is 25%.

[Subparagraph (4) amended by Am. 9, 8 F.R. 16998, effective 12-17-43; Am. 19, 9 F.R. 7420, effective 7-1-44; and Am. 20, 9 F.R. 11065, effective 9-11-44]

(5) *Broken lots.* An allowance of 10 percent may be added to the mark-up for the classes of sales specified in the regulation by a processor or wholesaler who sells frozen fish or seafood, other than fillets or steaks, in broken lots to retailers or purveyors of meals: *Provided,* That no such allowance may be added for fish or seafood sold or delivered from the place where it has been frozen. A sale of a broken lot of fish or seafood is a sale of a partial lot of fish or seafood which the processor or wholesaler has broken or separated from the original content of the immediate container in which the product had been packed by the processor and which partial lot the processor or wholesaler sells and delivers to a customer apart from the remainder of the original content of the immediate container.

[Subparagraph (5) amended by Am. 18, 9 F.R. 5163, effective 5-20-44]

(6) *Country trade shipments.* Processors or wholesalers who ship to retailers and purveyors of meals located in rural areas or outlying points may add to their permitted mark-ups the actual cost of any special shipping cases and the cost of any extra refrigerant used for the shipment. Such processors or wholesalers must denote separately on invoices to customers the actual cost of the cases and the refrigerant.

[Subparagraph (6) amended by Am. 19, 9 F.R. 7420, effective 7-1-44]

(e) (1) *Imported frozen fish and seafood.* The maximum price at which a wholesaler, including any agent of a foreign shipper, may sell any frozen fish or seafood listed in section 13 which he imports is the applicable listed base price in section 13, plus or minus the appropriate differential for packaging provided in section 12, plus transportation cost allowable under section 4 (c) plus the appropriate mark-up provided in paragraphs (c) and (d) of section 3 applied to the sum of the foregoing, plus any transportation cost allowable under section 4 (b) (2) for transportation between warehouses of the same wholesaler.

[Subparagraph (1), formerly paragraph (e), amended by Am. 1, 8 F.R. 5566, effective 4-26-43; Am. 9, 8 F.R. 16998, effective 12-17-43; Am. 10, 9 F.R. 183, effective 1-8-44; Am. 11, 9 F.R. 946, effective 1-24-44; Am. 13, 9 F.R. 3388, effective 4-3-44; Am. 16, 9 F.R. 4182, effective 4-22-44, except with respect to sales made by sellers to buyers, both located west of the Mississippi River effective 5-11-44; Am. 19, 9 F.R. 7420, effective 7-1-44; Am. 20, 9 F.R. 11065, effective 9-11-44; and redesignated by Am. 24, 9 F.R. 12590, effective 10-18-44]

(2) [Revoked.]

[Subparagraph (2) added by Am. 24; revoked by Am. 29, 10 F.R. 4348, effective 4-28-45]

(f) *Sales to governmental agencies.* The maximum prices for sales to war procurement agencies shall be determined by reference to the class of sale and kind of service performed.

[Paragraph (f) added by Am. 1, 8 F.R. 5566, effective 4-26-43; designated (f) (1) and heading amended by Am. 15, 9 F.R. 3424, effective 3-28-44; redesignated by Am. 30, and amended by Am. 31]

(2) [Revoked.]

[Subparagraph (2) added by Am. 15; revoked by Am. 30, 10 F.R. 5648, effective 5-16-45]

SEC. 4. *Allowance for transportation*—(a) *When a processor may add transportation costs*—(1) *Fresh fish transportation.* If a processor freezes a species of fish or seafood in any place other than a port where fish or seafood of that species is landed ex-vessel or shipped in by a producer, he may include as part of his maximum price the actual per pound transportation cost, not to exceed the carload rail freight rate per pound for fresh fish, if such rate is available, from the port of entry to the freezing point. Where a carload rail freight rate is not available such per pound transportation cost must not exceed the lowest available common carrier rate.

[Subparagraph (1) amended by Am. 20, 9 F.R. 11065, effective 9-11-44; and Am. 31, 10 F.R. 9431, effective 8-15-45 (effective date of Am. 31 amended by Am. 32, 10 F.R. 9879, effective 8-7-45)]

(2) *Frozen fish transportation.* If a processor ships frozen fish or seafood to a warehouse or other distribution point remote from the original freezer, such processor may include as part of his maximum selling price, for sales from such warehouse or other distribution point, the actual transportation cost. Such transportation cost shall not include charges for local trucking, hauling and handling, and shall not exceed the common carrier rate for the type of transportation used.

(b) *When a wholesaler may add transportation costs.* (1) Any wholesaler who buys frozen fish or seafood from a processor or other wholesaler may include as part of his net cost the actual transportation cost from his supplier's shipping point to his established place of business.

(2) Any wholesaler who ships frozen fish or seafood from one of his warehouses to a remote warehouse or other distribution point may add to his maximum price the actual transportation cost from the shipping point nearest the first warehouse to such remote warehouse or other distribution point.

(3) The actual transportation cost referred to in paragraph (b) (1) and (2) shall not include local trucking, hauling and handling charges and shall not exceed the common carrier rate for the type of shipment used.

(c) *Transportation allowance for imported frozen fish.* Any importer or agent of a foreign consignor of any frozen fish or seafood except frozen Atlantic Coast smelts and frozen Canadian lake fish covered in Schedules Nos. 36-43, inclusive, in the table of base prices in section 13 may add as a transportation allowance the lowest amount determined on the following three bases:

[Above paragraph amended by Am. 20, 9 F.R. 11065, effective 9-11-44 and Am. 34, effective 10-27-45]

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

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

(3) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the nearest domestic port from which a substantial volume of that species is shipped.

[Subparagraph (3) amended by Am. 31, 10 F.R. 9431, effective 8-15-45 (effective date amended by Am. 32, 10 F.R. 9879, effective 8-7-45)]

(4) In determining the transportation allowance, provided in subparagraphs (1), (2) and (3) of this paragraph (c), common carrier rates shall be used. The importer may add the allowance only when he records it on an invoice to the customer purchasing the fish or seafood, designating which of the three bases he is using.

Where frozen Atlantic Coast smelts are imported for resale in the United States the freight from the point of shipment to the wholesaler's warehouse, not to exceed the carload rail freight rate, may be added.

Where frozen Canadian lake fish covered in Schedules Nos. 36-43, inclusive, in the table of base prices in section 13 are imported for resale in the United States, there may be added the actual transportation cost (excluding local trucking, hauling and handling charges) from the point of shipment in Canada to the destination point in the United States, but in no event more than the carload rail freight rate for frozen fish from the City of Winnipeg in the Province of Manitoba, Canada, to the destination point in the United States.

[Above paragraph amended by Am. 20, 9 F.R. 11065, effective 9-11-44 and Am. 34, effective 10-27-45]

(d) [Revoked.]

[Subparagraph (d) added by Am. 23, 9 F.R. 12696, effective 10-25-44; revoked by Am. 31, 10 F.R. 9431, effective 8-15-45 (effective date of Am. 31 amended by Am. 32, 10 F.R. 9879, effective 8-7-45)]

[Section 4, formerly 3a, added by Am. 19, 9 F.R. 7420, effective 7-1-44 and redesignated by Am. 20, 9 F.R. 11065, effective 9-11-44]

SEC. 5. *Where the regulation applies.* The provisions of this regulation shall apply to the forty-eight states of the United States and the District of Columbia.

[Sec. 5, formerly 4, amended by Am. 1, 8 F.R. 5566, effective 4-26-43 and redesignated by Am. 20, 9 F.R. 11065, effective 9-11-44]

ARTICLE II—RECORD KEEPING AND ENFORCEMENT

SEC. 6. *Records and reports.* (a) Every processor making a sale and every person making a purchase of frozen fish or seafood in the course of trade or business or otherwise dealing therein, other than a purchaser at retail, after April 13, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity, species, size, grade, style of processing of pack of frozen fish or seafood, and the container type and size, and indicating that the fish or seafood is frozen.

[Paragraph (a) amended by Am. 12, 9 F.R. 2023, effective 2-26-44]

(b) Every person making a sale of any frozen fish or seafood subject to this regulation shall furnish to the purchaser at the time of delivery a written statement setting forth the date of the sale; the name and address of the buyer and seller; the species sold; a notation that the fish or seafood is frozen; the quantity, sizes, grades and styles of processing of frozen fish or seafood where price differences exist in the table of base prices in section 13 because of these factors, and the prices charged therefor, including a separate statement of the container differentials, if any, as provided in section 12, and allowable transportation cost, if any. If the statement furnished a purchaser at the time of delivery does not identify the size, grade and style of processing, where price differences exist in the table of base prices in section 13 because of these factors, the maximum price which may be charged for the frozen fish and seafood involved in the sale is the maximum price for the lowest priced size, grade and style of processing of the species of frozen fish and seafood sold. If the seller fails to note on the statement that the fish or seafood is frozen, and if a price is listed in Maximum Price Regulation No. 418 for the species in the particular style of processing or dressing sold, the maximum price which may be charged for the fish or seafood involved in the sale is the lower of the prices listed in Maximum Price Regulation No. 418 and this Maximum Price Regulation No. 364.

[Paragraph (b), formerly (e), added by Am. 8, 8 F.R. 15662, effective 11-20-43; amended by Am. 12, 9 F.R. 2023, effective 2-26-44; and Am. 16, 9 F.R. 4182, effective 4-22-44, except that with respect to sales made by sellers to buyers, both located west of the Mississippi River, effective 5-11-44 and Am. 20, 9 F.R. 11065, effective 9-11-44, redesignated by Am. 31, 10 F.R. 9431, effective 8-15-45 (effective date of Am. 31 amended by Am. 32, 10 F.R. 9879, effective 8-7-45). Former (b) revoked by Am. 23, 10 F.R. 4343, effective 4-28-45]

(c) *Authorization to regional offices to modify invoice provisions.* Any Regional Administrator of the Office of Price Administration may, by order, alter, modify or suspend any of the requirements in paragraph (b) of this section if in his judgment such action is necessary in order that fish may be marketed efficiently within his jurisdiction and is consistent with the effective enforcement of this Maximum Price Regulation No. 364. The Regional Administrator may alter, modify or suspend such requirements with reference to such types of sales and such localities within his jurisdiction as he may designate, but only in the case where the buyer and seller are both located within his jurisdiction. He may make such provisions for posting the items required in paragraph (b) as in his judgment are necessary to prevent the circumvention or evasion of this regulation. The Regional Administrator may issue such order on his own initiative or upon application for adjustment of the requirements in paragraph (b) by any person subject to them. Article III of Revised Procedural Regulation No. 1[7] shall apply to such applications for adjustment.

[Paragraph (c), formerly (f), added by Am. 19, 9 F.R. 7420, effective 7-1-44, redesignated by Am. 31, 10 F.R. 9431, effective 8-15-45 (effective date of Am. 31 amended by Am. 32, 10 F.R. 9879, effective 8-7-45) and amended by Am. 34, effective 10-27-45. Former (c) added by Am. 6, 8 F.R. 14079, effective 10-20-43; amended by Am. 20, 9 F.R. 11065, effective 9-11-44; revoked by Am. 23, 10 F.R. 4343, effective 4-28-45]

(d) [Revoked.]

[Paragraph (d) added by Am. 6, 8 F.R. 14079, effective 10-20-43; amended by Am. 20, 9 F.R. 11065, effective 9-11-44; revoked by Am. 23, 10 F.R. 4343, effective 4-28-45]

[Sec. 6, formerly 7, redesignated by Am. 20, 9 F.R. 11065, effective 9-11-44]

SEC. 7. *Indirect price increases.* No person shall evade any of the provisions of this regulation by any scheme or device and no person shall indirectly charge or receive for frozen fish or seafood a price higher than the maximum price permitted by this regulation. No person shall as a condition of selling any frozen fish or seafood require a purchaser to buy any other frozen fish or seafood or any other product.

[Sec. 7, formerly 8, redesignated by Am. 20, effective 9-11-44]

SEC. 8. *Licensing.* The provisions of Licensing Order No. 1,[8] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 8, formerly 9a, added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43 and redesignated by Am. 20, effective 9-11-44]

SEC. 8a. *Enforcement.* Any person violating any provision of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided by the Emergency Price Control Act of 1942, as amended.

[Sec. 8a added by Am. 34, effective 10-27-45]

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 9. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

[Sec. 9, formerly 10, redesignated by Am. 20, 9 F.R. 11065, effective 9-11-44]

[NOTE: Procedural Regulation No. 6 (9 F.R. 10623; 10 F.R. 1382, 8334) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175; 10 F.R. 8334) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9]

[NOTE: Supplementary Order No. 23 (7 F.R. 9619; 10 F.R. 8334) provides for the filing of applications for adjustment or petitions for

[7] 9 F.R. 10176, 13715.

[8] 8 F.R. 13240.

amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

SEC. 10. *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

[Sec. 10, formerly 11, redesignated by Am. 20, 9 F.R. 11065, effective 9-11-44]

SEC. 11. *Definitions.* (a) When used in this maximum price regulation the term:

"Artificially frozen" means fish which are frozen by any method other than by exposure to the elements.

"Butterfly fillet" means two single fillets which are held together as a single unit by leaving intact the belly wall of the fish.

"Carload lot" means a shipment of not less than 24,000 pounds of frozen fish or seafood.

"Cellophane wrapped" means fish the immediate wrapper of which is cellophane and each cellophane package of which weighs not more than 2½ pounds.

[Above definition amended by Am. 34, effective 10-27-45]

"Count", as applied to shrimp and prawn, means the number of processed shrimp or prawn to the pound.

"Cry-o-vac wrapped" means fish or fillets which have been packed in a bag of cry-o-vac composition or like material.

"Drawn fish" means a fish from which the viscera or entrails have been removed.

"Dressed" means fish from which the head and viscera have been removed or any portion of such fish not otherwise designated.

"Fillet" means the heavily meated section or strip of fish cut from along the backbone and outside the rib bones, extending from the nape and gills to the tail.

"Frozen fish" means fish that are naturally or artificially frozen.

"Frozen seafood" means shellfish and mollusks that are naturally or artificially frozen.

"Government agency" means the United States Government or any department, agency, commission, corporation or other such instrumentality of the United States Government.

"Grade" means any qualification of the name of the fish or seafood listed in the table of base prices in section 13.

"Gutted" means fish from which the viscera or entrails have been removed.

"Headless" or "headed" means shrimp, prawn or fish from which the head has been removed.

[Above definition amended by Am. 34, effective 10-27-45]

"Headless and veined" means shrimp and/or prawn from which the head and alimentary canal (sand vein) have been removed.

"Head-on" means shrimp and/or prawn as it comes from the water.

"Individually frozen" means fish which are singly frozen.

"Layer pack" means fish which have been placed in a container in layers that are divided by sheets of paper before they are frozen.

"Naturally frozen" means fish which are frozen by exposure to the elements for preservation.

"Pan frozen" means fish which are frozen in pans, trays, or similar receptacles in a solid cake or block.

"Parchment wrapped" means fish or fillets individually wrapped in parchment paper.

"Peeled" means shrimp and/or prawn from which the head and shell have been removed.

"Peeled and veined" means shrimp and prawn from which the head, shell, and alimentary canal (sand vein) have been removed.

"Price per pound" means the price for 16 net ounces of frozen fish.

"Processor" means the person who owns the fish or seafood at the time they are frozen, or the person who becomes the owner before they leave the original freezing point.

"A retailer" is a person other than a purveyor of meals or a chain store warehouse who buys frozen fish or seafood and resells more than 80 percent of such fish or seafood to ultimate consumers.

"Round" fish or seafood means fish or seafood as it comes from the water.

"Scaled" means fish from which the scales have been removed but the skin left intact.

"Skinned" means fish from which the skin is removed.

"Steak" or "Slice" means a cross section not exceeding in thickness its largest diameter or 4 inches whichever is smaller cut from the dressed fish after the tail, fins and collar bone (nape bone) have been removed.

"A wholesaler" is a person who buys frozen fish or seafood and resells 20 percent or more of such frozen fish or seafood to persons other than ultimate concumers.

[Sec. 11 formerly 12 amended by Am. 1, 8 F.R. 5566, effective 4-26-43; Am. 5, 8 F.R. 12792, effective 9-23-43; Am. 7, 8 F.R. 15191, effective 11-8-43; Am. 12, 9 F.R. 2023, effective 2-26-44; Am. 13, 9 F.R. 3388, effective 4-3-44; Am. 15, 9 F.R. 3424, effective 3-28-44; Am. 16, 9 F.R. 4182, effective 4-22-44, except that with respect to sales made by sellers to buyers, both located west of the Mississippi River, effective 5-11-44; Am. 19, 9 F.R. 7420, effective 7-1-44, redesignated by Am. 20, 9 F.R. 11065, effective 9-11-44; and amended by Am. 31, 10 F.R. 9431, effective 8-7-45 (effective date of Am. 31 amended by Am. 32, 10 F.R. 9879, effective 8-7-45)]

ARTICLE IV—BASE PRICES AND PACKAGE DIFFERENTIALS

SEC. 12. *Table of package differentials.* This section sets out the amount which may be added to, or which must be subtracted from, the base price listed in section 13 when the frozen fish or seafood is packed in containers of sizes and kinds herein listed or when the frozen fish or seafood is not packed in boxes or other containers.

[Introductory paragraph added by Am. 19, 9 F.R. 7420, effective 7-1-44 and amended by Am. 20, 9 F.R. 11065, effective 9-11-44]

Parchment wrapped in 15 lb. wood or paper box	Base price.
Parchment wrapped in 10 lb. wood or paper box	Add ¼¢ per lb.
Parchment wrapped in 5 lb. wood or paper box	Add ½¢ per lb.
Parchment wrapped in 1 lb. wood or paper box	Add 1½¢ per lb.
Cellophane wrapped in 15 lb. wood or paper box	Add ¼¢ per lb.
Cellophane wrapped in 10 lb. wood or paper box	Add ½¢ per lb.
Cellophane wrapped in 5 lb. wood or paper box	Add ¾¢ per lb.
Cellophane wrapped in 1 lb. wood or paper box	Add 1¾¢ per lb.
Layer pack in 15 lb. wood or paper box	Subtract ½¢ per lb.
Layer pack in 10 lb. wood or paper box	Subtract ¼¢ per lb.
Layer pack in 5 lb. wood or paper box	Base price.
Cry-o-vac: When Cry-o-vac bags or containers of similar materials are used in conjunction with any of the above methods of wrapping or packing add to the above differentials: ¼¢ per pound for a unit of 15 pounds net weight; ½¢ per pound for a unit of 10 pounds net weight; ¾¢ per pound for a unit of 5 pounds, net weight.	
Frozen fish and frozen sea foods not packed in boxes or other containers	Subtract 1¢ per lb.

[Above item corrected, 9 F.R. 11273]

[Sec. 12 formerly 13 redesignated by Am. 20, 9 F.R. 11065 effective 9-11-44]

SEC. 13. *Table of base prices for frozen fish and seafood.* This section lists the various species of frozen fish and seafood for which maximum prices are fixed by this regulation. The base price, in cents per pound, is listed for each species according to the style of processing and the size and in some instances, the grade. The listed base prices in this section are base prices per pound for frozen fish and seafood as packed in and including a container of a size and kind other than those containers of the sizes and kinds listed in section 12.

[Introductory paragraph added by Am. 19, 9 F.R. 7420, effective 7-1-44 and amended by Am. 20, 9 F.R. 11065, effective 9-11-44]

FROZEN FISH AND SEAFOOD

Sched. No.	Name	Item No.	Style of processing	Size	Base price per pound
	Bass, black sea. See Sched. 14.				
	Bass, striped. See Sched. 20.				
1	Bluefish (Pomatomus saltratrix)	1	Gutted	4 pounds and over	$0.25
		2	Gutted	2 to 4 pounds	.20
		3	Gutted	1 to 2 pounds	.12
		4	Gutted	Under 1 pound	.10
2	Bonito, Atlantic (Sarda sarda)	1	Round	2 pounds and over	.10
		2	Round	Under 2 pounds	.08
3	Butterfish (Poronotus triacanthus)	1	Round	1 pound and over	.18
		2	Round	½ to 1 pound	.15
		3	Round	⅛ to ½ pound	.10
		4	Round	Under ⅛ pound	.08
4	Catfish, Sea—Bagre marina	1	Round	All sizes	.07
		2	Dressed and skinned.	All sizes	.20
5	Croaker (Micropogon undulatus)	1	Round	1½ pounds and over	.09
		2	Round	¾ to 1½ pounds	.08
		3	Round	Under ¾ pound	.07
		4	Gutted	1 pound and over	.10
		5	Gutted	Under 1 pound	.08
6	Drum, Red, S. Atlantic and Gulf (Sciaenops ocellatus).	1	Dressed	All sizes	.15
		2	Fillets	All sizes	.25
7	Grouper (Mycteroperca species, Ephinephelus species).	1	Gutted	All sizes	.15
		2	Dressed	All sizes	.20
		3	Steaks	All sizes	.40
		4	Fillets and tenderloins.		.50
8	Mackerel, Spanish (Scomberomorus maculatus).	1	Gutted	1¼ pounds and over	.20
		2	Gutted	Under 1¼ pounds	.16
9	Mackerel, King (Scomberomorus cavalla) (Scomberomorus regalia).	1	Gutted	All sizes	.18
10	Mullet (Mugil species)	1	Round	1 pound and over	.10
		2	Round	Under 1 pound	.09
		3	Dressed	All sizes	.16
		4	Fillets	All sizes	.24
	Permit. See Pompano.				
11	Pompano, Atlantic Coast (Trachinotus species).	1	Round	2½ pounds and over	.30
		2	Round	1 to 2½ pounds	.25
		3	Round	Under 1 pound	.20
12	Porgy (Stenotomus species)	1	Round	1 pound and over	.08
		2	Round	Under 1 pound	.07
	Redfish—S. Atlantic and Gulf. See Drum, Red.				
13	Red Snapper (Lutianus blackfordii)	1	Dressed	All sizes	.23
		2	Gutted	All sizes	.20
		3	Steaks	All sizes	.45
		4	Fillets and tenderloins.	All sizes	.60
	Scup. See Porgy.				
14	Sea Bass, Black—Atlantic Coast (Centropristes striatus).	1	Round	1 pound and over	.10
		2	Round	Under 1 pound	.10
15	Shad (Hickory shad) (Alosa mediocrissima)	1	Round	All sizes	.10
16	Shad (Black shad) (Alosa mediocrissima)	1	Round	All sizes	.08
17	Shad (Out shad) (Alosa mediocrissima)	1	Gutted	1½ pounds up	.07
18	Shad, Roe	1	12 to 14 oz. per pair.	Jumbo	.75
		2	10 to 12 oz. per pair.	Large	.60
		3	8 to 10 oz. per pair.	Medium	.45
		4	Under 8 oz. per pair.	Small	.35
19	Spot (Leiostomus xanthurus)	1	Round	½ pound and over	.12
		2	Round	¼ to ½ pound	.08
		3	Round	Under ¼ pound	.05
20	Striped Bass (Rock) (Roccus saxatilis)	1	Round	8 pounds and over	.16
		2	Round	4 to 8 pounds	.18
		3	Round	2 to 4 pounds	.20
		4	Round	Under 2 pounds	.14
21	Trout, Sea, Gray (Weakfish), Cynoscion regalis).	1	Round	3 pounds and over	.10
		2	Round	1 to 3 pounds	.09
		3	Round	Under 1 pound	.08
		4	Gutted	3 pounds and over	.12
		5	Gutted	1½ to 3 pounds	.11
		6	Gutted	Under 1½ pounds	.09

FROZEN FISH AND SEAFOOD—Continued

Sched. No.	Name	Item No.	Style of processing	Size	Base price per pound
22	Trout, Sea, Speckled (Spotted Weakfish) (Cynoscion nebulosus).	1	Round	All sizes	$0.15
		2	Gutted	All sizes	.18
23	Crabmeat—Atlantic and Gulf Coast	1	Lump meat	1 pound net	.70
		2	Flake meat	1 pound net	.60
		3	Claw meat	1 pound net	.40
		4	Mixed; lump and flake.	1 pound net	.65
24	Crabmeat—Pacific Coast	1	Regular (mixed) meat.	5 pounds net	.75
		2	Regular (mixed) meat.	1 pound net	.80
25	Lobstermeat—N. Atlantic (Homarus americanus).	1	Regular	1 pound	.85
26	Oysters—Atlantic and Gulf Coasts (Ostrea virginica).	1	Chesapeake	Standards	.41
		2	Chesapeake	Selects	.44
		3	Northern	Mediums	.43
		4	Northern	Selects	.47
27	Shrimp and prawn [1]	1	Head-on	Under 9 Count	.20
		2	Head-on	9 to 12 Count	.18
		3	Head-on	12 to 15 Count	.16
		4	Head-on	15 to 18 Count	.14
		5	Head-on	18 to 25 Count	.12½
		6	Head-on	25 to 39 Count	.11
		7	Head-on	40 and over Count	.09½
		8	Headless	Under 15 Count	.36
		9	Headless	15 to 20 Count	.31½
		10	Headless	21 to 25 Count	.28
		11	Headless	26 to 30 Count	.24½
		12	Headless	31 to 42 Count	.22
		13	Headless	43 to 65 Count	.20
		14	Headless	66 and over Count	.17½
		15	Peeled	Under 18 Count	.41½
		16	Peeled	18 to 25 Count	.39½
		17	Peeled	26 to 31 Count	.35
		18	Peeled	32 to 37 Count	.31
		19	Peeled	38 to 51 Count	.28
		20	Peeled	52 to 80 Count	.25
		21	Peeled	81 and over Count	.22
		22	Peeled and veined.	Under 26 Count	.51½
		23	Peeled and veined.	26 to 27 Count	.45
		24	Peeled and veined.	28 to 33 Count	.40½
		25	Peeled and veined.	34 to 40 Count	.36
		26	Peeled and veined.	41 to 56 Count	.33
		27	Peeled and veined.	57 to 80 Count	.29½
		28	Peeled and veined.	57 and over Count	.29½
		29	Headless and veined.	Under 16 Count	.39½
		30	Headless and veined.	16 to 21 Count	.35
		31	Headless and veined.	22 to 27 Count	.31
		32	Headless and veined.	28 to 32 Count	.27½
		33	Headless and veined.	33 to 45 Count	.25
		34	Headless and veined.	46 to 69 Count	.22½
		35	Headless and veined.	70 and over Count	.20
28	Spiny (Rock) Lobster tails—S. Africa (Jasus lalandii).	1	10-20-30 lb.	¾ pound and over	.42
		2	10-20-30 lb.	½ to ¾ pound	.40
		3	10-20-30 lb.	Under ½ pound	.38
29	Spiny (Rock) Lobster tails—Caribbean, Gulf and Pacific (Panulirus argus).	1	10-20-30 lb.	¾ pound and over	.40
		2	10-20-30 lb.	½ to ¾ pound	.38
		3	10-20-30 lb.	Under ½ pound	.36
30	Spiny (Rock) Lobstermeat—S. Africa, Caribbean, Gulf and Pacific.	1	1 lb. net	Regular	.65
31	Squid, bone—Atlantic Coast (Loligo pealei).	1	Round	All sizes	.14

See footnotes at end of table.

FROZEN FISH AND SEAFOOD—Continued

Sched. No.	Name	Item No.	Style of processing	Size	Base price per pound
32	Squid, bone—Pacific Coast (Loligo opalescens).	1	Round	All sizes	$0.10
33	Smelts, Atlantic Coast (Osmerus mordax)				
	(a) Jumbo	1	Round	8½ in. and over	.25
	(b) Extra	2	Round	7 to 8½ in	.21½
	(c) No. 1	3	Round	5½ to 7 in	.14¼
	(d) No. 2 (Medium)	4	Round	4 to 5½ in	.08
	(e) No. 1	5	Dressed	5½ to 7 in	.23½
34	Lake herring (Leucichthys artedi)[2]	1	Round	All sizes	.07½
		2	Gutted	All sizes	.09½
		3	Headed and gutted.	All sizes	.11
		4	Headed, gutted and scaled.	All sizes	.12
		5	Fillets	All sizes	.17½
		6	Boned	All sizes	.17½
35	Lake herring—caught in Saginaw Bay (Leucichthys artedi).	1	Round	All sizes	.09½
		2	Gutted	All sizes	.12
		3	Headed and gutted.	All sizes	.11
		4	Headed, gutted and scaled.	All sizes	.12
		5	Fillets	All sizes	.17½
		6	Boned	All sizes	.17½
36	Whitefish—Canadian (Coregonus clupeiformis.[3]	1	Round or gutted.	Under 4 pounds	.15
		2	Round or gutted.	4# and over	.19
		3	Fillets	All sizes	.33
37	Tullibee—Canadian (Argyrosomus tullibee) or (Leucichthys tullibee).[3]	1	Round	All sizes	.06
		2	Gutted	All sizes	.07¼
38	Lake Trout—Canadian (Cristivomer mamaycush).[3]	1	Round or gutted.	All sizes	.16
		2	Fillets	All sizes	.35
39	Yellow Pike—Canadian (Yellow or Walleyed Pike) (Stizostedion vitreum vitreum).[3]	1	Round or gutted.	All sizes	.11
		2	Headless and gutted.	All sizes	.13½
		3	Fillets	All sizes	.27½
40	Sucker—Canadian (Fresh water Mullet) (Catostomidae species).[3]	1	Round	All sizes	.03
		2	Fillets	All sizes	.14
41	Pickerel—Canadian (Jacks, Great Northern Pike or Grass Pike) (Esox lucius).[3]	1	Round	All sizes	.05½
		2	Headless and gutted.	All sizes	.07½
		3	Fillets	All sizes	.16¼
42	Sauger—Canadian (Sand Pike) (Stizostedion canadense).[3]	1	Round	All sizes	.08½
		2	Headless and gutted.	All sizes	.10½
		3	Fillets	All sizes	.23
43	Yellow Perch—Canadian (Perca flavescens).[3]	1	Round	All sizes	.09½

[1] The base prices listed for this seafood apply only when packed in containers of more than one pound to and including 10 pounds. When packed in containers of one pound or less, 1¼ cents per pound may be added to the listed prices.

[2] The maximum prices listed for this species of fish apply only to fish caught in Lake Superior, Lake Michigan, Lake Huron, and waters tributary thereto, except Saginaw Bay.

[Footnote 2, formerly 5, added by Am. 8, 8 F.R. 15662, effective 11-20-43 and redesignated by Am. 34, effective 10-27-45]

[3] These prices apply to this species caught or landed in Canada except that they do not apply to fish caught in Lake of the Woods and any other body of water east of that lake which is partly in Canada and partly in the State of Minnesota or which constitutes the boundary line between Canada and the State of Minnesota; Lake Superior, Lake Huron, Lake St. Clair, Lake Erie, Lake Ontario and any of the waters connecting these five lakes; and the St. Lawrence River where it constitutes the boundary line between New York State and Canada.

To these prices may be added duty. Any person who processes this species may add to his selling price an amount which will recover the full amount of duty which he paid for the particular lot of fish involved in the processing.

For sales in the months of April through November, ¼ cent per month may be added to the base prices as follows:

Addition to the base prices in Schedules 36-43 inclusive

Month:	*Cents*
April	¼
May	½
June	¾
July	1
August	1¼
September	1½
October	1¾
November	2

[Footnote 3, formerly 6, added by Am. 13, 9 F.R. 3388, effective 4-3-44; amended by Am. 19, 9 F.R. 7420, effective 7-1-44; Am. 20, 9 F.R. 11065, effective 9-11-44; Am. 22, 9 F.R. 12130, effective 10-3-44 redesignated by Am. 34, effective 10-27-45]

[Table amended by Am. 1, 8 F.R. 5566, effective 4-26-43; Am. 2, 8 F.R. 7592, effective 6-4-43; Am. 3, 8 F.R. 11175, 12446, effective 8-12-43; Am. 4, 8 F.R. 12023, effective 9-4-43; Am. 5, 8 F.R. 12792, effective 9-23-43; Am. 6, 8 F.R. 14079, effective 10-20-43; Am. 7, 8 F.R. 15191, effective 11-8-43; Am. 8, 8 F.R. 15662, effective 11-20-43; Am. 9, 8 F.R. 16998, effective 12-17-43; Am. 11, 9 F.R. 946, effective 1-24-44; Am. 13, 9 F.R. 3388, effective 4-3-44; Am. 14, 9 F.R. 3459, effective 4-7-44; Am. 15, 9 F.R. 3424, effective 3-28-44; Am. 16, 9 F.R. 4182, effective 4-22-44; with respect to sales made by sellers to buyers, both located west of the Mississippi River effective 5-11-44; Am. 18, 9 F.R. 5163, effective 5-20-44; Am. 19, 9, F.R. 7420, effective 7-1-44; Am. 20, 9 F.R. 11065, effective 9-11-44; corrected 9 F.R. 11273, 12413; Am. 21, 9 F.R. 12129, effective 10-3-44; Am. 22, 9 F.R. 12130, effective 10-3-44; Am. 23, 9 F.R. 12696, 10-25-44; Am. 27, 10 F.R. 2299, effective April 1, 1945, except as to sales of the species of frozen fish or seafood listed herein which, prior to April 1, 1945 have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the purchaser. Maximum Price Regulation No. 364 remains in full force and effect with respect to such sales of frozen fish or seafood; Am. 28, 10 F.R. 2684, effective 3-8-45; Am. 29, 10 F.R. 4348, effective 4-28-45; Am. 30, 10 F.R. 5648, effective 5-16-45; and Am. 31, 10 F.R. 9431, effective 8-15-45 (effective date of Am. 31 amended by Am. 32, 10 F.R. 9879, effective 8-7-45) Schedules are renumbered in sequence by Am. 34, effective 10-27-45.]

[Sec. 13, formerly 14, redesignated by Am. 20, 9 F.R. 11065, effective 9-11-44]

Effective date. This regulation shall become effective in the United States on April 13, 1943. [MPR 364 originally issued April 7, 1943]

[Effective date amended by Am. 1, 8 F.R. 5566, effective 4-26-43]

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

NOTE: The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 22d day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19506; Filed, Oct. 22, 1945; 11:41 a. m.]

PART 1347—PAPER, PAPER PRODUCTS AND RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 451,[1] Amdt. 2]

BOOK PAPER

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

Revised Maximum Price Regulation 451 is amended in the following respects:

1. In the table of prices in Appendix A (a), the price for the Champion Paper and Fibre Company's "All Purpose Litho" is amended to read "$9.80".

2. In the table of prices in Appendix A (a) after W. C. Hamilton & Sons, another company, the Hammermill Paper Company, is added with its brand name and price as follows:

The Hammermill Paper Company Hammermill Offset—$8.45.

3. In the table of prices in Appendix A (a), a new brand name and price is added to the brand names and prices of the International Paper Company, before their "Lexington Offset", as follows:

Hudson Label CIS—$9.80.

This amendment shall become effective as of July 19, 1945.

Issued this 22d day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19507; Filed, Oct. 22, 1945; 11:41 a. m.]

[1] 10 F.R. 8860, 10122.

PART 1305—ADMINISTRATION

[SO 108,[1] Amdt. 7]

MANUFACTURERS' MAXIMUM AVERAGE PRICES FOR CERTAIN ITEMS OF APPAREL AND APPAREL ACCESSORIES

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

Supplementary Order 108 is amended in the following respects:

1. Section 4 (a) (2) is amended to substitute the date "October 30, 1945" for the date "October 20, 1945" wherever the latter date appears.

2. Section 12 (b) (1) is amended to add an undesignated paragraph at the end thereof to read as follows:

However, the quarterly report for the 3rd quarter of 1945 may be filed on or before October 30, 1945, instead of 20 days after the end of that quarter.

This amendment shall become effective October 19, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19453; Filed, Oct. 19, 1945; 4:39 p. m.]

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

[MPR 336,[1] Amdt. 27]

RETAIL CEILING PRICES FOR PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

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

Maximum Price Regulation No. 336 is amended in the following respects:

1. Subparagraph (6) of section 5 (b) is amended by changing the expiration date contained in the proviso at the end of the first unnumbered paragraph thereof from "October 15, 1945" to "January 15, 1946."

2. Subparagraph (3) of section 5 (d) is amended by changing the expiration date contained in the proviso at the end of the first unnumbered paragraph thereof from "October 15, 1945" to "January 15, 1946."

This amendment shall become effective as of October 15, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19451; Filed, Oct. 19, 1945; 4:39 p. m.]

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

[MPR 355,[1] Amdt. 30]

RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

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

Maximum Price Regulation No. 355 is amended in the following respects:

1. Subparagraph (6) of section 5 (b) is amended by changing the expiration date contained in the proviso at the end of the first unnumbered paragraph thereof from "October 15, 1945" to "January 15, 1946."

2. Subparagraph (3) of section 5 (d) is amended by changing the expiration date contained in the proviso at the end of the first unnumbered paragraph thereof from "October 15, 1945" to "January 15, 1946."

This amendment shall become effective as of October 15, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19452; Filed, Oct. 19, 1945; 4:40 p. m.]

PART 1365—NAVAL STORES

[RMPR 561, Amdt. 2]

GUM NAVAL STORES

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

Revised Maximum Price Regulation No. 561 is amended in the following respect:

Section 12 (b) (1) is amended to read as follows:

(1) *Direct sales by gum rosin dealers*—(i) *In general.* Except as otherwise provided by subdivisions (ii) and (iii) hereof, the maximum prices per 100 pounds net, f. o. b. cars, at shipping point, for direct sales of gum rosin in drums or barrels by gum rosin dealers shall be the prices specified in paragraph (a) above for sales f. o. b. cars plus 22 cents per 100 pounds net.

(ii) *Direct sales of carload lots to Hird and Conner, Inc. for resale in carload lots.* The maximum price for a direct sale of gum rosin in carload lots by a dealer to Hird and Conner, Inc. shall be the highest price per 100 pounds net, f. o. b. cars at shipping point (not in excess of the legal maximum) paid such dealer by Hird and Conner, Inc. for a similar quantity of gum rosin during the 60 day period ending October 19, 1945 and subject to the same discounts and allowances applicable during the aforementioned period. In the case of sales by a dealer who in that period supplied no gum rosin to Hird and Conner, Inc., the maximum price shall be the net average price paid by Hird and Conner, Inc. to other dealers during that period.

(iii) *Direct sales of carload lots by Hird and Conner, Inc.* The maximum price per 100 pounds net, f. o. b. cars at shipping point, for a direct sale of gum rosin (in carload lots) by Hird and Conner, Inc. to an industrial user shall be the price specified in paragraph (a) above for a sale f. o. b. cars plus 32½ cents per 100 pounds: *Provided, however,* That the price specified in this subdivision (iii) shall not apply, but instead a price determined in accordance with subdivision (i) above shall apply, on quantities of gum rosin sold in any month in excess of the average monthly quantity sold by Hird and Conner, Inc. in the period July 1, 1944 to June 30, 1945.

This amendment shall become effective October 19, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19443; Filed, Oct. 19, 1945; 4:38 p. m.]

PART 1371—IMPORT PRICES

[Max. Import Price Reg.,[1] Amdt. 9]

MAHOGANY LUMBER

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

Subdivision (1) in paragraph (a), section 2 of the Maximum Import Price Regulation is amended to read as follows:

(1) "Imported industrial materials" (excepting mahogany lumber, mahogany flitches, mahogany veneer and mahogany plywood; and excepting all other species of lumber, veneer, plywood, and wood shingles produced in and imported from Canada or Mexico.)

This amendment shall become effective October 27, 1945.

Issued this 22d day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19559; Filed, Oct. 22, 1945; 11:42 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[2] Amdt. 150]

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 Appendix H, Table 4 (Maximum Prices for Snap Beans (Green or Wax)), footnote 5 is amended to read as follows:

[5] During the period beginning October 20 and ending November 20, 1945, for snap beans for sale f. o. b. shipping points in Florida and for snap beans for sale in markets east of and including Chicago, in item 1, Columns 5 and 6, "3.25" is changed to "3.50," in item 6, Columns 5 and 6, "2.70" is changed to "2.95," in item 7, Column 5, "11.6" is changed to "12.5," and in item 12, Column 5, "9.6" is changed to "10.5."

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[1] 10 F.R. 4336, 5995, 6402, 8368, 10200, 12080.

[1] 9 F.R. 2359, 7604, 8302, 10325, 12270; 10 F.R. 822, 4265.

[2] 10 F.R. 7403, 7500, 7539, 7578, 7633, 7633, 7733, 8021, 8069, 8239, 8239, 8467, 8611, 8657, 8305, 8336, 8023, 9118, 9119, 9277, 9447, 9523, 9923, 10025, 10229, 10311, 10303, 11072, 12213, 12034, 12103, 12447, 12532, 12367, 12702.

This amendment shall become effective at 12:01 a. m. October 20, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

Approved: October 19, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-19450; Filed, Oct. 19, 1945; 4:39 p. m.]

PART 1305—ADMINISTRATION

[SO 118, Corr. to Amdt. 2[1]]

SMALL VOLUME MANUFACTURERS RECONVERSION PRICING

Item 2 of Amendment No. 2 to Supplementary Order 118 is hereby corrected by changing the product "Pulp, Paper and Paper Processing Machinery" appearing under the sub-heading "Machinery Branch" in the product list, to read "Pulp, Paper and Paper Products Machinery."

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19430; Filed, Oct. 19, 1945; 1:56 p. m.]

PART 1305—ADMINISTRATION

[SO 119, Corr. to Amdt. 2[2]]

INDIVIDUAL ADJUSTMENTS FOR RECONVERTING MANUFACTURERS

Item 2 of Amendment No. 2 to Supplementary Order 119 is hereby corrected by changing the product "Pulp, Paper, and Paper Processing Machinery" appearing under the sub-heading "Machinery Branch" in the product list, to read "Pulp, Paper and Paper Products Machinery".

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19431; Filed, Oct. 19, 1945; 1:56 p. m.]

Chapter XVIII—Office of Stabilization Administrator, Office of War Mobilization and Reconversion

[Directive 84]

PART 4003—SUPPORT PRICES: SUBSIDIES

1945 STEFFENS MOLASSES PROGRAM

The Secretary of Agriculture having submitted certain information and recommendations to me on October 9, 1945, with reference to a program for the payment of subsidies to induce the production of additional quantities of sugar from 1945-crop straight house beet molasses, I hereby find that the policy established by Executive Orders 9250, 9328, and 9599 will be effectuated by the payment of a subsidy to absorb the costs of transportation of straight-house molasses to Steffens houses in excess of $1.00 per ton.

Accordingly, pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Orders 9250, 9328, 9599 and 9620, I hereby authorize and direct the Secretary of Agriculture to absorb, by the use of Commodity Credit Corporation funds, the costs of transportation of 1945-crop beet molasses to Steffens houses for processing into sugar, to the extent that such transportation costs exceed $1.00 per ton.

(E.O. 9250; E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267; E.O. 9599, 10 F.R. 10155; and E.O. 9620, 10 F.R. 12033)

Issued and effective this 19th day of October 1945.

J. C. COLLET,
Stabilization Administrator.

[F. R. Doc. 45-19475; Filed, Oct. 22, 1945; 10:16 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 11—FOREIGN QUARANTINE

APPLICATION TO CIVIL AIR NAVIGATION OF LAWS AND REGULATIONS RELATING TO PUBLIC HEALTH

CROSS REFERENCE: For an amendment to subparagraph (7) of § 11.508 (b) see Part 116 of Chapter I of Title 8, *supra.*

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS

By virtue of the authority vested in me by R. S. 4405, 4492, as amended, act of April 25, 1940 (54 Stat. 166), act of October 9, 1940 (54 Stat. 1028) (46 U. S. C. 375, 490, 526p, 463a), and Executive Order No. 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following amendments to the regulations are prescribed:

Subchapter C—Motorboats, and Certain Vessels Propelled by Machinery Other Than by Steam More Than 65 Feet in Length

PART 24—GENERAL PROVISIONS

Part 24 is amended by adding a new § 24.2a to follow § 24.2 reading as follows:

§ 24.2a *Application of regulations relating to life preservers and fire extinguishers to barges carrying passengers towed by motorboats or motor vessels.* The regulations requiring life preservers and fire extinguishers on motorboats and motor vessels shall apply to any uncertificated barge carrying passengers which is regularly operated with a motorboat or motor vessel. Where length or gross tonnage is significant in determining the application of the requirements it shall be measured by the length or gross tonnage of the barge. The placing of life preservers or fire extinguishers on the barge shall not exempt the towing or pushing motorboat or motor vessel from the regulations applicable to it.

Subchapter H—Great Lakes: General Rules and Regulations

PART 82—BARGES

Part 82 is amended by adding a new § 82.5 to follow § 82.4 reading as follows:

§ 82.5 *Fire extinguishers on barges carrying passengers.* Every barge carrying passengers while in tow of a steamer shall be equipped with portable fire extinguishers in the same manner as required for passenger steam vessels of the same type and length.

Subchapter I—Bays, Sounds, and Lakes Other Than The Great Lakes: General Rules and Regulations

PART 100—BARGES

Part 100 is amended by adding a new § 100.5 to follow § 100.4 reading as follows:

§ 100.5 *Fire extinguishers on barges carrying passengers.* (See § 82.5 of this chapter, which is identical with this section.)

Subchapter J—Rivers: General Rules and Regulations

PART 119—BARGES

Part 119 is amended by adding a new § 119.5 to follow § 119.4 reading as follows:

§ 119.5 *Fire extinguishers on barges carrying passengers.* (See § 82.5 of this chapter, which is identical with this section.)

Dated: October 18, 1945.

L. T. CHALKER,
Rear Admiral, USCG,
Acting Commandant.

[F. R. Doc. 45-19421; Filed, Oct. 19, 1945; 12:12 p. m.]

Notices

DEPARTMENT OF COMMERCE.

Office of the Secretary.

[Order No. 390]

DIRECTOR OF REQUIREMENTS AND SUPPLY BRANCH, OFFICE OF INTERNATIONAL TRADE OPERATIONS

DELEGATION OF AUTHORITY

SECTION 1. *Purpose.* The purpose of this order is to delegate the authority vested in me as Secretary of Commerce by Executive Order No. 9630 dated September 27, 1945, to the Director of the Requirements and Supply Branch, Office of International Trade Operations.

SEC. 2. *Delegation of authority.* By virtue of the authority vested in me as Secretary of Commerce by Executive Order No. 9630 dated September 27, 1945, authority is hereby delegated to the Director of the Requirements and Supply Branch, Office of International Trade Operations:

1. To exercise and perform all powers and functions contained in section 6 of the act of July 2, 1940 (54 Stat. 714) as

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[1] 10 F.R. 10080.
[2] 10 F.R. 10081.

amended and extended, and to issue such rules and regulations as may be necessary or proper to carry out the provisions of said act;

2. To exercise and perform such powers and functions as are contained in the act of October 10, 1940 (54 Stat. 1030) as amended and extended, and the Act of October 16, 1941 (55 Stat. 742) as amended and extended, heretofore conferred upon the Administrator of the Foreign Economic Administration by Executive Order No. 8942 dated November 19, 1941 as amended, and thereafter conferred upon me by Executive Order No. 9630 dated September 27, 1945, except the power to sign and issue subpoenas.

Effective date. This order is effective October 21, 1945.

[SEAL] H. A. WALLACE,
Secretary of Commerce.

[F. R. Doc. 45-19543; Filed, Oct. 22, 1945; 12:06 p. m.]

DEPARTMENT OF LABOR

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, and effective and expiration dates of the certificates are as follows:

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Bundle O' Joy Baby Wear Company, 49 South Pennsylvania Avenue, Wilkes-Barre, Pennsylvania; Underwear, nightwear and negligees, Infants' Flannelette, crepe gowns, kimonos; ten learners (T); effective October 20, 1945, expiring October 19, 1946.

Fox Knapp Manufacturing Company, Maple Avenue, Milton, Pennsylvania; Dress shirts, collars, sleeping wear, flannel, cotton and service shirts; ten percent (T); effective October 27, 1945, expiring October 26, 1946.

Hartwell Garment Company, Hartwell, Georgia; Pants, overalls, coveralls; and work shirts; ten percent (T); effective October 27, 1945, expiring October 26, 1946.

Penn Sportswear Corporation, 1010 Chestnut Street, Allentown, Pennsylvania; Dresses; five learners (T); effective October 23, 1945, expiring October 22, 1946.

Rice-Stix Factory #5, St. James, Missouri; Dresses; ten percent (T); effective October 23, 1945, expiring October 22, 1946.

Rice-Stix Factory #15, Lebanon, Missouri; Pants, overalls, coveralls, work shirts, single pants; ten percent (T); effective October 23, 1945, expiring October 22, 1946.

Hosiery Learner Regulations, September 4, 1940, (5 F.R. 3530), as amended by Administrative Order March 13, 1943, (8 F.R. 3079).

Newman Hosiery Mills, Inc., Newman, Georgia; Seamless hosiery; ten percent (AT); effective October 25, 1945, expiring April 21, 1946.

Runnymede Mills, Inc., Tarboro, North Carolina; Seamless hosiery; twenty-five learners (E); effective October 15, 1945, expiring April 14, 1946.

Textile Learner Regulations, May 10, 1941, (6 F.R. 2446) as amended by Administrative Order March 13, 1943, (8 F.R. 3079).

Stehli & Company, Inc., Harrisonburg, Virginia; Rayon, silk, acetate, and nylon; three percent (T); effective October 14, 1945, expiring October 13, 1946.

The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of the applicable determinations, orders and/or regulations cited above. These certificates have been issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Signed at New York, New York, this 17th day of October 1945.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 45-19482; Filed, Oct. 22, 1945; 11:16 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 1697 et al.]

INTER-AMERICAS AIRLINES, ET AL.; NATIONAL-CARIBBEAN CONTROL CASE

NOTICE OF ORAL ARGUMENT

In the matter of an investigation instituted by the Board after receiving a complaint filed by Inter-Americas Airlines, Inc., against National Airlines, Inc., and Caribbean Atlantic Airlines, Inc.; the application of National Airlines, Inc., for approval, under section 408 of the Civil Aeronautics Act of 1938, as amended, of the acquisition of control of Caribbean-Atlantic Airlines, Inc., and of a letter of agreement between National Airlines, Inc., and Caribbean-Atlantic Airlines, Inc., identified as contract C. A. B. No. 383; and for approval of the aforesaid letter of agreement between National Airlines, Inc., and Caribbean-Atlantic Airlines, Inc. (Contract C. A. B. 383), pursuant to section 412 (a) of the act.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 408, 412 and 1002 of said act, that oral argument in the above-entitled proceeding is assigned to be held on December 3, 1945, at 10 a. m. (eastern standard time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., October 18, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMES,
Secretary.

[F. R. Doc. 45-19478; Filed, Oct. 22, 1945; 10:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6783]

THAMES BROADCASTING CORP. (WNLC)

NOTICE OF HEARING

In re application of Thames Broadcasting Corporation (WNLC), date filed, June 16, 1945, for construction permit to install a synchronous amplifier at Norwich, Conn.; Class of service: Broadcast; Class of station: Broadcast; Location: New London, Conn.; Operating assignment specified: frequency, 1490 kc; power, 250 w; hours of operation: unlimited time. File No. B1-P-3874.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing upon the following issues:

1. To determine whether the operation of so called booster stations outside of the normal service area of a standard broadcast station will result in a fair, efficient and equitable distribution of radio broadcasting facilities as contemplated by section 307 (b) of the Commission's Act of 1934 as amended.

2. To determine whether the proposed booster will be in compliance with the Commission's Standards of Good Engineering Practice, particularly with respect to the height of the antenna, the adequacy and durability of the ground system, and the number of people within the blanket area.

3. To determine whether suitable wire line facilities for transmitting modulated radio frequency energy between New London and Norwich are available.

4. To determine the physical and electrical characteristics of the line to be used for the transmission of modulated radio frequency energy, particularly with respect to prevailing noise level and loss characteristics under adverse weather conditions.

5. To determine the area and population that will gain service by operation of the proposed booster station and what other broadcast service is available to this area and population.

6. To determine the extent of interference that will exist between the booster station and the main station of WNLC, and the area and population affected thereby.

7. To determine the character of the program service proposed to be rendered to the Norwich area.

The application involved herein will not be granted by the Commission unless

the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1,142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: The Thames Broadcasting Corporation, Radio Station WNLC, 281 State Street, New London, Connecticut.

Dated at Washington, D. C. October 11, 1945.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 45-19477; Filed, Oct. 22, 1945; 10:39 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-646]

CANADIAN RIVER GAS CO.

NOTICE OF APPLICATION

OCTOBER 19, 1945.

Notice is hereby given that Canadian River Gas Company (Applicant), a Delaware corporation, filed its application, on June 23, 1945, and amendment thereto on October 4, 1945, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, for authority to construct and operate the facilities hereinafter described.

Applicant, in its original application of June 23, 1945, requested authority to construct and operate the following facilities:

(1) Two 600 horsepower gas engine driven compressor units, extension to an existing cooling tower, gas and water piping together with other miscellaneous equipment; a 42' x 82' building extension to an existing compressor building and a 15' x 30' building extension to an existing auxiliary building.

(2) One 210 horsepower gas engine driven electric generator unit complete with electric switch board panel and appurtenant equipment.

The above facilities are to be installed at Applicant's Bivins Compressor Station.

Applicant in its amended application of October 4, 1945, requests authority to construct and operate the following facilities in addition to those included in its original application:

(1) One 600 horsepower gas engine driven compressor unit at Bivins Compressor Station.

(2) Two 600 horsepower gas engine driven compressor units, piping, cooling equipment together with other miscellaneous equipment and a 50 foot extension to an existing compressor station building at Dalhart Compressor Station.

Where required, foundations will be erected for building extensions and items of equipment.

The total overall estimated cost of the project is $440,571.

It is further asserted by the Applicant that no new business will result from the installation of the proposed facilities and that the sole purpose of the proposed project is to make certain that gas deliveries to Colorado Interstate Gas Company may be maintained on peak days.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 6th day of November, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 45-19474; Filed, Oct. 22, 1945; 9:54 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4878]

CHAIN INSTITUTE, INC., ET AL.

NOTICE OF HEARING

In the matter of Chain Institute, Inc., an incorporated trade association, its directors, officers and members; American Chain & Cable Company, Inc.; The Bridgeport Chain & Manufacturing Company; The McKay Company; Pyrene Manufacturing Company; Hodell Chain Company; St. Pierre Chain Corporation; S. G. Taylor Chain Company; Cleveland Chain & Manufacturing Company; Columbus McKinnon Chain Corporation; International Chain & Manufacturing Company; Nixdorff-Krein Manufacturing Company; Peerless Chain Company; Round California Chain Company; J. M. Russell Manufacturing Company; Seattle Chain & Mfg. Company; Turner & Seymour Manufacturing Company; Western Chain Products Company; Woodhouse Chain Works; and Dennes A. Merriman; Walter S. McCann; Wm. D. Kirkpatrick; Frank A. Bond; George J. Campbell, Jr.; Alfred Peter Shirley, Floyd Bronson Olcott, and Forrest C. Nichols, copartners, trading as Shirley, Olcott & Nichols.

Amended complaint. This complaint is filed to obtain relief from respondents' activities because of their violations, jointly and severally, as hereinafter alleged in Count I herein, of section 5 of an Act of Congress entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," commonly referred to as the Federal Trade Commission Act, as approved September 26, 1914, and amended March 21, 1938 (38 Stat. 717; 15 U.S.C.A. sec. 41; 52 Stat. 111), and because of their violations, as alleged in Count II herein, of section 2 (e) of an Act of Congress entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," commonly referred to as the "Clayton Act," as approved October 15, 1914, and amended June 19, 1936 (38 Stat. 730; 15 U.S.C.A. sec. 12, 49 Stat. 1526; 15 U.S.C.A. sec. 13, as amended).

COUNT I

The Charge under the Federal Trade Commission Act

PARAGRAPH ONE: Pursuant to the provisions of the Federal Trade Commission Act, and by virtue of the authority vested in it by said act, the Federal Trade Commission, having reason to believe that the parties named in the caption hereof, and more particularly described and referred to hereinafter as respondents, have violated the provisions of section 5 of said act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its amended complaint, stating its charges in that respect as follows:

Nature of Charges

PAR. TWO: The charges as hereinafter set forth are to the effect that the respondents have combined and conspired to restrain trade and commerce in the sale of chain and chain parts among the several States of the United States, that they have been and are making effective such combination and conspiracy through cooperative and collective action between and among themselves and with others, and that each respondent engaged in the manufacture and sale of chain uses methods and practices to make the combination and conspiracy more effective.

Description of Respondents

PAR. THREE: (1) Respondent Chain Institute, Inc., a trade association (sometimes hereinafter referred to as Institute), is a corporation organized and existing under the laws of the State of Delaware, with its principal office at 208 S. LaSalle Street, Chicago, Illinois.

(2) Respondent American Chain & Cable Company, Inc. (sometimes hereinafter referred to as American) is a corporation organized and existing under the laws of the State of New York, with its principal office at Bridgeport, Connecticut. Its general office is at 230 Park Avenue, New York, N. Y., and with a plant and office located at East Princess and Charles Streets, York, Pennsylvania.

(3) The respondent Bridgeport Chain & Manufacturing Company (sometimes hereinafter referred to as Bridgeport) is a Connecticut corporation with its principal office at 964 Crescent Avenue, Bridgeport, Connecticut.

(4) Respondent The McKay Company (sometimes hereinafter referred to as McKay) is a corporation organized and existing under the laws of the State of Pennsylvania, with its principal offices located at McKay Building, Pittsburgh, Pennsylvania.

(5) Respondent Pyrene Manufacturing Company (sometimes hereinafter referred to as Pyrene) is a corporation organized and existing under the laws of the State of Delaware, with its principal office located at 360 Blmnt. Avenue, Newark, New Jersey.

(6) Respondent Hodell Chain Company (sometimes hereinafter referred to

as Hodell) is a corporation organized and existing under the laws of the State of Ohio, with principal office located at 3924 Cooper, Cleveland, Ohio. Said respondent was organized in 1893 and until recently traded under the name and title Chain Products Company.

(7) Respondent St. Pierre Chain Corporation (sometimes hereinafter referred to as St. Pierre) is a corporation organized and existing under the laws of the State of Massachusetts, with its principal office located in Worcester, Massachusetts.

(8) Respondent S. G. Taylor Chain Company (sometimes hereinafter referred to as Taylor) is a corporation organized and existing under the laws of the State of Illinois, with principal office located at 3 141st Street, Hammond, Indiana.

(9) Respondent Cleveland Chain & Manufacturing Company (sometimes hereinafter referred to as Cleveland) is a corporation organized and existing under the laws of the State of Ohio with principal office located at Broadway and Henry Streets, Garfield Heights, Cleveland, Ohio.

(10) The respondent Columbus McKinnon Chain Corporation (sometimes hereinafter referred to as Columbus) is a corporation organized and existing under the laws of the State of New York, with principal office located at Tonawanda, New York.

(11) Respondent International Chain & Manufacturing Company (sometimes hereinafter referred to as International) is a corporation organized and existing under the laws of the State of Pennsylvania, with principal office located at Norway and Elm, York, Pennsylvania.

(12) Respondent Nixdorff-Krein Manufacturing Company (sometimes hereinafter referred to as Nixdorff) is a corporation organized and existing under the laws of the State of Delaware, with principal office located at 900 Howard Street, St. Louis, Missouri.

(13) Respondent Peerless Chain Company (sometimes hereinafter referred to as Peerless) is a corporation organized and existing under the laws of the State of Minnesota, with its principal office located at Winona, Minnesota.

(14) Repondent Round California Chain Company (sometimes hereinafter referred to as Round) is a corporation organized and existing under the laws of the State of California, with its principal office located on Bay Shore Highway, South San Francisco, California.

(15) Respondent J. M. Russell Manufacturing Company (sometimes hereinafter referred to as Russell) is a corporation organized and existing under the laws of the State of Connecticut with its principal office located at Naugatuck, Connecticut.

(16) Respondent Seattle Chain & Mfg. Company (sometimes hereinafter referred to as Seattle) is a corporation organized and existing under the laws of the State of Washington, with principal office at 6921 East Marginal Way, Seattle, Washington.

(17) Respondent Turner & Seymour Manufacturing Company (sometimes hereinafter referred to as Turner) is a corporation organized and existing under the laws of the State of Connecticut with principal office at Torrington, Connecticut.

(18) Respondent Western Chain Products Company (sometimes hereinafter referred to as Western) is a corporation organized and existing under the laws of the State of Illinois, with its principal office located at 1807 West Belmont Avenue, Chicago, Illinois.

(19) Respondent Woodhouse Chain Works (sometimes hereinafter referred to as Woodhouse) is a corporation organized and existing under the laws of the State of New Jersey, with principal office at 251 Third Street, Trenton, New Jersey.

(20) Respondent Dennis A. Merriman, an individual (sometimes hereinafter referred to as Merriman), is Managing Director of Respondent Institute with office located at 208 South LaSalle Street, Chicago, Illinois.

(21) Respondent Walter S. McCann, an individual (sometimes hereinafter referred to as McCann), is Secretary and Treasurer of Respondent Institute with office located at 208 South LaSalle Street, Chicago, Illinois.

(22) Respondent Wm. D. Kirkpatrick, an individual (sometimes hereinafter referred to as Kirkpatrick), is Vice President of respondent American and President of Respondent Institute, with office located at the office of respondent American, York, Pennsylvania.

(23) Respondent Frank A. Bond, an individual (sometimes hereinafter referred to as Bond), is Executive Vice President and Secretary of respondent McKay and an official of Respondent Institute in dealing with freight rate matters, with office located at McKay Building, Pittsburgh, Pennsylvania.

(24) Respondent George J. Campbell, Jr., an individual (sometimes hereinafter referred to as Campbell) is President of respondent International and Vice President of Respondent Institute with offices located at the principal place of business of respondent International in York, Pennsylvania.

(25) Respondent Alfred Peter Shirley (sometimes hereinafter referred to as Shirley) is an individual, a resident of Mt. Vernon, Virginia, who is engaged as a Government contract broker and is a partner in the firm of Shirley, Olcott & Nichols, which maintains its offices in the Mills Building, Washington, D. C.

(26) Respondent Floyd B. Olcott (sometimes hereinafter referred to as Olcott) is an individual who resides at 7828 Orchid Street, N. W., Washington, D. C., who is engaged as a Government contract broker and is a partner in the firm of Shirley, Olcott & Nichols, which maintains its offices in the Mills Building, Washington, D. C.

(27) Respondent Forrest C. Nichols (sometimes hereinafter referred to as Nichols) is an individual who resides at 4702 Quebec Place, Washington, D. C., who is engaged as a Government contract broker and is a partner in the firm of Shirley, Olcott & Nichols, which maintains its offices in the Mills Building, Washington, D. C.

Each of the respondents described in this paragraph, subparagraphs (2) to (19), inclusive, sometimes hereinafter referred to as respondent members, is a member of Respondent Institute, named and described in subparagraph (1) of this paragraph, and has for a number of years, through such membership and otherwise, directly participated in the cooperative and collective action of all of those named herein as respondents in the formation, putting into operation and making effective the methods, systems, practices and policies which are alleged herein to be unlawful.

Each of the individual respondents who are described in this paragraph, subparagraphs (20) to (27), inclusive, has, for a number of years, participated in the cooperative and collective action of all of those named herein as respondents in the formation, putting into operation and making effective the methods, systems, practices and policies which are alleged herein to be unlawful.

Description of the Industry and Business of Respondents

PAR. FOUR: The products with which this proceeding is concerned are various types of steel, alloy-steel and other metallic chain and chain parts. The principal types of chain involved here are welded chain, weldless chain and tire chain.

Welded chain is so designated because each link is closed and sealed through welding. It includes chain of various size and weights for many uses such as anchor chains, log chains, tie chains (for securing dairy cows at stanchions), tie-out chains (for use in securing cows and other animals for grazing, etc.) and trace chains (for harnessing teams and for other agricultural uses).

Since the development of the art of electric welding, the Welded Chain Industry has used it for mass production of welded chain. It is this type or class of chain upon which chain manufacturers depend for their principal tonnage and business. In the trade, welded chain is also referred to as commercial chain and pound chain. It is priced by the manufacturers on a per pound basis.

Weldless chain is made by bending chain wire into the form of links without the use of the welding process. Such chain is for the most part light in weight and in general is used only where the stronger welded chain is not required.

Tire chains are made by the welding process but are so linked as to form two line chains connected by cross chains spaced at equal distances so that they may be attached around the wheels of motorized equipment, including automobiles, trucks and farm tractors.

Welded and weldless chain as such are not patented articles but the manufacture and sale of tire chains was carried on under a patent monopoly of Respondent American until the patents expired in 1921. Since that date practically all of the chain manufacturers have produced and sold tire chains as unpatented goods. However, Respondent American, beginning in 1918, acquired patents on improvements in making tire chains. Respondent McKay subsequent to 1925, also acquired patents on improvements in the making of tire chains. The most important of the patents thus acquired

by Respondents American and McKay in the manufacture of tire chains relate to the reinforcement of the tread links in the cross chains by adding to each such link additional metal at the wearing or contact point or surface in the form of a diagonally extending reinforcing anti-skid bar or other device. The relevancy and materiality to this proceeding of respondents' practices in their use of patent monopolies over such improvements in tire chains are hereinafter set forth at length in Paragraphs Six and Seven of Count I hereof.

Respondent members in the course and conduct of their business manufacture, sell and distribute practically all the Welded chain, weldless chain and tire chains produced in the United States. The said respondent members sell such products at various points throughout the United States to wholesalers, dealers and consumers including the United States Government, and when sales are made respondent members have regularly shipped and do ship said products to the purchasers at points in the several States of the United States and the District of Columbia other than in the States of origin of the shipments. The term "commerce" as hereinafter used means "commerce" as defined in the Federal Trade Commission Act.

Prior to the adoption of the practices hereinafter described, said respondent members were inactive and substantial competition with each other and with other members of the chain industry in making and seeking to make sales of their products in trade and commerce between and among the several States of the United States and in the District of Columbia; and except for the use of the acts, methods, practices and policies hereinafter described such active and substantial competition would have continued and said respondent members would now be in active and substantial competition with each other and with other members of the industry.

Offenses Charged

PAR. FIVE: For more than eight years last past respondents have maintained and now have in effect an unlawful combination (more fully hereinafter described in detail in the specifications of the purposes, acts and results accomplished pursuant thereto) between and among themselves and others not named herein as respondents to hinder, frustrate, suppress and eliminate competition in the manufacture, sale and distribution of chain and chain products, including welded chain, weldless chain and tire chains, in the course of the aforesaid commerce among and between the various States of the United States and in the District of Columbia.

The general purpose and result of the said combination are accomplished through cooperative and collective action in which respondents have engaged, continued and are now carrying out, in promoting a common course of action, mutual agreement, understanding and conspiracy to employ, and the actual employment of the acts, methods, systems, practices and policies described and set forth in Paragraphs Six, Seven, Eight, Nine, Ten and Eleven hereof and which are aided, abetted, encouraged and made more effective by participation of the respective respondents therein through their separate employment of the acts, methods, systems, practices and policies set forth in Paragraphs Eight, Nine, Ten and Eleven hereof.

Pursuant to, in furtherance of, and as a part of the aforesaid combination, respondents have done and performed the following acts and things, and used the following methods, systems and practices:

(1) Respondent members, acting among themselves and through and by means of Respondent Institute, its directors, officers and agents, including Respondents Merriman, McCann, Kirkpatrick, and Campbell, Jr., and on certain occasions through and by means of Respondents Shirley, Olcott and Nichols, and by other means and methods have entered into, engaged in and carried out, and are still engaged in and carrying out, understandings and agreements for the purpose and with the effect of substantially hindering, frustrating, suppressing and eliminating actual and potential competition as to price and otherwise in the sale and distribution of welded chain, weldless chain and tire chain in trade and commerce between and among the various States of the United States and in the District of Columbia.

(2) Respondent members organized, have operated, and do now operate Respondent Institute as an incorporated trade association to promote and serve the mutual interests of the Respondent Members, and now use it as an instrument or vehicle for their joint and cooperative purpose and action in hindering, frustrating, suppressing and eliminating competition in price and otherwise in the sale and distribution of chain and chain products in commerce among and between the various States and in the District of Columbia.

(3) Respondent members employed Respondent Merriman on or about August 1, 1938, to serve them as a common agent to make more effective their suppression of price competition, and he has since that date served them as a common agent in the suppression of price competition and "stabilization of prices in the industry."

When respondent members were considering their employment of Respondent Merriman during July 1938, one of their representatives, an official of Respondent International, who was charged with the task of interviewing said Merriman wrote one of his confederates:

"This is unusually confidential, and I wish you would keep it to yourselves, that we are figuring around on a new man to run the industry, something like a Judge Landis, or a moving picture boss, or something like that, that can hold the 'brothers' more in line than they have been in the past; * * * so that I think that things are moving in the right direction for the stabilization of prices in the industry * * *."

(4) Respondent members agreed to fix and maintain, and have fixed, maintained and made effective identical delivered price quotations, terms and conditions of sale for chain and chain products in the United States to dealers and distributors thereof and to other purchasers thereof, including the Procurement Division of the U. S. Treasury Department and other governmental agencies.

(5) Respondent members have adopted and continued in effect by agreement, understanding, and concerted action among themselves, price fixing formulae whereby identical delivered price quotations and identical delivered costs for the sale of chain and chain products are fixed and maintained.

(6) Respondent members agreed to adopt and have adopted and maintained systems of delivered price quotations and delivered costs designed to prevent and which do prevent reflection in such quotations and costs any of the differences in cost of raw materials, other items, or freight delivery from their respective places of manufacture to the places of business of the intending purchasers of chain and chain products. Said systems also prevent the creation of any advantage to many of said purchasers in delivered cost which would otherwise result because of proximity of such purchasers to the places of production and on the contrary result in discrimination against nearby customers.

(7) Respondent members cooperatively make and announce price quotations in such a way that the delivered cost of their respective products to a purchaser is matched and made identically the same by all members regardless of which one of them may supply any purchaser or user and regardless from which of their producing plants the goods are purchased and shipped. Such results are obtained by said respondent members through the separate employment and use by each of pricing methods which for convenience here are referred to as basing point system or practice, freight equalization system or practice and zone system or practice, and more fully and particularly described in Paragraphs Eight, Nine, Ten and Eleven hereof. Through the use of such systems and practices respondent members have prevented the principles and forces of competition from making and determining their respective price quotations.

(8) Respondent members have cooperatively promoted adherence and do now cooperatively promote adherence to delivered prices announced under their so-called basing point system in their sale of welded chain, as aforesaid, and make such prices effective. They further obviate and preclude the exercise of independent and competitive will, judgment and action with regard to prices and price policies under said system by:

(a) Providing themselves with a schedule or compilation of common pricing factors which respondents designate as "freight rate" factors and which they cause to be jointly prepared for them directly and through Respondent Institute by one Charles Donley, Pittsburgh, Pennsylvania, and others. Such schedule or compilation is for use by each of said respondent members in calculating and determining the freight factor in the delivered price quotations on welded chain as made by each to its respective customers. The compilation of "freight

rate" factors thus cooperatively and collectively compiled and disseminated between and among respondent members is not intended to serve any need for freight rates for shipping purposes but is designed for their use in pricing as aforesaid and is so used. These freight factors are not the actual or official freight rates in many if not most instances but are used in each instance, regardless of routes and rates, between the points indicated in the compilation. They do not comprise an accurate or approximate showing of the actual freight rates applicable from the various points from which respondent members actually ship chain and chain products;

(b) Filing and exchanging the intimate details of each other's business directly or indirectly with one another through the offices of Respondent Institute and otherwise. Information thus filed and exchanged between and among said respondents has included such intimate details of each other's business as the names of certain of their respective customers, the prices paid to each member by such customers, and the volume of business placed in particular instances with each respondent member by such customers;

(9) Respondent members, by agreement, have adopted and used a price leadership plan whereby Respondent American leads in the announcement and publication of price increases and decreases and as a part of the price leadership "plan," as agreed upon, such announcements and publications of Respondent American are adopted and followed by the other Respondent members.

(10) Respondent members have communicated between and among themselves and filed and exchanged with each other through correspondence, telegraph, telephone and otherwise, information concerning prices which have been quoted and charged by particular respondent members and information concerning future prices and price quotations to be charged by respondent members for chain and chain products.

(11) Respondent members agreed to hold and have held meetings from time to time under the auspices and supervision of Respondent Institute, its officers, employees and agents, including Respondent Merriman, during the course of which and at other times Respondent Institute and its officers and other agents cooperated with and assisted said respondent members in furthering and carrying out the unlawful acts, practices and methods herein set forth.

(12) Respondent Merriman and other officials and agents of Respondent Institute have, from time to time during the course of meeting of members of Respondent Institute and at other times, communicated and discussed past, current and future prices and price quotations with various respondent members and advised, instructed and pressed them with regard to what price quotations should be made on chain and chain products.

(13) Respondent members, with the assistance of Respondent Merriman, agreed to adopt and have adopted and maintained a uniform method of determining the basic and additional discounts and the amount thereof to be granted by the respective respondent members to their respective purchasers of chain and chain products manufactured and sold as aforesaid by said members.

(14) Respondent members have agreed to increase and decrease and have simultaneously increased and at other times decreased the basic discounts and the amounts thereof at which said members sell chain and chain products.

(15) Respondent members agreed to enter into and have entered into written "jobbers sales agreements" and "dealers agreements" pursuant to and under which the jobbers and dealers of the respective respondent members were required to maintain in their resale of chain and chain products the resale prices prescribed by said members.

(16) Respondent members, acting directly between and among themselves and through and by means of Respondent Institute, its directors, officers and agents, including Respondents Merriman, McCann, Kirkpatrick and Campbell, Jr., and on some occasions through and by means of Respondents Shirley, Olcott and Nichols, have agreed to adopt and have adopted and maintained a classification of purchasers of chain and chain products, including tire chains, for the purpose of aiding respondent members and which has aided respondent members in established arbitrary "channels of distribution" through particular types of middlemen and the establishment of arbitrary and particular levels of discounts of each class of customer, so classified in respondents' "channels of distribution."

(17) Respondent members, with the cooperation and assistance of Respondents Merriman, Shirley, Olcott and Nichols, fraudulently secured from officials of the Procurement Division of the United States Treasury Department approval of certain specifications of tire chains for the purpose and with the effect of aiding respondents in eliminating certain competitors and their price competition in the submission of bids on tire chains to the Federal Government.

(18) Respondent members, prior to, during 1943 and thereafter, acted to obstruct production and sales of chain by persons and firms not under control of respondents, and thereby interfered with production of chain contracted for use in the war effort.

PAR. SIX: Respondent American, originally known as Weed Chain Tire Grip Company, was the original manufacturer of tire chains in this country and until about 1921 it enjoyed a patent monopoly in the manufacture and sale of tire chains by virtue of its ownership or control of the following patents: Parsons No. 723,299, March 24, 1903, and Weed No. 768,495, August 23, 1904. Despite the fact that Respondent American was engaged in active litigation from 1904 to 1913 relative to the aforesaid controlling patents on tire chains, it was the dominating factor in the tire chain business. However, in 1921, when the aforesaid patents expired, other chain companies entered upon the manufacture and sale of tire chains but Respondent American remained a dominate factor in the manufacture and sale of tire chains and continued to be recognized and accepted by its competitors, through mutual understanding, as the price leader in the industry.

Toward the end of the 1920's Respondent American acquired ownership or control over patented inventions covering improvements in tire chains. The improvements are generally described as bar reinforcements and anti-skid devices. Some such improvements are covered by letters patent Beckwith No. 1,536,556, May 5, 1925; Reyburn No. 1,696,255, December 25, 1928; and Conner No. 2,180,-101, November 14, 1939. Other patents controlled by Respondent American cover several forms of reinforced anti-skid links for tire chains. There are no patents applicable to tire chains as such.

The aforesaid anti-skid reinforced links are made a part of the tread members in the cross chains of tire chains with the reinforcements usually in the form of a diagonally extending bar or other such device on the contract points of the tread member links which are the points subjected to the greatest wear. Although other tire chain manufacturers were engaged in the manufacture and sale of tire chains not embodying the aforesaid patented inventions held by Respondent American, the latter brought at least one such competitor into litigation under allegations that it was infringing its patents. The company which was thus involved in such litigation with Respondent American was Respondent McKay which had been marketing a type of reinforced chain having the trade name "Multi-Grip."

Pursuant to, in furtherance of, and to make more effective the unlawful combination described in Paragraph Five hereof, Respondent American and Respondent McKay settled the aforesaid suit by agreement in September 1935.

Pursuant to, in furtherance of, and to make more effective the unlawful combination described in Paragraph Five hereof, Respondent American and Respondent McKay also entered into written agreements on September 26, 1935, pursuant to the terms of which Respondent American adopted the subterfuge of a so-called "license" to Respondent McKay to make and sell unpatented tire chains embodying the anti-skid reinforcement features of the aforesaid Beckwith, Reyburn, Conner and other patents held by Respondent American. These agreements also provided for Respondent McKay's purchase of cross chains containing the tread links embodying anti-skid reinforcement features controlled under the aforesaid patents owned by Respondent American. The agreements also stipulated that Respondent McKay in its sale of unpatented tire chains containing the patented cross chains or tread member links embodying the anti-skid reinforcement features under the aforesaid patents, should not sell such tire chains at any price except that specified by Respondent American. The agreements also provided for payment of a royalty by the so-called "licensee" to be used and expended for the benefit not only of the so-called "licensor" but also

of the "licensee" through advertisement and promotion of the sale of the tire chains which contained the patented anti-skid bar reinforcing devices in tread links. The agreements had a provision by which Respondent McKay could at its election terminate the same by written notice and in the instance of Respondent McKay such election was exercised on February 6, 1939. However, Respondent McKay has not discontinued its cooperative action with Respondent American and the other respondent members in their joint, concerted and effective action to maintain fixed prices at which unpatented tire chains are offered for sale and sold by the said respondent members throughout the United States.

On October 7, 1935, Respondents American, Pyrene and Hodell (then trading under the name and style of Chain Products Company) executed written agreements similar in form and substance to the aforesaid agreements which were executed by Respondent American and Respondent McKay on September 26, 1935. Subsequently thereto, namely on May 19, 1939, Respondent St. Pierre and on July 12, 1939, Respondent S. G. Taylor, executed with Respondent American written agreements similar to the one executed by Respondents American and McKay on September 26, 1935. The aforesaid written agreements which were executed by Respondents American, Hodell, Pyrene, St. Pierre and S. G. Taylor have not been terminated.

Pursuant to the terms and provisions of the aforesaid written agreements the respondent members who purport to be "licensees" thereunder have adhered to and made effective the price schedules on unpatented tire chains as announced and published by Respondent American.

Both prior to the execution of the aforesaid written agreements and subsequent thereto, representatives of the purported "licensor" Respondent American and "licensee" Respondents McKay, Hodell, St. Pierre, Pyrene and S. G. Taylor and representatives of other Respondent Members, during the course of meetings and at other times have communicated with each other and conferred concerning the prices which were to be announced as well as those which had been announced by Respondent American, the purported "licensor," under the aforesaid written agreements. During the course of such meetings, communications and conferences, such representatives arrived at understandings and agreements between and among themselves concerning the prices that should be and were announced by Respondent American pursuant to the terms and provisions of the aforesaid written agreements, all for the purpose and with the effect of eliminating price competition between and among respondent members in their sale of unpatented tire chains.

Despite the provision in the aforesaid written agreements whereby Respondent American purported to "license" the aforesaid Respondent members to make and sell the aforesaid anti-skid bar reinforced tire chains the said respondent members as "licensees" simply took advantage of certain provisions contained in the said written agreements whereby they purchased all parts of tire chains which contained the aforesaid patented anti-skid bar reinforced features from Respondent American at factory cost plus 10%. They then used such parts in the manufacture of unpatented tire chains which they then offered for sale and sold at the specified prices which had been agreed upon in the aforesaid written agreements and otherwise by representatives of the Respondent Members, including the aforesaid "licensor" and "licensees."

Respondent members did not intend at any time that the aforesaid written "license" agreements should operate as genuine license agreements pursuant to which the "licensees" would make and sell the aforesaid anti-skid bar reinforced tread member links. On the contrary they sought to use and did use such purported written "license" agreements as a subterfuge and device to conceal from and deceive the public and government officials into believing that the said written agreements were licenses to make and sell products of a patented invention whereas in fact respondent members never intended that the "licensees" should make, nor they made, the patented articles as provided for in the said written agreements. They have been used only as the fulcrum for unlawful price fixing agreements pursuant to the terms and provisions of which the "licensees" were more firmly bound to maintain prices on unpatented tire chains as fixed by the combination of Respondents set forth in Paragraph Five hereof. Said written agreements have also served respondent members as a device and scheme whereby resale prices were fixed and maintained on tire chains made by the aforesaid purported "licensees" who only purchased from respondent American the aforesaid anti-skid bar reinforced tread member links for use in the manufacture and sale of unpatented tire chains.

PAR. SEVEN: Pursuant to, in furtherance of and to make more effective the unlawful combination which is set forth in paragraphs five and six hereof, Respondent Members American, McKay, Pyrene and Hodell entered into an agreement during 1937 with Respondents Shirley, Olcott and Nichols, copartners trading under the firm name Shirley, Olcott and Nichols (sometimes hereinafter referred to merely as Respondent Shirley) pursuant to the terms and provisions of which it was arranged and agreed for the latter to serve the said Respondent Members as their common agent in seeking to sell tire chains for them to the Federal Government through its various agencies in Washington, D. C.

The aforesaid agreement between and among the aforesaid members and Respondent Shirley was performed, carried out and made effective after collaborations and conferences between and among their representatives where it was arranged for Respondent American to instruct Respondent Shirley to serve as a common agent for all of the said respondent members in submitting bids to agencies of the Federal Government in the name of Respondent Shirley but on the behalf and for the benefit of the said respondent members for the sale of tire chains of all types, including those with the aforesaid patented anti-skid bar reinforced factors and those without such features, to the Federal Government at such prices as were prescribed by Respondent American after its collaborations and agreements with representatives of the other said respondent members, as previously alleged herein.

Respondent Shirley then proceeded in accordance with such instructions during 1937, 1938, 1939, 1940, 1941 and 1942, to submit bids to the Federal Government in his name on tire chains at prices previously agreed upon between and among respondent members and Respondent Shirley and which were named and specified by Respondent American. In accordance with agreements and prearrangements which Respondent American and Respondent Shirley had with other respondent members, as aforesaid, he allocated to each of said respondent members on equal shares the revenue secured from all contracts for tire chains which were awarded to him by the Federal Government pursuant to such bids. He also allocated equally among said respondent members the freight costs involved in the shipment of such tire chains to the Federal Government under such contracts in accordance with agreements that he and representatives of said respondent members had previously reached.

On certain occasions when Respondent Shirley thus submitted bids under seal to the Federal Government in his own name but for the benefit of each of the said respondent members at prices specified by Respondent American said members also submitted bids under their own name under seal to the Federal Government, usually identically the same prices bid by said Respondent Shirley but on certain other occasions at previously agreed upon differences therefrom. In many such instances where bids were thus tied or made identical by prior agreements of respondent members and Respondent Shirley the officials of the Federal Government under the laws requiring them to secure competitive bids and to make award to the lowest bidder were compelled to make award by lot to Respondent Shirley or one of the said respondent members which had submitted such tie bids.

In particular instances where bidders other than said respondent members and Respondent Shirley submitted bids which were lower than the one collusive bid at fixed prices as submitted in the names of certain of the respondent members and Respondent Shirley, then Respondent American advised Respondent Shirley, with respect to future bidding, not to worry about such low bidders "as they will be controlled." In bidding subsequent to such advice from Respondent American to Respondent Shirley, competition with respondents by such other low bidders lessened in quality and quantity.

Through the aforesaid methods, policy and practice of bidding Respondent Shirley and said respondent members were enabled to and did present to the United States government and its purchasing agencies an appearance of com-

petition when in fact all of their bids were fixed and agreed upon prior to their submission by cooperative and collective action between and among their representatives. Through that procedure the United States government was denied the benefit of competition to which it was entitled under the laws which require that its purchasing officials secure competitive bids on such occasions and make awards to the lowest bidder.

PAR. EIGHT: Each respondent member for the purpose and with the result of making more effective the matching of price quotations and the consequent hindrance, frustration, suppression and elimination of price competition through the unlawful combination alleged in Paragraph Five hereof, with the knowledge that each other respondent member simultaneously does likewise, generally refrains from quoting f. o. b. its place of production or shipment prices that are independent of and unrelated to the basing point, freight equalization, and zone systems or pricing practices, more fully described in Paragraphs Nine, Ten and Eleven hereof.

Each respondent member, with the knowledge that each other respondent member simultaneously does likewise, uses the basing point, freight equalization and zone delivered pricing practices and systems hereinafter more fully described in Paragraphs Nine, Ten and Eleven hereof, for the purpose and with the effect of keeping other respondent members informed as to what its prices are to be and of matching its quotations of delivered prices or delivered costs with those of other respondent members as made to any intending purchaser. Each respondent member thereby assists each other member in maintaining a situation whereby purchasers are unable to find any difference or advantage in price in the delivered price or delivered cost quotations of all respondent members. Each respondent member uses the aforesaid basing point, freight equalization and zone delivered pricing practices and systems for the purpose and with the result of making more effective the hindrance, frustration and suppression of competition alleged in Paragraph Five hereof.

PAR. NINE: *Basing Point Pricing System.* Each respondent member in arriving at the sums or amounts quoted in its published price lists relating to welded chain provides that the delivered cost to any intending purchaser or user at the latter's destination shall be the figure or sum resulting from the use of a formula composed of a basing price plus freight from a single basing point (Pittsburgh, Pennsylvania) to the destination of such purchaser or user irrespective of whether shipment is to be made or is made from such basing point or another location from which other and different freight rates actually apply.

Each respondent member uses and specifies in its price lists relating to welded chain, the same base point and the same base price for such base point used that is used and specified by other respondent members. The result is that when the same base prices of each respondent member are so used as factors in the formula of base price plus the same freight factor from the base point to a purchaser's destination, their quoted delivered cost or price on welded chain to any intending purchaser or user at his destination is exactly matched and made identical by all respondent members at any given time.

Said respondent members produce welded chain and ship same to their respective customers from numerous points other than the point used, as aforesaid, as a basing point.

Each respondent member, in its use of the aforesaid basing point practice, notwithstanding differences in the actual freight rates from its place of business and manufacture to the different locations of its different customers with lower rates applying to those nearby than to those more distantly located, habitually and systematically demands, charges, accepts and receives as an inherent and necessary incident to the said basing point practice of delivered price quotations, larger sums and amounts for products of equal quality and quantity from its customers located at or near its place of business or manufacture than from other customers located at greater distances. Such nearby customers are thereby required to pay more, and the more distant customers to pay less, to each respondent member for welded chain than would be the case if the forces of competition made and determined the prices at which respondent members sell chain and chain products.

Each respondent member, as aforesaid, uses said basing point pricing practice as a device by which it not only suppresses price competition and deprives its nearby customers of price advantages which they would, under competitive conditions, enjoy by reason of their proximity to points of production, but also as an inherent and necessary incident to the operation of the aforesaid basing point method of pricing, unfairly discriminates against its nearby customers in favor of those more distantly located.

PAR. TEN: *Freight Equalization Pricing System:* Each respondent member, in arriving at the sums or amounts quoted in its published price lists relating to weldless chain, provides that the delivered costs to any intending purchaser or user at the latter's destination shall be the figure or sum resulting from the use or application of a formula of an f. o. b. factory price quotation plus whatever freight factor is necessary to exactly equalize or match the sum of a base price at four specified basing points, namely, f. o. b. York, Pennsylvania; Cleveland, Ohio; Cincinnati, Ohio; or Bridgeport, Connecticut, plus freight therefrom to the buyers' destination as announced by it or other of the respondent members in such manner, form and substance as to enable, and which does enable, all respondent members to match their delivered costs on weldless chain as quoted by them to any intending purchaser or user at his destination at any given point of time.

Said respondent members produce weldless chain and ship same to their respective customers from points other than the points named as aforesaid as f. o. b. points from which freight is equalized and delivered costs matched.

Each respondent member, in its use of the aforesaid freight equalization pricing practice, notwithstanding differences in the actual freight rates from its place of business and manufacture to the different locations of its different customers with lower rates applying to those nearby than to those more distantly located, habitually and systematically demands, charges, accepts and receives as an inherent and necessary incident to the said freight equalization practice of price quotations, larger sums and amounts for products of the same quality and quantity from its customers located at or near its place of business and manufacture than from other customers located at greater distances. Such nearby customers are thereby required to pay more, and its more distant customers to pay less, to such respondent member for weldless chain and chain products than would be the case were its price quotations determined by the forces of competition.

Each respondent member as aforesaid uses said freight equalization pricing practice as a device by which it not only suppresses price competition and deprives its nearby customers of price advantages which otherwise they would naturally enjoy by reason of their proximity to places of production, but also discriminates against such nearby customers in favor of those more distantly located.

PAR. ELEVEN: *Zone Pricing System.* Each respondent member in arriving at the sums or amounts quoted in its published price lists relating to tire chains provides that the delivered cost of tire chains to any intending purchaser or user at the latter's destination shall be identically the same delivered cost quoted to all other purchasers or users in the United States wherever located, irrespective of the fact that some such intending purchasers and users are located at or near such respondent member's place of manufacture and shipment and other purchasers and users are located thousands of miles away; also irrespective of the fact that the cost of shipping tire chains from its place of manufacture ranges from zero, with respect to those customers who take delivery at its place of manufacture, to an amount equal to a substantial part of the net price realized from the delivered price of tire chains sold to customers located at distances of 1,000 miles or more from the place of manufacture.

Each respondent member uses the aforesaid zone pricing practice in order that it and other respondent members might match, and through its use they are enabled to match, the delivered cost quoted by each of the others to any intending purchaser or user of tire chains at any destination at a given time.

Each respondent member, through the use of the aforesaid zone pricing practice, notwithstanding differences in the actual freight rates from its place of business and manufacture to the different locations of its different customers with lower rates applying to those nearby than to those more distantly located, habitually and systematically demands, charges, accepts and receives as a necessary incident to the aforesaid zone prac-

ing practice of delivered price quotations, larger sums and amounts for products of equal quality and quantity from its respective customers located at or near its place of business or manufacture, than from other customers located at greater distances. Such nearby customers are thereby required to pay more, and the more distant customers to pay less, to it for tire chains than would otherwise be the case if the forces of competition made and determined the price quotations of each such respondent member.

Each respondent member as aforesaid uses said zone pricing practice as a device by which it not only suppresses price competition and deprives its nearby customers of price advantages which otherwise they would naturally enjoy by reason of their proximity to points of production, but as a necessary incident to said zone pricing practice discriminates against its nearby customers in favor of other customers more distantly located.

PAR. TWELVE: The inherent and necessary effect of the adoption and maintenance by the respondent members of the delivered price systems described and alleged in Paragraphs Eight, Nine, Ten and Eleven herein includes all and singularly the following, to-wit:

(1) The elimination of price competition between respondent members in the sale of chain and chain products at locations adjacent to each of the several places of fabrication of said products;

(2) Substantial lessening of competition among respondent members in all parts of the United States by virtue of each respondent member voluntarily and reciprocally surrendering and canceling the inherent advantage it has over its competitors within the market area nearer freight-wise to its factory than to a factory of a competitor in consideration of a similar surrender and cancellation by each of the other respondent members;

(3) The levying of an additional financial burden in varying arbitrary sums for the sole purpose of reimbursing respondent members for concessions voluntarily made by them to some of their customers in the accomplishment of respondents' unlawful purpose to destroy price competition in the sale of chain and chain products in commerce and to create for the said respondent members a monopoly therein and thereof;

(4) The fixing and control by respondents' concurrent action of an arbitrary substantial portion of the total cost of the product to any and every purchased upon a basis having no relation to total cost of production, sales and transportation;

(5) The maintenance of monopolistic unfair and oppressive discrimination against purchasers of chain and chain products in large areas of the United States by depriving such purchasers of the advantage in cost otherwise accruing to them from their proximity to the factories of respondent members;

(6) The levying upon nearby purchasers of chain and chain products increases in net prices of such products over what said net prices on such products to such customers would have been if said prices had been fixed by competition among respondents, such increases in net prices being approximately equal to decreases in net prices afforded by respondents to distantly located customers. Each respondent member thus compels its nearby customers to pay not only the actual freight rates on the products purchased by them respectively, but also in effect compels such purchasers to pay portions of the cost of transportation of said products to other purchasers distantly located from the factory of such respondent member.

PAR. THIRTEEN: The combination and the acts, practices, methods, policies, agreements and understandings of the Respondents as hereinbefore alleged, all and singularly, are unfair and to the prejudice of the public; deprive the public of the benefit of competition; are discriminatory against some buyers and users of chain and chain products; have a dangerous tendency to and have actually hindered, frustrated, suppressed and eliminated competition in the sale of chain and chain products in commerce within the intent and meaning of the Federal Trade Commission Act; have the tendency and capacity to restrain unreasonably, and have restrained unreasonably, such commerce in said products; have a dangerous tendency to create in Respondents a monopoly in the sale and distribution of such products and constitute unfair methods of competition and unfair and deceptive acts and practices in commerce within the intent and meaning in section 5 of the Federal Trade Commission Act.

COUNT II

The Charge Under the Clayton Act

PARAGRAPH ONE: Pursuant to the provisions of section 2 of an Act of Congress approved October 15, 1914, entitled "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes," commonly known as the Clayton Act, as amended by an Act of Congress approved June 19, 1936, commonly known as the Robinson-Patman Act, the Commission, having reason to believe that the parties hereinafter specifically named and more particularly described as respondents in this Count II, sometimes hereinafter referred to as respondent members and included among those named as respondents in the caption hereof, have violated and are violating the provisions of said Act of Congress as so amended, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, the Commission hereby issues its amended complaint, stating its charges in such respect as follows:

Nature of Charges

PAR. TWO: The charges hereinafter contained in this Count II are that each of the respondent members has been and is now unlawfully discriminating as between its customers in the prices it charges, demands, accepts and receives in connection with the sale of chain and chain products in commerce.

Description of Respondents; Definitions and Explanations of Terms; Description and History of Industry and the Commerce of Respondents

PAR. THREE AND FOUR: As Paragraphs Three and Four of this Count II, the Commission incorporates Paragraphs Three and Four, inclusive of Count I of this amended complaint to precisely the same extent and effect as if each and all of them were set forth in full and repeated verbatim in this Count II, except the definition of the term "commerce." The term "commerce," as hereinafter used, means "commerce" as defined and set forth in the Clayton Act.

Offenses Charged

PAR. FIVE: Since June 19, 1936, and while engaged as aforesaid in commerce among the several States of the United States and in the District of Columbia, each of the Respondent Members, American, Bridgeport, McKay, Pyrene, Hodell, St. Pierre, Taylor, Cleveland, Columbus, International, Nixdorff, Peerless, Round, Russell, Seattle, Turner, Western and Woodhouse has been and is now in the course of such commerce, discriminating in price between purchasers of said commodities of like grade and quantity sold for use, consumption or resale within the several States of the United States and the District of Columbia in that each of the respondents has been and is now systematically selling such commodities to many purchasers at a price higher than the price at which commodities of like grade and quantity are sold by it to other purchasers and users.

PAR. SIX: Each of the respondents uses a delivered pricing system and practice for determining, calculating, making up, using, announcing, publishing and distributing its quotations and offers to its respective customers in selling them chain and chain products in commerce. Each of the respondents, in using its said delivered pricing system for quoting its delivered prices and in making sales of chain and chain products in commerce in accordance and in connection therewith, discriminates as between its customers in net prices realized on chain and chain products of like grade and quantity. The discriminations by each said respondent thus effected are systematic and result, in part, because of its failure to "make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered" and are discriminatory to such an extent that the net prices paid by customers located at or near its factory door in many instances amount to much more than the net prices realized by such respondent on chain and chain products of like grade and quantity sold to its customers located hundreds of miles away. The systematic discriminations in net prices thus effected by each of the respondents against nearby customers and in favor of its more distantly located customers are inherent in the use of the aforesaid delivered pricing system of each of the respondents. There are also involved in said system matched delivered

price quotations or offers as made by all respondents to any given customer, so that such customer in considering or accepting any of such offers is denied the opportunity ordinarily afforded under price competition to bargain with one Respondent Member against another.

PAR. SEVEN: Each of the respondent members engaged in the sale of welded chain and chain products practices the systematic regional discriminations in the sale of such products as alleged in the immediately preceding Paragraph Six of this Count II pursuant to and in accordance with its practice of making on such products varying quotations on a delivered basis calculated by arbitrarily using a base price f.o.b. Pittsburgh plus charges for freight from Pittsburgh as though shipments were to be made therefrom to each of the various destinations although actually these shipments are regularly made from other locations, the points of production, from which different freight charges actually apply.

Each of the respondent members engaged in the sale of weldless chain and chain products practices the systematic regional discriminations in the sale of such products as alleged in the immediately preceding Paragraph Six of this Count II pursuant to and in accordance with its practice of making on such products varying quotations on a delivered basis calculated by arbitrarily using a base price f.o.b. each of a number of base points plus charges for freight from such basing points as though shipments were to be made therefrom to each of the various destinations. The governing basing point in any given case is that where the combination of the applicable base price plus the said calculated charge for freight is not as high as the combination of some other base price plus the calculated charge for freight. In numerous instances actual shipments of such products are not made from the base point used in making the aforesaid calculation of the costs of the products delivered to the purchaser at destination. On the contrary, actual shipments are regularly made to many destinations from production points from which different freight charges actually apply.

PAR. EIGHT: Each of the said respondents has been and is now classifying its customers to receive from it quantity, trade and other discounts from quoted prices so that by virtue of such classifications and action pursuant thereto, each such respondent charges, demands, accepts and receives higher prices in connection with sales of chain and chain products in commerce from some of its customers than from others, even though they are competitively engaged with the customers who pay such lower prices.

PAR. NINE: Each of the said respondents practices the aforesaid systematic, regional and other discriminations in price for the purpose and with the effect of enabling all the respondents to exactly match their delivered price offers to sell chain and chain products of like grade and quantity in commerce to any given prospective purchaser at any given destination and to maintain such matched offers.

Effects of Price Discriminations Practiced by Respondents

PAR. TEN: The inherent and necessary effect of the practice by the respondent members of the discriminations described and alleged in Paragraphs Five, Six, Seven and Eight of this Count II herein includes all and singularly the following, to-wit:

(1) The elimination of price competition between respondent members in the sale of chain and chain products at locations adjacent to each of the several places of fabrication of said products;

(2) Substantial lessening of competition among respondent members in all parts of the United States by virtue of each respondent member voluntarily and reciprocally surrendering and canceling the inherent advantage it has over its competitors within the market area nearer freight-wise to its factory than to a factory of a competitor in consideration of a similar surrender and cancellation by each of the other respondent members;

(3) The levying of an additional financial burden in varying arbitrary sums for the sole purpose of reimbursing respondent members for concessions voluntarily made by them to some of their customers in the accomplishment of respondents' unlawful purpose to destroy price competition in the sale of chain and chain products in commerce and to create for the said respondent members a monopoly therein and thereof;

(4) The fixing and control by respondents' concurrent action of an arbitrary substantial portion of the total cost of the product to any and every purchaser upon a basis having no relation to the combined cost of production, sales and transportation;

(5) The maintenance of monopolistic, unfair, and oppressive discrimination against purchasers of chain and chain products in large areas of the United States by depriving such purchasers of the advantage in cost which would otherwise accrue to them from their proximity to the factories of respondent members;

(6) The levying upon nearby purchasers of chain and chain products of increases in net prices of such products over what said net prices to such customers would have been if fixed by competition among respondents, such increases in net prices being approximately equal to decreases in net prices afforded by respondents to distantly located customers. Each respondent member thus compels its nearby customers to pay not only the actual freight rates on the products purchased by them respectively, but also in effect compels such purchasers to pay portions of the cost of transportation of said products to other purchasers distantly located from the factory of such respondent member.

PAR. ELEVEN: Further effects of the said discriminations in price made by said respondent members as alleged and described in paragraphs five, six, seven and eight of this Count II herein may be substantially to lessen competition between the buyers of said chain and chain products from respondents receiving said lower discriminatory prices and other buyers from respondents competitively engaged with such favored buyers who do not receive such favorable prices; tend to create a monopoly in the lines of commerce in which buyers from respondents are engaged; and to injure, destroy, and prevent competition in the lines of commerce in which those who purchase from respondent members are engaged between the said beneficiaries of said discriminatory prices and said buyers who do not and have not received such beneficial prices as well as to lessen competition in the lines of commerce in which respondents are engaged.

Conclusion

PAR. TWELVE: The aforesaid acts of each of the said respondents constitute violations of the provisions of subsection (a) of section 2 of the Clayton Act, as amended by the Robinson-Patman Act, approved June 19, 1936 (49 Stat. 1526; 15 U.S.C.A., sec. 13, as amended).

Wherefore, the premises considered, the Federal Trade Commission on this 9th day of October, A. D. 1945, issues this its amended complaint.

Notice

Notice is hereby given you, Chain Institute, Inc., an incorporated trade association, its directors, officers and members; American Chain & Cable Company, Inc.; The Bridgeport Chain & Manufacturing Company; The McKay Company; Pyrene Manufacturing Company; Hodell Chain Company; St. Pierre Chain Corporation; S. G. Taylor Chain Company; Cleveland Chain & Manufacturing Company; Columbus McKinnon Chain Corporation; International Chain & Manufacturing Company; Nixdorff-Krein Manufacturing Company; Peerless Chain Company; Round California Chain Company; J. M. Russell Manufacturing Company; Seattle Chain & Mfg. Company; Turner & Seymour Manufacturing Company; Western Chain Products Company; Woodhouse Chain Works; and Dennis A. Merriman; Walter S. McCann; Wm. D. Kirkpatrick; Frank A. Bond; George J. Campbell, Jr.; Alfred Peter Shirley, Floyd Bronson Olcott, and Forrest C. Nichols, copartners, trading as Shirley, Olcott & Nichols, respondents herein, that the 16th day of November, 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 amended 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 amended complaint.

You are notified and required, on or before the twentieth day after service upon you of this amended complaint, to file with the Commission an answer to the amended 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 an-

swers 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 amended complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 9th day of October, A. D., 1945.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 45-19495; Filed, Oct. 22, 1945; 11:23 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order CE 53]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN MICHIGAN, WISCONSIN, SOUTH DAKOTA, MINNESOTA, AND IOWA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

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

Executed at Washington, D. C., on October 15, 1945.

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

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Agafia Kozlowicz	Poland	Estate of Vasil Burka, deceased, in the Probate Court, Kalamazoo County, Mich.	$1,462.00	The County Treasurer of Kalamazoo County, Kalamazoo, Mich.	$11
		Item 2			
Anna Antonczik	Poland	Same	1,462.01	Same	11
		Item 3			
Mariana Kozlowicz	Poland	Same	1,462.01	Same	11
		Item 4			
Elizaweta Andruszkewicz	Poland	Same	1,462.01	Same	11
		Item 5			
Maria Kopituk	Poland	Same	1,462.01	Same	11
		Item 6			
Christine Hansen	Denmark	Estate of Marie S. Larsen, deceased, in the Probate Court, Racine County, Wis.	5,000.00	First National Bank & Trust Co., Racine, Wis., account in the name of Christine Hansen.	123
		Item 7			
Christian Petersen	Denmark	Same	3,888.89	First National Bank & Trust Co., Racine, Wis., account in the name of Christian Petersen.	41
		Item 8			
Agnes Petersen	Denmark	Same	3,888.89	First National Bank & Trust Co., Racine, Wis., account in the name of Agnes Petersen.	41
		Item 9			
Raymond Petersen	Denmark	Same	3,888.89	First National Bank & Trust Co., Racine, Wis., account in the name of Raymond Petersen.	41
		Item 10			
Margus Johnson	Norway	Estate of Eberhardt Johnson, deceased, in the County Court, Pennington County, S. Dak.	54.54	The Clerk of Court, Pennington County, Rapid City, S. Dak.	8
		Item 11			
Clara Mauerson Bronken	Norway	Same	27.27	Same	5
		Item 12			
Ella Mauerson Otteson	Norway	Same	27.27	Same	5

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 13			
Evar Mauerson	Norway	Estate of Eberhardt Johnson, deceased, in the County Court, Pennington County, S. Dak.	$27.27	The Clerk of Court, Pennington County, Rapid City, S. Dak.	$5
		Item 14			
Mindolf Mauerson	Norway	Same	27.27	Same	5
		Item 15			
Mary Buric	Yugoslavia	Estate of John D. Grantz, deceased, in the Probate Court, Kent County, Mich.	677.61	Thomas Vilke, Treasurer of Kent County, Grand Rapids, Mich.	17
		Item 16			
Kate ——— (sister of decedent).	Yugoslavia	Same	677.61	Same	17
		Item 17			
Lena Klark	Finland	Estate of Anna Jacobson, deceased, in the Probate Court, St. Louis County, Minn.	(1)	John G. Brandt, County Treasurer of St. Louis County, 201 Courthouse, Duluth, Minn.	52
		Item 18			
Thomas Thomsen	Denmark	Estate of Peter M. Thompson, deceased, in the County Court, Racine County, Wis.	2,223.03	Farmers & Merchants Bank, Racine, Wis., account No. 17019.	80
		Item 19			
Christian Thomsen	Denmark	Same	2,223.03	Farmers & Merchants Bank, Racine, Wis., account No. 17001.	80
		Item 20			
Petrina Nicalassen	Denmark	Estate of Niels Peter Nielsen, deceased, in the District Court of Iowa, Shelby County, Iowa, probate No. 4032.	1,423.41	James Bartelson, executor of the estate of Niels Peter Nielsen, deceased, c/o Gerald L. Larson, Harlan, Iowa.	43
		Item 21			
Heirs of decedent's brother, Jens Nielsen, names unknown.	Denmark	Same	1,231.73	Same	37
		Item 22			
Frantisek Herink (Frank Hering).	Czechoslovakia	Estate of Anton Herring, deceased, in the County Court, Charles Mix County, S. Dak.	4,073.87	Commercial State Bank, Wagner, S. Dak., Frantisek Herink (Frank Hering), a blocked national residing in enemy occupied territory, namely, Czecho.	133
		Item 23			
Karen Nielsen	Denmark	Estate of Mads C. Nielsen, deceased, in the Probate Court, Hennepin County, Minn., file No. 65702.	453.75	First National Bank of Minneapolis, Minn., blocked account in the name of Karen Nielsen.	35

[1] $930.70 in cash, $2,400 in U. S. Treasury bonds.

[F. R. Doc. 45-19381; Filed, Oct. 19, 1945; 10:59 a. m.]

[Vesting Order CE 54]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN ILLINOIS COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

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

Executed at Washington, D. C., on October 15, 1945.

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

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Stanislaw Wadycki	Poland	Estate of John Penczak, deceased, Probate Court of Cook County, Ill., Docket No. 423, Page 229, File No. 43-P-7673.	$422.03	The County Treasurer of Cook County, Chicago, Ill.	$1

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
		Item 2			
Franciszek Wadycki	France	Estate of John Penczak, deceased, Probate Court of Cook County, Ill. Docket No. 426, Page 229, File No. 43-P-7579.	$422.93	The County Treasurer of Cook County, Chicago, Ill.	$18
		Item 3			
Weronika Wadycki Spinda	Poland	Same	422.93	Same	18
		Item 4			
Michalina Zelazo	Poland	Same	215.80	Same	
		Item 5			
Anna Wadycki Skrabacz (Spinda).	Poland	Same	422.93	Same	18
		Item 6			
Edward Zelazo	Poland	Same	215.80	Same	9
		Item 7			
Maryanny Penczak Jurek	Poland	Same	3,020.92	Same	131
		Item 8			
Jozefa Penczak Sobon	Poland	Same	3,020.92	Same	131
		Item 9			
Rudolph Bilasky	Czechoslovakia	Estate of Melvina Melichar, deceased, Probate Court of Cook County, Ill., Docket No. 433, Page 67, File No. 44-P-5106.	13,794.13	Same	85
		Item 10			
Anna K. Filoda	Poland	Estate of Casimir Carl Krzysko, deceased, Probate Court of Cook County, Ill., Docket No. 376, Page 201, File No. 38-P-4634.	3,006.53	The County Treasurer of Cook County, Chicago, Ill.	101
		Item 11			
Leon Kemnitz	Poland	Same	1,503.27	Same	51
		Item 12			
Kasimir Kemnitz	Poland	Same	1,503.27	Same	51
		Item 13			
Stanislaw Jahnz	Poland	Same	1,503.26	Same	51
		Item 14			
Jan Jahnz	Poland	Same	1,503.26	Same	51
		Item 15			
Franjka Spoljaric	Yugoslavia	Estate of Matthew Spoljaric, deceased, Probate Court of Cook County, Ill., Docket No. 17, Page 425, File No. 4402.	459.16	Same	42
		Item 16			
Pavao Spoljaric	Yugoslavia	Same	306.10	Same	23
		Item 17			
Ivan Spoljaric	Yugoslavia	Same	306.11	Same	23
		Item 18			
Ana Spoljaric	Yugoslavia	Same	306.11	Same	23
		Item 19			
Albert Tupta	Poland	Estate of Maryanna Nowakowski, deceased, Probate Court of Cook County, Ill., Docket No. 418, Page 548, File No. 43-P-700.	172.86	Same	40
		Item 20			
Anna Tupta	Poland	Estate of Maryanna Nowakowski, deceased, Probate Court of Cook County, Ill., Docket No. 418, Page 548, File No. 43-P-700.	172.86	The County Treasurer of Cook County, Chicago, Ill.	40
		Item 21			
Katarzyna Tupta	Poland	Same	172.86	Same	40
		Item 22			
Suzana Cuculich	Yugoslavia	Estate of Alfonzo Cuculich, deceased, Probate Court of Cook County, Ill., Docket No. 415, Page 545, File No. 42-P-6692.	951.55	Same	58
		Item 23			
Biserka Cuculich	Yugoslavia	Same	451.55	Same	23
		Item 24			
Mary Cuculich Paveric	Yugoslavia	Same	451.55	Same	23
		Item 25			
Vincentas Jatulis	Lithuania	Estate of Tony Jatulis, also known as Tony Jatuli, deceased, Probate Court of Cook County, Ill., Docket No. 404, Page 585, File No. 41-P-4994.	611.93	Same	33
		Item 26			
Kazymieras Jatulis	Lithuania	Same	611.93	Same	33
		Item 27			
Marcijonk Kazimieratis (formerly Marijana Jantulis).	Lithuania	Same	611.94	Same	33

[F.R. Doc. 45-19382; Filed, Oct. 19, 1945; 10:51 a. m.]

[Vesting Order CE 55]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN PENNSYLVANIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form AFC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

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

Executed at Washington, D. C., on October 15, 1945.

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

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action of proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
		Item 1			
Nelly Brolemann Countess de Sercey, also known as Ellen H. E. B. de Sercey.	France	Estate of Paul C. Stewart, deceased, in the Orphans' Court, Philadelphia County, Pa., 206 of 1944.	(1)	Girard Trust Co., Broad and Chestnut Sts., Philadelphia, Pa., surviving executor of the estate of Paul C. Stewart, deceased.	$103
		Item 2			
Donato Passeri	Italy	Estate of Cosmo Ferri, also known as Cosimo Ferri, deceased, in the Orphans' Court, Philadelphia County, Pa., 354 of 1944.	244.80	Robert M. Sebastian, executor of the estate of Cosimo Ferri, deceased, 1507 South Broad St., Philadelphia, Pa.	6
		Item 3			
Vincenzo Passeri	Italy	Same	44.80	Same	0
		Item 4			
Berardino Pozzi	Italy	Same	112.23	Same	13
		Item 5			
Giuseppina DiMarco	Italy	Same	221.44	Same	22
		Item 6			
Camilla Collangelo	Italy	Same	221.44	Same	22
		Item 7			
Terezye Netopilik	Czechoslovakia	Estate of Francis Netopil, deceased, in the Orphans' Court, Allegheny County, Pa., 9664 of 1943.	420.00	The Commonwealth Trust Co., Pittsburgh, Pa., in blocked account in the name of Terezye Netopilik.	42
		Item 8			
Parish Priests of Nova Ves Moravska.	Czechoslovakia	Same	90.00	The Commonwealth Trust Co., Pittsburgh, Pa., in blocked account in the name of Parish Priests of Nova Ves Moravska.	8
		Item 9			
Anna Harcher Mihosh	Czechoslovakia	Estate of John J. Harcher, deceased, in the Orphans' Court, Philadelphia County, Pa., 3088 of 1944.	1,127.04	Howard E. Killian, executor of the estate of John J. Harcher, deceased, 3027 Glenview St., Philadelphia, Pa.	14
		Item 10			
Mary Harcher Sestak	Czechoslovakia	Same	1,127.04	Same	14
		Item 11			
Maria Wowk	Poland	Estate of Anthony D. Poschuck, deceased, in the Orphans' Court, Philadelphia County, Pa., 209 of 1944.	83.03	David I. Friedman, attorney-in-fact for Polish Consulate General, 1010 Liberty Trust Bldg., Philadelphia, Pa.	50
		Item 12			
Axhi Hajrulla and children of Axhi Harjrulla and Mrs. Sabire Xhevit and children of Mrs. Sabire Xhevit.	Albania	Estate of James Hari, deceased, in the Orphans' Court, Allegheny County, Pa. 4721 of 1941.	$1,810.00	First National Bank & Trust Co. of East Pittsburgh, executor of the estate of James Hari, deceased, 613 Braddock Ave., East Pittsburgh, Pa.	25
		Item 13			
Teresa Rak	Yugoslavia	Estate of Nikola Rak, deceased, in the Orphans' Court, Beaver County, Pa.	1,800.00	Nick Rock, executor of the estate of Nikola Rak, deceased, 123 Linmar St., Aliquippa, Pa.	23
		Item 14			
Anna Boyko	Poland	Estate of Michael Boyko, deceased, in the Orphans' Court, Berks County, Pa.	170.00	Berks County Trust Co., Reading, Pa., account in the name of Anna Boyko.	22

[1] $34,236.74 and ¼ vested remainder interest in $160,000 trust.

[F. R. Doc. 45-19383; Filed, Oct. 19, 1945; 10:51 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 1492]

BALES COAL CO. ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

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

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coal by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

BALES COAL CO., 893 MELDON AVE., DONORA, PA., ELLA STRIP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4391, ALLEGHENY COUNTY, PA., SUBDISTRICT #9, STRIP MINE, MAXIMUM TRUCK PRICE GROUP #5

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Truck shipment	434	434	434	399	369	369	369	334	294	294	279

HENRY DRAGAN, 226 INDIANA AVE., MONESSEN, PA., DRAGAN MINE, PITTSBURGH SEAM, MINE INDEX NO. 4401, WASHINGTON COUNTY, PA., SUBDISTRICT #9, STRIP MINE, MAXIMUM TRUCK PRICE GROUP #6

Truck shipment	434	434	434	394	384	384	384	334	299	299	264

HENCKEL COAL CO., 142 EAST FAYETTE ST., UNIONTOWN, PA., RODERICK MINE, SEWICKLEY SEAM, MINE INDEX NO. 4403, FAYETTE COUNTY, PA., SUBDISTRICT #3, RAIL SHIPPING POINT: SMITHFIELD, PA., STRIP MINE, R. R. FUEL PRICE GROUP G, MAXIMUM TRUCK PRICE GROUP #7

Price classification	J	J	H	H	H	H	H	H	H	------	------
Rail shipment	294	294	279	279	279	269	244	244	234	------	------
Railroad fuel	294	294	279	279	279	269	244	244	239	239	------
Truck shipment	424	424	424	394	384	384	384	319	299	299	274

RAYMOND C. LARGE, R. D. #1, BOX 6, CLAIRTON, PA., LARGE MINE, PITTSBURGH SEAM, MINE INDEX NO. 4009, ALLEGHENY COUNTY, PA., SUBDISTRICT #9, DEEP MINE, MAXIMUM TRUCK PRICE GROUP #5

Truck shipment	445	445	445	410	380	380	380	345	305	305	290

LATROBE CONSTRUCTION CO., P. O. BOX 150, LATROBE, PA., FOBBES MINE, FREEPORT AND/OR BALLISTOWN SEAMS, MINE INDEX NO. 4404, WESTMORELAND COUNTY, PA., SUBDISTRICT 4, RAIL SHIPPING POINT: DUNDALE, PA., STRIP MINE, R. R. FUEL PRICE GROUP B, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification	F	F	E	E	E	E	F	F	F	------	------
Rail shipment	294	294	289	289	289	279	259	259	244	------	------
Railroad fuel	259	259	259	259	259	284	259	259	244	244	------
Truck shipment	424	424	424	404	374	374	374	314	294	294	264

GEORGE F. LUTHER, R. D. #2, LIGONIER, PA., LUTHER MINE, UPPER FREEPORT SEAM, MINE INDEX NO. 4393, WESTMORELAND COUNTY, PA., SUBDISTRICT 6, DEEP MINE, MAXIMUM TRUCK PRICE GROUP #8

Truck shipment	435	435	435	415	385	385	385	325	305	305	275

MONTOUR VALLEY COAL CO., P. O. BOX 702, IMPERIAL, PA., MONTOUR VALLEY MINE, PITTSBURGH SEAM, MINE INDEX NO. 4394, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT, CLIFF MINE, PA., STRIP MINE, R. R. FUEL PRICE GROUP B, MAXIMUM TRUCK PRICE GROUP #5

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	C	C	C	C	F	F	F	F	F	------	------
Rail shipment	334	334	319	319	284	274	259	259	244	------	------
Railroad fuel	334	334	319	319	284	284	259	259	244	244	------
Truck shipment	434	434	434	399	369	369	369	334	294	294	279

NEW SCOTT HAVEN FUEL CO., BOX 406, SUTERSVILLE, PA., OCEAN #1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4397, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: SCOTT HAVEN, PA., DEEP MINE, R. R. FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification	D	D	C	C	C	C	C	C	C	------	------
Rail shipment	355	355	355	355	355	345	320	320	300	------	------
Railroad fuel	355	355	355	355	355	345	320	320	300	290	------
Truck shipment	435	435	435	415	385	385	385	325	305	305	275

This order shall become effective October 19, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19326; Filed, Oct. 18, 1945; 4:43 p. m.]

[MPR 120, Order 1493]

WM. EDDINGTON ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

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

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 10, The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.221 and all other provisions of Maximum Price Regulation No. 120.

WILLIAM EDDINGTON, INDUSTRY, ILL., EDDINGTON #2 MINE, NO. 2 SEAM, MINE INDEX NO. 2022, SCHUYLER COUNTY, ILL., STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 7-B, SECTION 5

	Size group Nos.																
	1	2, 3	4, 5	6	7	8	9-12	13, 14	15	16	17-20	21, 22, 23	23, 24	25	26, 27	29
Truck shipment	345	340	325	315	260	235	230	210	155	------	------	------	------	------	------	------

FREETO CONSTRUCTION CO., THE NATIONAL BANK BLDG., PITTSBURGH, KANS., FREETO MINE, NO. 6 SEAM, MINE INDEX NO. 2021, WILLIAMSON COUNTY, ILL., RAIL SHIPPING POINT: DELTA, ILL., STRIP MINE, MAXIMUM RAIL PRICE GROUP NO. 7, SOUTHERN SUBDISTRICT, MAXIMUM TRUCK PRICE GROUP NO. 17-B-1

	Size group Nos.															
	1	2, 3	4, 5	6	7	8	9-12	13, 14	15	16	17-20	21, 22, 23	23, 24	25	26, 27	29
Rail shipments for all uses	265	265	265	265	(1)	265	-----	-----	-----	-----	235	270	220	190	-----	-----
Truck shipment	325	325	310	300	290	270	275	245	180	-----	285	285	255	235	260	-----

[1] Size group No. 7, rail shipped coal: R. R. locomotive fuel 265, for all other uses, 230.

HICKORY HILL COAL CO., c/o J. W. KARBER, EQUALITY, ILL., EQUALITY MINE, NO. 6 SEAM, MINE INDEX NO. 2018, GALLATIN COUNTY, ILL., RAIL SHIPPING POINT: EQUALITY, ILL., STRIP MINE, MAXIMUM PRICE GROUP NO. 7, SOUTHERN SUBDISTRICT, MAXIMUM TRUCK PRICE GROUP NO. 17-B-1

Rail shipments for all uses	265	265	265	265	(1)	265	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Truck shipment	325	325	310	300	290	270	275	245	180	-----	-----	-----	-----	-----	-----	-----

[1] Size group No. 7, rail shipped coal: R. R. locomotive fuel 265, for all other uses 230.

HIGHTOWER & SKINNER, 310 SOUTH MICHIGAN AVE., CHICAGO, ILL., NO. 1 MINE, NO. 6 SEAM, MINE INDEX NO. 2020, WILLIAMSON COUNTY, ILL., RAIL SHIPPING POINT: ENERGY, ILL., STRIP MINE, MAXIMUM RAIL PRICE GROUP NO. 5, SOUTHERN SUBDISTRICT, MAXIMUM TRUCK PRICE GROUP NO. 17-B-1

Rail shipments for all uses	265	265	255	255	(1)	255	220	185	120	105	-----	-----	-----	-----	105	-----
Truck shipment	325	325	310	300	290	270	275	245	180	-----	-----	-----	-----	-----	260	-----

[1] Size group No. 7, rail shipped coal: R. R. locomotive fuel 255, for all other uses 220.

M & E COAL CO., DE SOTA, ILL., M & E MINE, NO. 6 SEAM, MINE INDEX NO. 1692, JACKSON COUNTY, ILL., RAIL SHIPPING POINT: ELKVILLE, ILL., DEEP MINE, MAXIMUM RAIL PRICE GROUP NO. 10-E, DU QUOIN SUBDISTRICT

Rail shipments for all uses	265	265	265	265	(1)	265	255	215	155	135	-----	-----	-----	-----	225	-----
Truck shipment [2]	335	330	315	305	290	270	290	250	175	-----	-----	-----	-----	-----	245	-----

[1] Size Group No. 7, rail shipped coal: R. R. locomotive fuel 290, for all other uses 230.
[2] Previously established.

RAWALT COAL CO., CANTON, ILL., RAWALT COAL CO. MINE, NO. 5 SEAM, MINE INDEX NO. [1]710, FULTON COUNTY, ILL., RAIL SHIPPING POINT: CANTON, ILL., DEEP MINE, MAXIMUM RAIL PRICE GROUP NO. 25, FULTON-PEORIA SUBDISTRICT

Rail shipments for all uses	265	265	255	255	(1)	275	230	190	135	-----	-----	-----	-----	-----	200	-----
Truck shipments [2]	350	375	360	320	310	290	290	240	195	-----	-----	-----	-----	-----	235	-----

[1] Size Group No. 7, rail shipped coal: R. R. locomotive fuel 255, for all other uses 240.
[2] Previously established.

RED RING COAL CO., c/o JOHN COX, 313 N. 13TH ST., HERRIN, ILL., RED RING #2 MINE, NO. 6 SEAM, MINE INDEX NO. 2019, WILLIAMSON COUNTY, ILL., RAIL SHIPPING POINT: MARION, ILL., STRIP MINE, MAXIMUM RAIL PRICE GROUP NO. 5, SOUTHERN SUBDISTRICT, MAXIMUM TRUCK PRICE GROUP NO. 17-B-1

Rail shipments for all uses	265	265	255	255	(1)	255	220	185	120	105	-----	-----	-----	-----	195	-----
Truck shipment	325	325	310	300	290	270	275	245	180	-----	-----	-----	-----	-----	260	-----

[1] Size group No. 7, rail shipped coal: R. R. locomotive fuel 255, for all other uses 220.

RITTER COAL CO., DU QUOIN, ILL., RED FOX #3 MINE, NO. 6 SEAM, MINE INDEX NO. 2023, PERRY COUNTY, ILL., RAIL SHIPPING POINT: DU QUOIN, ILL., STRIP MINE, MAXIMUM RAIL PRICE GROUP NO. 17, BELLEVILLE SUBDISTRICT, MAXIMUM TRUCK PRICE GROUP NO. 16B

Rail shipments for all uses	250	250	255	255	(1)	225	225	185	125	105	235	225	215	180	195	-----
Truck shipment	300	295	280	270	255	235	250	200	145	-----	200	255	230	105	215	-----

[1] Size group No. 7, rail shipped coal: R. R. locomotive fuel 220, for all other uses 195.

This order shall become effective October 19, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19327; Filed, Oct. 18, 1945; 4:44 p. m.]

[MPR 120, Order 1494]

BENTLEY COAL CO.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

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

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

BENTLEY COAL CO., SECO, KENTUCKY, BENTLEY MINE, ELKHORN SEAM, MINE INDEX NO. 7511, LETCHER COUNTY, KENTUCKY, RAIL SHIPPING POINT: ELKHORN MINE NO. 1, KENTUCKY, F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5, SUBDISTRICT 1

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	H	H	H	H	F	F	E	E	C	C	A	D	D	D
Rail shipments and railroad fuel [1]	395	350	375	375	370	325	335	330	330	325	320	315	315	315
Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----

VERY CASTLE, TUTOR KEY, KENTUCKY, VERY CASTLE MINE, MILLER'S CREEK SEAM, MINE INDEX NO. 7409, JOHNSON COUNTY, KENTUCKY, RAIL SHIPPING POINT: PAINTSVILLE, KENTUCKY, F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2, SUBDISTRICT 1

Price classification	D	D	D	D	E	E	E	E	C	C	A	G	G	G
Rail shipments and railroad fuel [1]	420	410	410	395	385	365	335	330	330	325	320	310	300	295
Truck shipment	430	410	365	350	345	320	275	270	-----	-----	-----	-----	-----	-----

BOWEN & MUSIC COAL CO., c/o LOGAN MUSIC, SECO, KENTUCKY, NO. 1 MINE, ELKHORN SEAM, MINE INDEX NO. 7509, LETCHER COUNTY, KENTUCKY, RAIL SHIPPING POINT: KONA, KENTUCKY, F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5, SUBDISTRICT 1

Price classification	K	K	K	K	K	K	J	G	E	G	D	J	J	J
Rail shipments and railroad fuel [1]	390	375	365	395	360	350	340	325	325	300	315	310	300	295
Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----

GENE COLLINS, THEALKA, KENTUCKY, GENE COLLINS MINE, MILLER'S CREEK SEAM, MINE INDEX NO. 7504, JOHNSON COUNTY, KENTUCKY, RAIL SHIPPING POINT: PAINTSVILLE, KENTUCKY, F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2, SUBDISTRICT 1.

Price classification	D	D	D	D	E	E	E	E	C	C	A	G	G	G
Rail shipments and railroad fuel	420	410	410	395	385	365	335	330	330	325	320	310	300	295
Truck shipment	430	410	365	350	345	320	275	270	-----	-----	-----	-----	-----	-----

[1] Subject to the provisions of Revised Order No. 1133 under M. P. R. 120 above rail prices plus $0.50.

CHESTER C. CORNETT, ROUTE NO. 1, BOX 24, VIPER, KENTUCKY, DAKOTA MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7490, PERRY COUNTY, KENTUCKY, RAIL SHIPPING POINT: VIPER, KENTUCKY, F. O. G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5, SUBDISTRICT 3.

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	K	K	K	K	J	J	H	G	E	G	D	K	K	K
Rail shipments and railroad fuel [1]	380	375	365	365	360	350	330	325	325	360	315	300	295	295
Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----

GRIFFITH COAL CO., c/o JOHN GRIFFITH, CUMBERLAND, KENTUCKY, GRIFFITH MINE, B SEAM, MINE INDEX NO. 7495, LETCHER COUNTY, KENTUCKY, RAIL SHIPPING POINT: CUMBERLAND, KENTUCKY, F. O. G. 80, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2, SUBDISRTICT 3.

Price classification	E	E	E	E	D	D	C	C	A	C	A	E	E	E
Rail shipments and railroad fuel [1]	410	400	390	385	385	360	340	335	340	385	320	310	305	305
Truck shipment	430	410	365	380	345	320	275	270	-----	-----	-----	-----	-----	-----

N. J. LUCAS, WHITESBURG, KENTUCKY, LUCAS NO. 6 MINE, ELKHORN SEAM, MINE INDEX NO. 7483, LETCHER COUNTY, KENTUCKY, RAIL SHIPPING POINT: WINTERS, KENTUCKY, F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5, SUBDISTRICT 1

Price classification	K	K	K	K	K	K	J	G	E	G	D	J	J	J
Rail shipments and railroad fuel [1]	380	375	365	365	360	350	330	325	325	360	315	310	300	295
Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----

N. J. LUCAS, WHITESBURG, KENTUCKY, LUCAS NO. 4 MINE, WHITESBURG SEAM, MINE INDEX NO. 7482, LETCHER COUNTY, KENTUCKY, RAIL SHIPPING POINT: BELCRAFT, KENTUCKY, F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5, SUBDISTRICT 3

Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel [1]	365	365	360	360	360	350	330	325	325	360	315	300	295	295
Truck shipment	395	375	350	350	335	310	275	270	-----	-----	-----	-----	-----	-----

[1] Subject to the provisions of Revised Order No. 1432 under M. P. R./120 above rail prices plus $0.50.
[2] Subject to Amendment 3 of Revised Order 1432 under M. P. R./120 above rail prices plus $0.50.

This order shall become effective October 19, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19328; Filed, Oct. 18, 1945; 4:44 p. m.]

[MPR 120, Order 1495]

PATTERSON CONSTRUCTION CO.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

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

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel, are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river, the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

PATTERSON CONSTRUCTION CO., 10TH & RAILROAD STS. MONONGAHELA, PA., PATTERSON NO. 3 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4399, GREENE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: POLAND, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP E, MAXIMUM TRUCK PRICE GROUP NO. 11

	Size group nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	F	F	E	E	E	E	E	E	E	-----	-----
Rail and river shipments	294	294	289	289	289	279	259	259	244	-----	-----
Railroad fuel	294	294	289	289	289	279	259	259	249	249	-----
Truck shipment	389	389	389	369	349	349	349	289	269	269	239

R. W. PAUL CONSTRUCTION CO., R. D. #1 BOX 315 HOMESTEAD, PA., DRAVOSBURG MINE, PITTSBURGH SEAM, MINE INDEX NO. 4392, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: DRAVOSBURG, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 7

Price classification	D	D	C	C	C	C	C	C	C	-----	-----
Rail shipment	319	319	319	319	319	309	284	284	264	-----	-----
Railroad fuel	319	319	319	319	319	309	284	284	264	254	-----
Truck shipment	434	434	434	399	369	369	369	334	294	294	279

PITTSBURGH COAL CO., PITTSBURGH 30, PA., MONGAN MINE, PITTSBURGH SEAM, MINE INDEX NO. 150,[1] ALLEGHENY COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: MONONGAHELA, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP A

Price classification	D	D	C	C	C	[1] C	C	C	C	-----	-----
Rail shipment	355	355	355	355	355	[1] 345	320	320	300	-----	-----
Railroad fuel	355	355	355	355	355	[1] 345	320	320	300	290	-----
Truck shipment [1]	445	445	445	410	380	380	380	345	305	305	290

[1] Previously established.

S. & A. COAL CO., R. D. #1 CHARLEROI, PA., S. & A. MINE, PITTSBURGH SEAM, MINE INDEX NO. 4398, WASHINGTON COUNTY, PA., SUBDISTRICT 9, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 6

Truck shipment	445	445	445	405	395	395	395	345	310	310	275

SANBRAC COAL CO., 32 IRWIN R. D. #11, PITTSBURGH, PA., SANBRAC NO. 3 MINE, REDSTONE SEAM, MINE INDEX NO. 4405, WESTMORELAND COUNTY, PA., SUBDISTRICT 4, RAIL SHIPPING POINT: WAYNE & YUKON, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP D., MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification	G	G	G	G	G	G	G	G	G	-----	-----
Rail shipment	294	294	284	284	284	274	254	254	239	-----	-----
Railroad fuel	294	294	289	289	289	274	254	254	244	244	-----
Truck shipment	424	424	424	404	374	374	374	314	294	294	264

ELMEE A. SNYDER, R. D. #2, BOX 304, CONNELLSVILLE, PA., SNYDER NO. 3 MINE, REDSTONE SEAM, MINE INDEX NO. 4402, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: YUKON, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP D, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification	G	G	G	G	G	G	G	G	G	-----	-----
Rail shipment	294	294	284	284	284	274	254	254	239	-----	-----
Railroad fuel	294	294	289	289	289	274	254	254	244	244	-----
Truck shipment	424	424	424	404	374	374	374	314	294	294	264

SWANEY AND MOATS, BOX 288, UNIONTOWN, PA., SWANEY AND MOATS MINE, SWICHLEY SEAM, MINE INDEX NO. 4395, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: YORK RUN AMEND AND HAYS, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP G, MAXIMUM TRUCK PRICE GROUP NO. 7

Price classification	J	J	H	H	H	H	H	H	H	-----	-----
Rail shipment	294	294	279	279	279	269	244	244	234	-----	-----
Railroad fuel	294	294	279	279	279	269	244	244	229	229	-----
Truck shipment	424	424	424	394	334	334	334	319	299	299	274

This order shall become effective October 19, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19329; Filed, Oct. 18, 1945; 4:44 p. m.]

[MPR 120, Order 1496]

SAM FONTANAZZA AND JOHN SEDUNOR

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

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

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

SAM FONTANAZZA, 10 VINE STREET, MT. PLEASANT, PA., NULL MINE, UPPER FREEPORT SEAM,[1] MINE INDEX NO. 1321, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: HUNKER, PA., DEEP MINE, R. R. FUEL PRICE GROUP A

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	F	F	E	E	E	E	F	F	F	------	------
Rail shipment	330	330	325	325	325	315	295	295	290	------	------
Railroad fuel	335	335	335	335	335	320	295	295	290	290	------
Truck shipment [2]	435	435	435	415	385	385	385	385	385	385	375

[1] Correction of seam designation.
[2] Previously established.

JOHN SEDUNOR, BOX 71, WYANO, PA., SEDUNOR MINE, PITTSBURGH SEAM, MINE INDEX NO. 4125, WESTMORELAND COUNTY, PA., SUBDISTRICT 4, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 8

Truck shipment	435	435	435	415	385	385	385	385	385	385	375

This order shall become effective October 19, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19330; Filed, Oct. 18, 1945; 4:45 p. m.]

[RMPR 136, Order 516]

A. S. CAMPBELL CO., INC.

AUTHORIZATION 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 and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and sections 9, 10 and 11 (c) of Revised Maximum Price Regulation 136, *It is ordered:*

(a) A. S. Campbell Company, Incorporated, East Boston 28, Massachusetts, may sell, f. o. b. factory, each Campbell trailer, described in subparagraph (1) below, at a price not to exceed the following: Model 2-A $110.25, Model 2-B $92.40, Model 4-A $154.00, Model 4-B $120.32, plus federal excise tax, and state and local taxes on its sale or delivery of the trailer and the cost of transporting the trailer to the purchaser, if any.

(1) *Descriptions:*

Model 2-A Loadmaster, two-wheel automotive trailer, all-steel, all-welded construction; three-point suspension demountable body; 72" long x 47" wide x 16" deep; up to 1½ tons loading capacity; equipped with tires.

Model 2-B Loadmaster, same as Model 2-A; equipped without tires.

Model 4-A Adjustabilt, four-wheel telescopic chassis, adjustable to body widths, rear truck and bolster removable; converts to a two-wheel trailer; up to 4 tons loading capacity, four-wheel unit; equipped with tires.

Model 4-B Adjustabilt, same as Model 4-A; equipped without tires.

(b) A. S. Campbell Company is authorized to suggest to resellers resale prices for the trailers described in paragraph (a) (1) consisting of the following:

(1) *Suggested resale prices.*

Model:	
2-A	$175.00
2-B	149.00
Model:	
4-A	220.00
4-B	225.00

(2) *Charges.* (i) A charge for transportation, if any, not to exceed the actual rail freight charge from the factory at East Boston, Massachusetts, to the railroad freight receiving station nearest to the place of business of the reseller.

(ii) A charge equal to the charges made by A. S. Campbell Company to cover federal excise taxes.

(iii) A charge equal to reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the trailers.

(c) A reseller of A. S. Campbell trailers, in any of the territories or possessions of the United States, is authorized to sell each of the trailers described in paragraph (a) at a price not to exceed the applicable maximum price established in paragraph (b) to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of each trailer; export premiums; boxing and crating for export purposes; marine and war risk insurance and landing, wharfage and terminal operations.

(d) All requests not granted herein are denied.

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

(NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under Section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specifications or equipment of any one trailer, the reseller may add to its price under paragraph (b) the increase in price, plus its customary markup on such a cost increase, but in case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary markup on such an amount.)

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19331; Filed, Oct. 18, 1945; 4:46 p. m.]

[MPR 136, Order 517]

METALS SERVICE AND SUPPLY

AUTHORIZATION 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 and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and sections 9, 10 and 11 (c) of Revised Maximum Price Regulation 136, *It is ordered:*

(a) Metals Service and Supply, 4523 N. E. Alameda, Portland 13, Oregon, may sell, f. o. b. factory, each Metals Service trailer, described in subparagraph (1) below, at a price not to exceed $150.00 plus federal excise tax, and state and local taxes on its sale or delivery of the trailer and the cost of transporting the trailer to the purchaser, if any.

(1) *Description.*

Two-wheel automotive trailer, steel frame and a water proof type plywood body finished in high gloss spar varnish; 6' long x 4' wide x 16" deep; approximately one-half ton loading capacity; equipped with tires.

(b) Metals Service and Supply is authorized to suggest to resellers a resale price for the trailer described in paragraph (a) (1) consisting of the following:

(1) *Suggested resale price,* $214.00.

(2) *Charges.* (i) A charge for transportation, if any, not to exceed the actual rail freight charge from the factory at Portland, Oregon, to the railroad freight receiving station nearest to the place of business of the reseller.

(ii) A charge equal to the charge made by Metals Service and Supply to cover federal excise taxes.

(iii) A charge equal to reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the trailers.

(c) A reseller of Metals Service trailers, in any of the territories or possessions of the United States, is authorized to sell the trailer described in paragraph (a) at a price not to exceed the maximum price established in paragraph (b) to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the trailer; export premiums; boxing and crating for export purposes; marine and war risk insurance and landing, wharfage and terminal operations.

(d) All requests not granted herein are denied.

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

(NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under Section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specifications or equipment of the trailer, the reseller may add to its price under paragraph (b) the increase in price, plus its customary markup on such a cost increase, but in case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary markup on such an amount.)

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19332; Filed, Oct. 18, 1945; 4:46 p. m.]

[MPR 188, Rev. Order 4235]

ALBERT FREED

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:* Order No. 4235 under Maximum Price Regulation No. 188 is revised to read as set forth herein.

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Albert Freed, 10 West 23d Street, New York, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Crystal boudoir lamp, octagon shaped base, waterford cut ball break and reeded tube, height 14"	52	*Each* $1.49	*Each* $1.75	*Each* $3.15
Crystal boudoir lamp, with two diamond shaped breaks and reeded tube, height 14¾"	102	3.70	4.35	7.85
Pin-up lamp with steel arm and mirror back	87	1.28	1.50	2.70
Crystal boudoir lamp, with crystal base, with with four waterford cut ball breaks, height 12½"	95	1.96	2.30	4.15
Crystal boudoir lamp, with one waterford cut ball break and mirror base, height 13¼"	65	1.44	1.70	3.05
Decorated china table lamp with glass base, height 23"	103	2.97	3.50	6.30
Decorated china boudoir lamp, height 11½"	99	1.95	2.30	4.15
Decorated china boudoir lamp, height 11¼"	100	1.95	2.30	4.15

These maximum prices are for the articles described in the manufacturer's application dated March 26, 1945.

(2) For sales by all persons the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ------
OPA Retail Ceiling Price—$------
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this revised order shall be established under the provisions of section 4.5 of SR 14J.

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

(f) This revised order shall become effective on the 19th day of October 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19333; Filed, Oct. 18, 1945; 4:46 p. m.]

[MPR 188, Order 4579]

BRIGHTON CRAFT

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Brighton Craft, 638 Edgewood Avenue, Rochester 10, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer—		For sales by by any person to consumers
		Jobbers	Retailers	
Table lamp of plexiglass, cotolin and metal tubing	1-T	*Each* $9.42	*Each* $11.03	*Each* $19.95
Boudoir lamp of plexiglass, cotolin and metal tubing	1-B	*Pair* $9.07	*Pair* $10.67	*Pair* $19.20

These maximum prices are for the articles described in the manufacturer's application dated July 4, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or

label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. _____
OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

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

(f) This order shall become effective on the 19th day of October 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19334; Filed, Oct. 18, 1945; 4:47 p. m.]

[MPR 188, Order 4580]

RIEGER MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Rieger Manufacturing Company of South Second Street, Miamisburg, Ohio.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Drop-Ship jobbers	Retailers	Consumers
Master-matic lawn sprinkler (all brass construction)	MM	*Each* $4.95	*Each* $8.94	*Each* $8.60	*Each* $9.90

These maximum prices are for the articles described in the manufacturer's application dated August 29, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct model number and retail price properly filled in:

Model No. MM
OPA Retail Ceiling Price—$9.90 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convient form.

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

(e) This order shall become effective on the 19th day of October 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19335; Filed, Oct. 18, 1945; 4:47 p. m.]

[MPR 188, Order 4581]

RACINE UNIVERSAL MOTOR CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Racine Universal Motor Company of 1 Main Street, Racine, Wis.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Electric mixer plastic case	9" x 1¾"	*Each* $3.00	*Each* $3.00	*Each* $1.25	*Each* $3.00

These maximum prices are for the articles described in the manufacturer's application dated July 28, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices include the Federal Excise Tax, and are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail prices properly filled in:

Order No. 4581
Model No. _____
OPA Retail Ceiling Price—$_____
Federal Excise Tax Included
Do Not Detach or Obliterate

or

Racine Universal Motor Company
1 Main Street
Racine, Wisconsin
Model No. _____
OPA Retail Ceiling Price—$_____
Do Not Detach or Obliterate _____

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 19th day of October 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19336; Filed, Oct. 18, 1945; 4:47 p. m.]

[MPR 188, Order 4582]

LACTONA, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Lactona, Incorporated, 4th & Broadway, Saint Paul 1, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—		
		Wholesalers	Retailers	Consumers
Hair brush	None	*Each* 1 to 6 dozen, $2.67. 7 to 11 dozen, $2.27. 12 or more dozen, $2.00	*Each* $2.67	*Each* $4

These maximum prices are for the articles described in the manufacturer's application dated September 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$4.00 each
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 19th day of October 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19337; Filed, Oct. 18, 1945; 4:47 p. m.]

[MPR 188, Order 4583]

EKCO PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Ekco Products Company, 1949 North Cicero Avenue, Chicago 39, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Chain, mail order and department stores	Other retailers	Consumers
STAINLESS STEEL, PLASTIC HANDLE		*Doz.*	*Doz.*	*Doz.*	*Ea.*
Plain bowl spoon	1708	$3.54	$4.25	$4.72	$0.59
Plain ladle	1745	3.54	4.25	4.72	.59
Wide spatula	1755	3.54	4.25	4.72	.59
Narrow spatula	1756				
Tea strainer	1782	3.54	4.25	4.72	.59
Pie server	1780	3.54	4.25	4.72	.59
Scoop	1759	3.54	4.25	4.72	.59
Two tine fork	1738	3.54	4.25	4.72	.59
Whipper	1751	3.54	4.25	4.72	.59
Cake turner	1731	3.54	4.25	4.72	.59
Hamburger turner	1717	3.54	4.25	4.72	.59
Pref spoon	1721	3.54	4.25	4.72	.59
Three tine fork	1727	3.54	4.25	4.72	.59
Potato masher	1705	3.54	4.25	4.72	.59
Strainer:					
6" medium	1788	4.74	5.69	6.32	.79
5" fine	1785	4.14	4.97	5.52	.69
6" fine	1787	4.74	5.69	6.32	.79
5" medium	1786	4.14	4.97	5.52	.69

These maximum prices are for the articles described in the manufacturer's application dated 25 September 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—$.....
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 19th day of October 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19338; Filed, Oct. 18, 1945; 4:48 p. m.]

[MPR 188, Order 4584]

LATTNER BROS. MACHINERY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Lattner Bros. Machinery Company, 11183 Grand River Avenue, Detroit 4, Mich.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Chain and department stores	Other retailers	Consumers
		Doz.	*Doz.*	*Doz.*	*Each*
Large fire shovel	19	$1.68	$2.07	$2.32	$0.29
Small fire shovel	Lifetime	.60	.72	.80	.10
Dust pan	Lifetime	2.07	2.52	2.80	.35

These maximum prices are for the articles described in the manufacturer's application dated July 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct model number and retail price properly filled in:

Model No. _____
OPA Retail Ceiling Price—$_____
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be give in any convenient form.

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

(e) This order shall become effective on the 19th day of October 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19339; Filed, Oct. 18, 1945; 4:48 p. m.]

[MPR 188, Order 4585]

BABBITT CHEMICAL SPECIALTIES CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) Maximum prices for sales by Babbitt Chemical Specialties Co., 36 Prospect Street, New Bedford, Mass., of packages containing 60 inches and 12 inches of "Weather-Pak," a calking compound, are established as follows:

	Maximum delivered prices	
	Package containing 60 inches	Package containing 12 inches
For sales by the manufacturer to retailers.	$1.25 less 50%-10%.	$0.29 less 50%-10%.
For sales by the retailer.	$1.25	$0.29.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a retailer, the manufacturer shall furnish such retailer with a written notice containing the schedule of maximum prices set out in paragraph (a) above, and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of the aforesaid commodity, after the effective date of this order, the manufacturer shall mark or cause to be marked on each size of container, whichever of the following legends is applicable:

	Retail ceiling price
Weather-Pak:	
Package containing 60 inches	$1.25
Package containing 12 inches	.29

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19340; Filed, Oct. 18, 1945; 4:48 p. m.]

[MPR 260, Order 1912]

F. & D. CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

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

(a) F. & D. Cigar Company, 200 E. Princess Street, York, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
John Adams	Perfecto	50	$75	10
	Cigarillo	50	40	5

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

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

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

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19341; Filed, Oct. 18, 1945; 4:49 p. m.]

[MPR 260, Order 1913]

JUAN RAMON QUINONES

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Juan Ramon Quinones #15, Guraba, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
	Corona 5"	50	*Per M* $50	*Cents* 7

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

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

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

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

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19342; Filed, Oct. 18, 1945; 4:49 p. m.]

[MPR 260, Order 1914]

MANUEL DURAN

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Manuel Duran, Post Office Box 206, Gregario Vaz Street, Aguadillo, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Manuel Duran	Tubano	50	$32	4
	Corona	50	44	2 for 11
	Blunts	50	72	9

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

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

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

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19343; Filed, Oct. 18, 1945; 4:49 p. m.]

[MPR 260, Order 1915]

MARIO HERNANDEZ GOMEZ

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Mario Hernandez Gomez, San Felipe Street, Las Piedras, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Panetelas	5¾"	50	$60	2 for 15

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

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

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

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19344; Filed, Oct. 18, 1945; 4:49 p. m.]

[MPR 260, Order 1916]

MARCOS E. ORTIZ

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Marcos E. Ortiz, J. de Diego Street, Carolina, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Corona	4½"	50	$40	5

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

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

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

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19345; Filed, Oct. 18, 1945; 4:49 p. m.]

[MPR 260, Order 1917]

EDELMIRO RODRIGUEZ

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Edelmiro Rodriguez, Munoz Rivera, Cayey, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Breba	4⅞"	50	$50	4 for 25

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

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

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

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19346; Filed, Oct. 18, 1945; 4:50 p. m.]

[MPR 260, Order 1918]

JUAN CARRION

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Juan Carrion, M. G. G. Street, Gurabo, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Panetelas	5½"	50	$72	[illegible]
Short Corona	4 [illegible]"	50	44	2 for 11
Tabaco-Toro	4 [illegible]"	50	32	4

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

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

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

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19347; Filed, Oct. 18, 1945; 4:50 p. m.]

[MPR 580, Amdt. 1 to Order 65]

INTERNATIONAL SHOE CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Order No. 65, Amendment 1. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-81; International Shoe Co.

For the reasons set forth in the accompanying opinion, paragraph (a) of Order No. 81 under section 13 of Maximum Price Regulation 580 is amended to read as follows:

Branded articles	Manufacturer's selling price			Retail ceiling price
	Lightweight	Welt	Plastic	
Vitality shoes	$4	$4.15	$4.03 and $4.19	$6.95
Queen Quality shoes	4	4.15	4.01 and 4.19	6.95
Dorothy Dodd shoes	4	4.15	4.01 and 4.19	6.95

The retail ceiling price of an article manufactured for the first time after the effective date of this order and which is sold by the manufacturer at the same price as another article of the same type with the same brand or company name and for which a retail ceiling price has been established by this paragraph (a) shall be the retail ceiling price listed for that other article in this paragraph (a).

This amendment shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19348; Filed, Oct. 18, 1945; 4:50 p. m.]

[MPR 580, Amdt. 1 to Order 83]

F. C. HUYCK & SONS

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Order No. 83, Amendment 1. Establishing ceiling price at retail for branded articles. Docket No. 6063-580-13-294; F. C. Huyck and Sons.

For the reasons set forth in the opinion issued simultaneously herewith, paragraph (a) of Order No. 83 is amended by adding the following:

Article	Brand name	Manufacturer's selling price	Ceiling price at retail, States enumerated below	Ceiling price at retail except in States enumerated below
Blanket No. 43 Famous 80 x 90.	Kenwood	$10.50	$18.50	$17.95

Arizona, California, New Mexico, Oklahoma, Texas, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming, North Dakota, South Dakota.

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19349; Filed, Oct. 18, 1945; 4:50 p. m.]

[MPR 580, Amdt. 1 to Order 98]

S. BUCHSBAUM & CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Order No. 98, Amendment 1. Establishing ceiling price at retail for branded articles. Docket No. 6063-580-13-345; S. Buchsbaum & Co.

For the reasons set forth in the opinion issued simultaneously herewith, paragraph (a) of Order No. 98 is amended by adding the following:

Article	Style No.	Brand name	Manufacturer's price line	Retail ceiling price
			Per doz.	*Per unit*
Ladies raincoat	X2772	Elastic-Glass	$48	$9.95
Ladies raincoat	X2773	Elastic-Glass	63	8.95
Men's raincoat	X2769	Elastic-Glass	48	6.95
Men's raincoat	X2770	Elastic-Glass	69	9.95

The retail ceiling price of an article manufactured for the first time after the effective date of this order and which is sold by the manufacturer at the same price as another article of the same type with the same brand or company name and for which a retail ceiling price has been established by this paragraph (a) shall be the retail ceiling price listed for that other article in paragraph (a).

This amendment shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19350; Filed, Oct. 18, 1945; 4:51 p. m.]

[MPR 580, Amdt. 1 to Order 159]

VANITY FAIR MILLS, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Order No. 159, Amendment 1. Establishing ceiling price at retail for branded articles. Docket No. 6063-580-13-200; Vanity Fair Mills, Inc.

For the reasons set forth in the opinion issued simultaneously herewith, paragraph (a) of Order No. 159 is amended by adding the following:

Article	Style	Manufacturers selling price	Suggested retail price
		Per dozen	*Per unit*
Brief	12-3-6	$8.75	$1.25
	12-3-7	14.00	2.00
Pantie	12-4-9	23.00	3.95
Bando	12-7-3	7.00	1.00
Slip	12-8-7	28.00	3.95
	12-8-8	35.00	4.95
Gown	21-9-5	28.00	3.95
	12-9-14	49.00	6.95
	12-9-11	60.00	7.95

This amendment shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19351; Filed, Oct. 18, 1945; 4:51 p. m.]

[MPR 580, Order 225]

MERCURY FOOTWEAR

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 225. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-305.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Mercury Footwear, 640 Broadway, Brooklyn, N. Y., having the brand name "Mercury", and described in the manufacturer's application dated August 28, 1945:

Style Nos.	Article	Manufacturer's selling price	Retail ceiling price
460, 465, 480, 485, 500, 510, 520, 530, 540.	Women's shoes	$4	$6.95

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after December 1, 1945, Mercury Footwear must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Sec. 13, MPR 580)
OPA Price—$_____

On and after January 1, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to January 1, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19352; Filed, Oct. 18, 1945; 4:51 p. m.]

[MPR 580, Order 226]

AD REINSBERG CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 226. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-307.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Ad Reinsberg Company, 323 W. Randolph Street, Chicago 6, Ill., and described in the manufacturer's application dated August 20, 1945:

Brand name	Article	Style No.	Retail ceiling price
Rainydate	Women's rain hat	1007	$1.05
Super Campaigner	Men's rain hat	5005	1.05

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after December 1, 1945, Ad Reinsberg Company must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Price—$_____

On and after January 1, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to January 1, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19353; Filed, Oct. 18, 1945; 4:51 p. m.]

[MPR 580, Order 227]

PEARCE MFG. CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 227. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-291.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Pearce Manufacturing Company, Latrobe, Pa., having the brand name "Pearce", and described in the manufacturer's application dated June 23, 1945:

BLANKETS

Style name	Size	Weight	Size of binding (rayon acetate ribbon)	Retail ceiling price
	Inches	*Lbs.*	*Inches*	*Each*
Beauty	72 x 84	4	3¾	$10.95
Pride	72 x 84	3¾	3½	11.95
Pride	72 x 90	4	3½	12.95
Nu Plaid	72 x 84	3¾	3½	12.00
Queen Anne	72 x 84	3	3	8.95
	72 x 90	3¼	3	9.95
Standard Plaid	72 x 84	5	3	(Per pair) $17.95

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after December 1, 1945, Pearce Manufacturing Company must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Price—$_____

On and after January 1, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to January 1, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall became effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19354; Filed, Oct. 18, 1945; 4:52 p. m.]

[MPR 580, Order 228]

ROSE BROS.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 228. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-310.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Rose Brothers, 275 Seventh Avenue, New York 1, N. Y., having the brand name "Surretwill", and described in the manufacturer's application dated August 21, 1945:

Article	Manufacturer's selling price	Retail ceiling price
Suits (men's)	$22.00	$37.50
Trousers (men's)	6.70	11.50

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after December 1, 1945, Rose Brothers must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Price—$------

On and after January 1, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to January 1, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19355; Filed, Oct. 18, 1945; 4:52 p. m.]

[MPR 580, Order 229]

PEMBROOKE LINGERIE CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 229. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-301.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Pembrooke Lingerie Co., 152 Madison Avenue, New York 16, N. Y., having the brand name "Pembrooke Junior", and described in the manufacturer's application dated August 22, 1945:

Article	Style No.	Manufacturer's selling price	Retail ceiling price
		Per doz.	*Per unit*
Slip	117	$15.75	$2
	118	15.75	2

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after December 1, 1945, Pembroke Lingerie Co. must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Sec. 13, MPR 580)
OPA Price—$------

On and after January 1, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to January 1, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19356; Filed, Oct. 18, 1945; 4:53 p. m.]

[MPR 580, Order 230]

NULIFE GARMENTS CORP.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 230. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-275.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Nulife Garments Corporation, 912-920 Broadway, New York 10, N. Y., having the brand name "Nulife", and described in the manufacturer's application dated August 2, 1945:

Article	Style No.	Retail ceiling price
Health belt (women)	975	$3
Health belt (men)	981	3

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after December 1, 1945, Nulife Garments Corporation must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Price—$------

On and after January 1, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to January 1, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article

listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19357; Filed, Oct. 18, 1945; 4:53 p. m.]

[MPR 580, Order 231]

FLEXEES, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 231. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-67.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Flexees, Inc., 417 Fifth Avenue, New York 16, N. Y., and having the brand name "Sea Molds", and described in the manufacturer's application dated April 16, 1945:

WOMEN'S BATHING SUITS

Manufacturer's price (per dozen):	*Retail ceiling price (per unit)*
$42.00	$5.95
$54.00	7.95
$72.00	10.95

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after December 1, 1945, Flexees, Inc. must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Sec. 13, MPR 580)
OPA Price—$_____

On and after January 1, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to January 1, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19358; Filed, Oct. 18, 1945; 4:53 p. m.]

[MPR 580, Order 232]

TAYLOR BEDDING MFG. CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 232. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-56.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Taylor Bedding Manufacturing Company, Taylor, Tex., and described in the manufacturer's application dated April 14, 1945:

Brand name	Article	Manufacturer's selling price	Retail ceiling price
Morning Glory	Mattress	$21	$30.50

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after December 1, 1945, Taylor Bedding Manufacturing Co., must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Sec. 13, MPR 580)
OPA Price—$_____

On and after January 1, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to January 1, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19359; Filed, Oct. 18, 1945; 4:53 p. m.]

[MPR 580, Order 233]

DISNEY, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 233. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-251.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Disney, Inc., Danbury, Connecticut, having the brand name "Disney Hats," and described in the manufacturer's application dated June 25, 1945:

MEN'S AND BOYS' HATS

Style name	Manufacturer's selling price	Retail ceiling price
	Per dozen	*Per unit*
Wizzle	$35	$5.00
Gadabout	39	6.50
Select	43	6.50
Approved	54	7.50
Criterion	60	8.50
Mello-tex	72	10.00
Beaverbrook	84	12.50
Delmar	84	12.50
Disney #15	90	15.00
Disney #20	120	20.00

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after December 1, 1945 Disney, Inc. must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Price—$_____

On and after January 1, 1946, no retailer may offer or sell the articles unless it is marked or tagged in the form stated above. Prior to January 1, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19360; Filed, Oct. 18, 1945; 4:54 p. m.]

[MPR 580, Order 234]

J. T. HARDEMAN HAT CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 234. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-299.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by J. T. Hardeman Hat Company, 700 Republican Street, Seattle 9, Wash., having the brand name "Hardeman," and described in the manufacturer's application dated August 27, 1945:

MEN'S HATS

Style name	Manufacturer's selling price	Retail ceiling price
	Per dozen	*Per unit*
Glider	$45.00	$6.50
Super quality	52.50	7.50
De Luxe	54.00	7.50
Royal	69.00	10.00

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after December 1, 1945, J. T. Hardeman Hat Company must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Price—$_____

On and after January 1, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to January 1, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19361; Filed, Oct. 18, 1945; 4:54 p. m.]

[MPR 591, Order 52]

THOMAS H. BENTLEY CO.

AUTHORIZATION 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 section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following food freezers, manufactured by the Thomas H. Bentley Company, 1025 North Third Street, Milwaukee, Wis. and as described in the application dated August 27, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to distributors	On sales to dealers	On sales to consumers
Model FH18, 18 cubic feet, ½ horsepower compressor	$275	$330	$550
Model FS18, 18 cubic feet, ¼ horsepower compressor	260	312	520
Model FS18, 18 cubic feet, less compressor and plates	180	216	360

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Thomas H. Bentley Company of Milwaukee, Wisconsin, shall stencil on the inside of the lid or cover of the food freezers covered by this order, substantially the following:

OPA Maximum Retail Price $_____
Plus freight and crating as provided in Order No. 52 under Maximum Price Regulation No. 591.

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19362; Filed, Oct. 18, 1945; 4:54 p. m.]

[MPR 591, Order 53]

RANDOLPH PRODUCTS CO.

AUTHORIZATION 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 section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices for sales by any person of the Auto Glove Compartment Door Lock supplied with two cut keys manufactured by the Randolph Products Company of Chicago, Illinois and described in the company's application dated June 7, 1945, shall be, exclusive of excise tax, if any:

	Maximum net price including two keys
On sales to distributors	$0.40
On sales to jobbers	.47½
On sales to dealers	.65
On sales to consumers	.90

(b) The maximum prices set forth in (a) above shall be subject to such discounts, allowances, including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) Each seller, except on sales to consumers, shall notify in writing each of his purchasers, at or before the time of the first invoice, of the maximum prices established by this Order for his sales to such purchasers as well as the maximum prices established for each purchaser on resale.

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19363; Filed, Oct. 18, 1945; 4:55 p. m.]

[MPR 591, Order 54]

SUPERIOR DOOR CATCH 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 section 16 (b) (1) of Maximum Price Regulation No. 591, it is ordered:

(a) *Adjustment of maximum prices for the Superior Door Catch Company.* (1) This order permits the Superior Door Catch Company of Superior, Wisconsin, to increase its March 1942 net prices to each class of customer for door catches and sash holders by 10 percent.

(b) The Superior Door Catch Company shall extend the same cash discounts and provide the same transportation allowances in effect on these items during March 1942, to its several classes of purchasers.

(c) *Maximum prices for resellers.* All resellers of the door catches and sash holders for which adjustment is granted by this order may add the same percentage mark-up to their new cost resulting from the adjustment granted by this order which was in effect on these items during March 1942.

(d) *Notification to all purchasers.* The Superior Door Catch Company shall send the following notice to each purchaser at or before the first billing after the effective date of this order:

Order No. 54 under section 16 (b) (1) of Maximum Price Regulation No. 591 provides for a 10 percent increase in March 1942 maximum prices for door catches and sash holders manufactured by the Superior Door Catch Company of Superior, Wisconsin. Resellers may add the same percentage mark-up to their new cost resulting from this adjustment as was in effect on these items during March 1942.

(e) Order No. L-18 under Order B-1 under § 1499.159 (b) of Maximum Price Regulation No. 188 issued and made effective July 18, 1945, is hereby revoked.

(f) All prayers of the applications of the Superior Door Catch Company not granted in this order are denied.

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19364; Filed, Oct. 18, 1945; 4:55 p. m.]

[MPR 591, Order 55]

CASE-FENSCKE MFG. CO.

AUTHORIZATION 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 section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices on sales by any person of the 8" x 5" x 2½" cold rolled steel positive catch barn door lock manufactured by the Case-Fenscke Manufacturing Company of Forest Lake, Minnesota and described in the company's application dated July 3, 1945 shall be:

On sales to jobbers and distributors	$2.25
On sales to retailers	3.00
On sales to consumers	4.50

(b) On sales by the Case-Fenscke Manufacturing Company of Forest Lake, Minnesota a cash discount of 2 percent 10 days must be extended to its various classes of purchasers.

(c) The maximum net prices established under (a) above are subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) Every person selling the commodity subject to this order except on sales to consumers shall notify in writing each of its purchasers at or before the time of the first invoice after the effective date of this order of the maximum prices established by this order for his sales to such purchasers as well as the maximum prices established for each purchaser on resale.

(e) The Case-Fenscke Manufacturing Company of Forest Lake, Minnesota shall submit to this Office 90 days after the effective date of this order, the following information:

(1) Profit and Loss Statement for the 90 days period immediately following the effective date of this order.

(2) A complete breakdown of actual current total cost to make and sell the positive catch barn door lock.

(3) A sample of the commodity together with a statement covering details of its construction.

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19365; Filed, Oct. 18, 1945; 4:55 p. m.]

[MPR 591, Order 56]

KING KOLD MFG. CO.

AUTHORIZATION 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 section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following refrigeration equipment, manufactured by King Kold Manufacturing Company of Philadelphia, Pa., and as described in the application dated September 26, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	Onsales to distributors	Onsales to dealers	Onsales to consumers
6' x 6' x 8' Walkin storage refrigerator (wood or steel clad)	$277.02	$370.74	$551.21
6' x 8' x 8' Walkin storage refrigerator (wood or steel clad)	324.03	400.00	603.15
8' x 8' x 8' Walkin storage refrigerator (wood or steel clad)	400.03	451.03	801.80
8' x 10' x 8' Walkin storage refrigerator (wood or steel clad)	477.71	501.25	903.42
42-6 D. D. display case 6' x 4"	247.00	417.00	695.00
60-8 D. D. display case 6' x 50"	457.00	555.00	975.00	
W. C. 6 D. D. display case 6' x 74"	470.00	582.00	920.00
W. C. 8 D. D. display case 6' x 74"	592.00	702.00	1,170.00
40-6' all-purpose refrigerator	312.00	372.00	620.00
40-8' all-purpose refrigerator	350.00	420.00	700.00

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except retailers, including allowable transportation and crating charges.

(f) King Kold Manufacturing Company of Philadelphia, Pa., shall stencil on the inside of the lid or cover of re-

frigeration equipment covered by this order, substantially the following:

OPA Maximum Retail Price $_____
Plus freight and crating as provided in Order No. 56 under Maximum Price Regulation No. 591.

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19366; Filed, Oct. 18, 1945; 4:56 p. m.]

[MPR 591, Order 57]

ALUMINUM COMBINATION WINDOW OF AMERICA, INC.

AUTHORIZATION 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 section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices for sales by any person of the Aluminum Combination Screen and Storm Window manufactured by the Aluminum Combination Window of America, Inc., 300 Engineers Building, Cleveland 14, Ohio, and as described in the application dated July 26, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to to jobbers	On sales to dealers	On sales to consumers (installed and erected)
28½" x 55", combination screen and storm window with 2 glass panes and 1 screen, with solid aluminum frame	$12.50	$15	$25

(b) The maximum prices set forth in (a) above on sales to jobbers and dealers are f. o. b. point of manufacture.

(c) The maximum net prices established in (a) and (b) above on sales to consumers shall be reduced by $2.00 when sold on an uninstalled basis.

(d) The maximum prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

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

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19367; Filed, Oct. 18, 1945; 4:56 p. m.]

[MPR 592, Order 4]

ROBINSON CLAY PRODUCT CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592; *It is ordered:*

(a) The maximum f. o. b. plant and delivered prices for sales by the Robinson Clay Product Company, Akron, Ohio, and subsidiaries, of refractory products may be increased by amounts not in excess of the following:

Product:	*Adjustment per M standard series brick*
Cupola block	$12.00
Boyd firebrick	3.50
Flintex firebrick	3.90
Robinson firebrick	3.50
SFR firebrick	3.50
Ohio Woodland firebrick	3.75
FRC silica brick	3.10

(b) If the Robinson Clay Product Company and its subsidiaries had an established differential in price during the month of March 1942 for other sizes and shapes of refractories, it may convert the adjustments granted in (a) above for the products therein set forth, on the basis of the conversion factors or formula in use by it during March 1942 in establishing a price differential between the products set forth in (a) above and the other sizes and shapes of refractory products.

(c) Any person purchasing any of the products listed in (a) above for the purpose of resale may increase his present maximum prices established under the General Maximum Price Regulation by a dollar-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increases permitted in paragraph (a), above.

(d) The Robinson Clay Product Company and its subsidiaries shall furnish to each buyer purchasing the products listed in (a) above, for resale, on or before the date it makes the first delivery at the adjusted price, a written statement as follows:

The Office of Price Administration has granted certain adjustments in the maximum prices for refractory products manufactured by the Robinson Clay Product Company and subsidiary companies. The amount of the price increase is shown separately on the invoice in per M brick. You are permitted to add the actual amount of your increased cost resulting from the increase permitted the Robinson Clay Product Company and its subsidiaries to your existing maximum prices for such refractory products purchased from them.

(e) The maximum prices established herein shall be subject to cash, quantity, and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

(f) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19368; Filed, Oct. 18, 1945; 4:56 p. m.]

[Order 82 Under 3 (e)]

ACE MFG. CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) Maximum prices for sales in 8 ounce bottles of "Ace Manufacturing Product No. 1," a nickelplate cleaner, manufactured by Ace Manufacturing Company, 1802 28th Avenue West, Seattle 99, Washington, are established as follows:

	Price per dozen
For sales by manufacturer:	
To manufacturer's sales agent	$2.83
To retailer	4.50
For sales by manufacturer's sales agent to retailer	4.50
For sales by retailer	[1] 7.08

[1] 59 cents each.

The above prices are subject to the same discounts, allowances and trade practices as prevailed on each seller's sales of said product in the one pint size.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a sales agent or retailer, the manufacturer shall furnish such sales agent or retailer with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of such commodity, after the effective date of this order, the manufacturer shall mark or cause to be marked thereon the following legend:

Maximum retail price, 59 cents.

This order shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F.R. Doc. 45-19324; Filed, Oct. 18, 1945; 4:43 p. m.]

[Order 49 Under SR 15, Amdt. 1]

BADORF SHOE CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Amendment 1 to Order No. 49 under § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation. Badorf Shoe Company, Inc.; Docket No. 6064–SR 15.75 (a) (10)–44.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation; *It is ordered:*

Order No. 49 under § 1499.75 (a) (10) of Supplementary Regulation 15 to the General Maximum Price Regulation is amended in the following respects:

1. Paragraph (a) is deleted and a new paragraph (a) is inserted to read as follows:

(a) *Maximum prices for sales of footwear by Badorf Shoe Company, Inc.* On and after October 19, 1945, the maximum prices at which Badorf Shoe Company, Inc., Lititz, Pennsylvania, may sell and deliver the footwear described below shall be as follows:

GRADE A FOOTWEAR

[Adjusted maximum prices per pair]

Description	Size run	Sales to wholesalers (net)	Sales to chain stores (net)	Sales to all other retailers (less 5 percent 30 days)
White kid boot	1–4	$1.0225	$1.0225	$1.125
	2–6	1.0525	1.0525	1.155
	6½–9	1.2225	1.2225	1.325
White elk boot	1–4	.9625	-------	-------
	2–6	1.0025	1.0025	1.105
	6½–9	1.1525	1.1525	1.255
	9½–12	1.3725	1.3725	1.475
Tan boot	2–6	1.0025	1.0025	1.105
	6½–9	1.1525	1.1525	1.255
	9½–12	1.3725	1.3725	1.475
Black kip boot	2–6	1.0025	1.0025	1.105
	6½–9	1.1525	1.1525	1.255
	9½–12	1.3725	1.3725	1.475
Patent boot	2–6	1.0025	1.0025	1.105
	6½–9	1.1525	1.1525	1.255
	9½–12	1.3725	1.3725	1.475
White kid oxford	2–6	1.0025	1.0025	1.105
	6½–9	1.1525	1.1525	1.255
White elk oxford	2–6	.9625	.9625	1.055
	6½–9	1.1025	1.1025	1.205
	9½–12	1.3225	1.3225	1.425
Tan elk oxford	2–6	.9625	.9625	1.055
	6½–9	1.1025	1.1025	1.205
	9½–12	1.3225	1.3225	1.425
Black kip oxford	2–6	.9625	.9625	1.055
	6½–9	1.1025	1.1025	1.205
	9½–12	1.3225	1.3225	1.425
Patent oxford	2–6	.9625	.9625	1.055
	6½–9	1.1025	1.1025	1.205
	9½–12	1.3225	1.3225	1.425
White kid cross buckle	2–6	1.0025	1.0025	1.105
	6½–9	1.1525	1.1525	1.255
White elk cross buckle	2–6	.9625	.9625	1.055
	6½–9	1.1025	1.1025	1.205
	9½–12	1.3225	1.3225	1.425
Patent cross buckle	2–6	.9625	.9625	1.055
	6½–9	1.1025	1.1025	1.205
	9½–12	1.3225	1.3225	1.425
White kid sandal	2–6	1.0025	1.0025	1.105
	6½–9	1.1525	1.1525	1.255
White elk sandal	2–6	.9625	.9625	1.055
	6½–9	1.1025	1.1025	1.205
	9½–12	1.3225	1.3225	1.425
Patent sandal	2–6	.9625	.9625	1.055
	6½–9	1.1025	1.1025	1.205
	9½–12	1.3225	1.3225	1.425

GRADE B FOOTWEAR

Description	Size run	Sales to wholesalers (net)	Sales to chain stores (net)	Sales to all other retailers (less 5 percent 30 days)
White sheep boot	1–4	$0.8225	$0.8225	$0.925
	2–6	.8725	.8725	1.025
	6½–9	1.0125	1.0125	1.125
Tan elk boot	2–6	.8725	.8725	1.025
	6½–9	1.0125	1.0125	1.125
	9½–12	1.2725	1.2725	1.425
Black kip boot	2–6	.8725	.8725	1.025
	6½–9	1.0125	1.0125	1.125
	9½–12	1.2725	1.2725	1.425
Patent Boot	2–6	.8725	.8725	1.025
	6½–9	1.0125	1.0125	1.125
	9½–12	1.2725	1.2725	1.425
White sheep oxford	2–6	.8225	.8225	.925
	6½–9	.9925	.9925	1.105
Tan elk oxford	2–6	.8225	.8225	.925
	6½–9	.9925	.9925	1.105
	9½–12	1.2225	1.2225	1.375
Black kip oxford	2–6	.8225	.8225	.925
	6½–9	.9925	.9925	1.105
	9½–12	1.2225	1.2225	1.375
Patent oxford	2–6	.8225	.8225	.925
	6½–9	.9925	.9925	1.105
	9½–12	1.2225	1.2225	1.375
White sheep cross buckle	2–6	.8225	.8225	.925
	6½–9	.9925	.9925	1.105
Patent cross buckle	2–6	.8225	.8225	.925
	6½–9	.9925	.9925	1.105
	9½–12	1.2225	1.2225	1.375
White sheep sandal	2–6	.8225	.8225	.925
	6½–9	.9925	.9925	1.105
Patent sandal	2–6	.8225	.8225	.925
	6½–9	.9925	.9925	1.10
	9½–12	1.2225	1.2225	1.375

2. Paragraph (b) is deleted and a new paragraph (b) is inserted to read as follows:

(b) *Adjustment of certain maximum prices for sales at wholesale.* The maximum price for a sale at wholesale of any shoe listed in paragraph (a), above, shall be the wholesaler's maximum price previously established under the General Maximum Price Regulation increased by 5%. A wholesaler who has not previously established a maximum price under the General Maximum Price Regulation may increase his maximum price otherwise determined under § 1499.2 of the General Maximum Price Regulation by an amount equal to 5% of that price.

3. Paragraph (c) is deleted and a new paragraph (c) is inserted to read as follows:

(c) *Adjustment of certain maximum prices for sales at retail subject to the General Maximum Price Regulation.* The maximum price for a sale or delivery at retail of any shoe listed in paragraph (a), above shall be the retailer's maximum price previously established under the General Maximum Price Regulation increased by 5%. A retailer who has not previously established a maximum price therefor under the General Maximum Price Regulation may increase his maximum price otherwise determined under § 1499.2 of the General Maximum Price Regulation by an amount equal to 5% of that price.

4. Paragraph (d) is deleted and a new paragraph (d) is inserted to read as follows:

(4) *Notification to resellers.* At the time of (or prior to) the first delivery of any shoe listed in paragraph (a), above, to a purchaser for resale on and after the date of this Amendment No. 1 at a price adjusted in accordance with the terms of this amendment, the seller shall notify the purchaser in writing of the applicable method established by paragraph (b) or (c), above, for determining maximum prices for resale of the footwear. This notice may be given in any convenient form.

This amendment shall become effective October 19, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19325; Filed, Oct. 18, 1945; 4:43 p. m.]

[MPR 120, Order 1437]

ARCADIA CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

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

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

THE ARCADIA CO., C/O JOHN P. PRUSHNOK, INDIANA, PA., ARCADIA NO. 13 MINE, E SEAM, MINE INDEX NO. [illegible], INDIANA COUNTY, PA., SUBDISTRICT 12, RAIL SHIPPING POINT, HOOVERHURST, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	G	G	G	G	G
Rail shipment	320	320	315	305	[illegible]
Railroad locomotive fuel	320	320	305	295	[illegible]
Truck shipment	375	320	320	320	320

MORGAN COAL CO., 19 WEST 38TH STREET, INDIANAPOLIS 8, IND., MORGAN SNOW SHOE MINE, A SEAM, MINE INDEX NO. 5530, CENTRE COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT; GILLINTOWN, PA., DEEP AND STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	D	D	D	D	D
Rail shipment	388	368	363	353	353
Railroad locomotive fuel	348	348	333	323	323
Truck shipment	398	373	373	363	353

The foregoing maximum prices are applicable to deep-mined coal. To determine the maximum prices applicable to strip-mined coal, deduct 28¢ per ton from each of the foregoing maximum prices.

MORGAN COAL CO., 19 WEST 38TH ST., INDIANAPOLIS 8, IND., MORGAN GORTON MINE, A SEAM, MINE INDEX NO. 5531, CENTRE COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT, GORTON, PA., DEEP AND STRIP MINE

Price classification	D	D	D	D	D
Rail shipment	388	368	363	353	353
Railroad locomotive fuel	348	348	333	323	323
Truck shipment	398	373	373	363	353

The foregoing maximum prices are applicable to Deep-Mined Coal. To determine the maximum prices applicable to strip-mined coal, deduct 28¢ per ton from each of the foregoing maximum prices.

MORRIS RUN COAL MINING CO., WILKES-BARRE, PA., TEASDALE NO. 1 MINE, BEAR CREEK SEAM, MINE INDEX NO. 5518, TIOGA COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT, MORRIS RUN, PA., DEEP MINE

Price classification	C	C	C	C	C
Rail shipment	398	393	373	358	358
Railroad locomotive fuel	348	348	333	323	323
Truck shipment	470	445	445	435	425

MT. VERNON COAL CO., INC., SHALLMAR, MD., MT. VERNON MINE, C' SEAM, MINE INDEX NO. 5516, GARRETT COUNTY, MD., SUBDISTRICT 44, RAIL SHIPPING POINT, DODSON, W. VA., DEEP MINE

Price classification	H	H	H	K	K
Rail shipment	358	358	338	313	313
Railroad locomotive fuel	348	348	333	323	323
Truck shipment	378	353	353	333	323

CHARLES PATTISON, BLOOMINGTON, MD., PATTISON NO. 3 MINE, B SEAM, MINE INDEX NO. 5538, GARRETT COUNTY, MD., SUBDISTRICT 44, RAIL SHIPPING POINT, WEST VIRGINIA CENTRAL JUNCTION, W. VA., DEEP MINE

Price classification	H	H	H	K	K
Rail shipment	358	358	338	313	313
Railroad locomotive fuel	348	348	333	323	323
Truck shipment	378	353	353	333	323

P AND N COAL CO., P. O. BOX 332, PUNXSUTAWNEY, PA., P & N NO. 4 MINE, E SEAM, MINE INDEX NO. 5529, INDIANA COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT, ROSSITER, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

C. E. POWELL COAL CO., BLANDBURG, PA., POWELL MINE, E SEAM, MINE INDEX NO. 1590,[1] CAMBRIA COUNTY, PA., SUBDISTRICT 18, RAIL SHIPPING POINT, VAN ORMER, PA., DEEP MINE

Price classification	F	F	F	F	F
Rail shipment	363	363	363	333	333
Railroad locomotive fuel	348	348	333	323	323
Truck shipment	388	363	[1] 363	353	343

[1] Previously established.

C. E. POWELL COAL CO., BLANDBURG, PA., POWELL NO. 3 MINE, B SEAM, MINE INDEX NO. 5550, CAMBRIA COUNTY, PA., SUBDISTRICT 18, RAIL SHIPPING POINT, BLANDBURG, PA., STRIP MINE

Price classification	D	D	D	D	D
Rail shipment	360	340	335	325	325
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	370	345	345	335	325

C. E. POWELL COAL CO., BLANDBURG, PA., POWELL NO. 4 MINE, C SEAM, MINE INDEX NO. 5551, CAMBRIA COUNTY, PA., SUBDISTRICT 18, RAIL SHIPPING POINT, BLANDBURG, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

This order shall become effective October 20, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F.R. Doc. 45-19411; Filed, Oct. 19, 1945; 11:44 a. m.]

[RMPR 161, Amdt. 7 to Order 53]

WEST COAST LOGS

APPROVED GRADERS AND SCALERS

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator by § 1381.158 or Revised Maximum Price Regulation 161, Order No. 53 is hereby amended as follows:

1. To the list of names of approved employees in paragraph (a) (1), add the name

Mark Fredson

This amendment shall become effective October 20, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19412; Filed, Oct. 19, 1945; 11:45 a. m.]

[MPR 188, Order 4592]

HOWELL NORTH PRESS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Howell North Press, 4229 Grove Street, Oakland, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
12½" pine nursery lamp with decorated cellulose acetate shade, both base and shade sprayed with phosphorus paint and finished with liquid plastic	102	$3.03	$3.57	*Each* $6.45

These maximum prices are for the articles described in the manufacturer's application dated September 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. _____
OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

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

(f) This order shall become effective on the 20th day of October 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19414; Filed, Oct. 19, 1945; 11:45 a. m.]

[MPR 188, Order 4586]

JAY-GEE LIGHTING FIXTURE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Jay-Gee Lighting Fixture Company, 55 Chrystie Street, New York 2, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
10½" crystal vanity lamp.	1107B	$1.96	$2.31	$4.15
18½" table lamp	1160	4.60	5.41	9.75
16" crystal vanity lamp.	1114	2.47	2.91	5.25
	1111	2.70	3.18	5.70
18" crystal vanity lamp.	1110	2.67	3.14	5.65
14½" crystal vanity lamp.	1148	3.01	3.45	6.35
14½" table lamp	1139	3.09	3.65	6.55
19" hurricane lamp.	1129	2.74	3.23	5.80
16½" table lamp	1149	3.74	4.40	7.90
Table lamp	1159	4.00	4.20	8.45
16½" hurricane lamp.	1150	3.48	4.09	7.35
Pin-up lamp and shade.	2600B	2.22	2.61	4.70
10¾" hurricane lamp.	1136	2.17	2.55	4.60
19" table lamp	1117	5.38	6.33	11.40
16" vanity lamp	1112	2.90	3.41	6.15
Pin-up lamp and shade.	2600A	1.90	2.31	4.15
16" vanity lamp	1145	2.56	3.01	5.40
18" vanity lamp	1130	2.63	3.10	5.60
25½" and 25" table lamp.	1157 and 1158.	10.00	11.76	21.15
20½" table lamp	1151	6.35	7.47	13.45
22" table lamp	1152	7.22	8.49	15.30
21½" table lamp	1134	8.10	9.53	17.15
16½" hurricane lamp.	1156	4.81	5.66	10.20
19" table lamp	1160A	5.00	5.89	10.60
13" vanity lamp	1161	3.40	4.00	7.20
16½" 2-light table lamp.	1162	6.54	7.69	13.85
Fluorescent desk lamp.	DL	5.10	6.00	10.80
21½" crystal lamp, ruby.	1129R	3.33	3.91	7.05

These maximum prices are for the articles described in the manufacturer's application dated May 17, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. _____
OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

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

(f) This order shall become effective on the 20th day of October 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19413; Filed, Oct. 19, 1945; 11:45 a. m.]

[RMPR 300, Order 16]

GERSTANZANG-WERNER CO.

AUTHORIZATION 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 section 3 of Revised Maximum Price Regulation 300, and section 6.4 of the Second Revised Supplementary Regulation 14 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies to all sales to retailers and at retail of the baby hot water bottles that are purchased in bulk and individually packaged by Gerstenzang-Werner Company, 132 West 36th Street, New York, New York, and which are described in that company's application of September 24, 1945.

(b) *Maximum prices.* The maximum prices for sales of the commodity described in paragraph (a) of this order, shall be:

	Per dozen
To retailers	$5.85
Less: 8% trade discount. 10% commissions.	
	Each
At retail	$0.70

(c) *Notification of maximum prices.* With or prior to the first delivery of the commodity described in paragraph (a) to any retailer, the seller shall give such retailer a written notice of the maximum retail price applicable thereto, as established by paragraph (b) of this order.

(d) All provisions of Revised Maximum Price Regulation 300 not inconsistent with this order shall apply to the manufacturer's sales of the commodity priced by this order. All provisions of Revised Maximum Price Regulation 301 that are applicable to a commodity priced under that regulation and that are not inconsistent with this order, shall apply to sales by retailers of the commodity priced by this order.

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

This order shall become effective October 20, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19416; Filed, Oct. 19, 1945; 11:45 a. m.]

[MPR 591, Order 53]

SANITARY REFRIGERATOR CO.

AUTHORIZATION 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 section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm freezers manufactured by the Sanitary Refrigerator Company of Fond Du Lac, Wis., and as described in the application dated October 3, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to distributors	On sales to dealers	On sales to consumers
No. 12½—12½ cu. ft. ½ hp. condensing unit	$212.50	$255	$425

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except retailers, including allowable transportation and crating charges.

(f) The Sanitary Refrigerator Company of Fond Du Lac, Wis., shall stencil on the lid or cover of the farm freezer

covered by this order, substantially the following:

OPA Maximum Retail Price $425.00
Plus freight and crating as provided in Order No. 58 under Maximum Price Regulation No. 591.

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

This order shall become effective October 20, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F.R. Doc. 45-19417; Filed, Oct. 19, 1945; 11:46 a. m.]

[MPR 591, Order 59]

LOUDON MFG. CO.

AUTHORIZATION 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 section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following Walk-In Coolers manufactured by the Loudon Manufacturing Company, 3610 Lyndale Avenue South, Minneapolis, Minn., and as described in the application dated September 7, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to distributors	On sales to dealers	On sales to consumers
Model HF 63—63 cu. ft. walk-in	$600	$700	$1,000
Model HF 64—10 cu. ft. freezer ¼ hp. compressor	190	288	380
Model HF 78—16 cu. ft. freezer ⅓ hp. compressor	270	324	540
Model HF 90—20 cu. ft. freezer ½ hp. compressor	330	396	660

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale except retailers, including allowable transportation and crating charges.

(f) The Loudon Manufacturing Company, Minneapolis, Minnesota, shall stencil on the lid or cover of the Walk-In Cooler covered by this order, substantially the following:

OPA Maximum Retail Price $_____
Plus freight and crating as provided in Order No. 59 under Maximum Price Regulation No. 591.

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

This order shall become effective October 20, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19418; Filed, Oct. 19, 1945; 11:46 a. m.]

[MPR 591, Order 60]

AMERICAN THERMAL INDUSTRIES, INC.

AUTHORIZATION 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 section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following home freezers, manufactured by the American Thermal Industries, Inc., Detroit, Mich., and as described in the application dated September 15, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to distributors	On sales to dealers	On sales to consumers
HF-61—⅓ hp. condensing unit	$140	$168	$280

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except retailers, including allowable transportation and crating charges.

(f) The American Thermal Industries, Inc., of Detroit, Mich., shall stencil on the inside of the lid or cover of the home freezer covered by this order, substantially the following:

OPA Maximum Retail Price $280.00
Plus freight and crating as provided in Order No. 60 under Maximum Price Regulation No. 591.

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

This order shall become effective October 20, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19419; Filed, Oct. 19, 1945; 11:46 a. m.]

[MPR 591, Order 61]

GAMBLE MFG. CO.

AUTHORIZATION 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 section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezers manufactured by the Gamble Manufacturing Company, 1114 South Noland, Independence, Mo., and as described in the application dated August 6, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to distributors	On sales to dealers	On sales to consumers
Farm and home sharp locker freezer	$230	$270	$460

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except retailers, including allowable transportation and crating charges.

(f) The Gamble Manufacturing Company of Independence, Mo., shall stencil on the inside of the lid or cover of the farm and home freezers covered by this order, substantially the following:

OPA Maximum Retail Price $460.00

Plus freight and crating as provided in Order No. 61 under Maximum Price Regulation No. 591.

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

This order shall become effective October 20, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F.R. Doc. 45-19420; Filed, Oct. 19, 1945; 11:46 a. m.]

[RMPR 499, Amdt. 1 to Order 26]

E. W. REYNOLDS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 14 of Revised Maximum Price Regulation 499, *It is ordered,* That Order No. 26 under Revised Maximum Price Regulation 499 be amended in the following respects:

1. The following items and their maximum prices are added to the list of items and maximum prices in paragraph (b):

MAXIMUM PRICES

Description	Importer to retailer	Retail inclusive of Federal excise tax
RC800 8¾ 17J 10K G. F. Cord, Nurse	$16.30	$37.50
RC801 RC802 8¾ 17J 10K G. F. Strap	16.90	39.75
RC803 8¾ 17J 10K G. F. Strap	15.70	37.50
RC804 8¾ 7J 10K G. F. S. B. Strap	10.35	22.50
RC805 RC806 8¾ 7J Lapel	14.00	33.75
RC1100 11½ 17J All steel, Wpf. Sweep. Incabloc, Strap	18.75	42.50
RC1101 11½ 17J 10K Solid Gold, Wpf. Strap, Incabloc Sweep	32.50	71.50
RC1101B ditto but with 10K Expansion Bracelet	46.00	110.00
RC1102 11½ 7J R. G. P. S. B. Strap	8.95	19.75

2. Paragraph (c) *Notification* is corrected to read as follows:

(c) *Notification.* Any person who sells these watches to a purchaser for resale shall furnish the purchaser with a copy of this order or a price list incorporating the above prices and containing a certification that they are maximum prices established by the Office of Price Administration. In addition, he shall include on every invoice covering each sale of these watches the following statement:

OPA Order No. 26 under RMPR 499 establishes the maximum prices at which you may sell these watches.

This notification requirement supersedes the notification requirement in section 12 of Revised Maximum Price Regulation 499 with respect to the watches covered by this order.

This amendment shall become effective on the 20th day of October 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19438; Filed, Oct. 19, 1945; 1:56 p. m.]

[RMPR 528, Order 67]

UNITED STATES RUBBER CO.

AUTHORIZATION 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 section 16 (d) of Revised Maximum Price Regulation No. 528, *It is ordered:*

(a) Maximum retail prices for the following sizes of Wheelbarrow tires and tubes manufactured by the Fisk Tire Division of the United States Rubber Company, New York, N. Y., shall be:

WHEELBARROW

Size	Ply	Maximum retail price	
		For tire	For tube
4.00-8	2	$4.00	$1.05
4.00-8	4	5.00	1.05

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

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

This order shall become effective October 20, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19439; Filed, Oct. 19, 1945; 1:56 p. m.]

[MPR 64, Order 193]

GENERAL ELECTRIC CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 3 and 11 of Maximum Price Regulation No. 64; *It is ordered:*

(a) This order establishes maximum prices for sales of the electric ranges, Models No. AP146A8, No. CT146A9, No. CD346A9, and No. DD246A9, manufactured by the General Electric Company, 1385 Boston Avenue, Bridgeport, Conn., as follows:

(1) For sales by wholesale distributors to retail dealers the maximum prices, including the Federal excise tax, are those set forth below:

Model	Maximum prices for sales by wholesale distributors to retail dealers	
	In quantities of 1 to 4	In quantities of 5 or more
	Each	*Each*
AP146A8	$72.62	$67.87
CT146A9	79.69	75.87
CD246A9	121.25	109.91
DD246A9	177.25	160.05

These prices are f. o. b. seller's city. When, however, shipment is made directly from the factory to the retail dealer pursuant to the wholesale distributor's order, the above prices are f. o. b. the retail dealer's place of business.

(2) For sales by retail dealers to ultimate consumers the maximum prices, including the Federal excise tax but not including any local sales tax are those set forth below:

Model:	*Maximum prices for sales to ultimate consumers by retail dealers (each)*
AP146A8	$106.25
CT146A9	116.95
CD346A9	177.75
DD246A9	259.75

These maximum prices include delivery, a one year warranty, and installation where the installation requires only that the range be connected to the electric facilities provided by the purchaser and such connection does not require any additional materials. If a range cord set (customarily referred to in the industry as a "pigtail") is required and is furnished by the retail dealer, he may add $3.50 to the above OPA retail ceiling price. In all other respects these maximum prices are subject to each seller's customary terms, discounts, allowances, and other price differentials in effect on sales of similar articles.

(b) At the time of or prior to the first invoice to each purchaser for resale after the effective date of this order the General Electric Company shall notify the purchaser of the maximum prices and conditions established by this order for resales by the purchaser. This notice may be given in any convenient form.

(c) The General Electric Company, before shipping any range covered by this order to a purchaser for resale, shall attach securely to the outside panel of the oven door of each range a label which contains all the following information:

1. The model number of the range.
2. Its OPA retail ceiling price.
3. A statement that the ceiling price shown includes the Federal excise tax, delivery, a one year warranty and installation where the installation requires only that the range be connected to the electric facilities provided by the purchaser and such connection does not require any additional materials.
4. A statement that if the installation requires the use of a range cord set (customarily referred to in the industry as a "pigtail") and such a set is furnished by the retail dealer, he may add $3.50 to the OPA retail ceiling price of the range.

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

(e) This order shall become effective on the 20th day of October 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F.R. Doc. 45-19434; Filed, Oct. 19, 1945; 1:57 p. m.]

[MPR 188, Order 4587]

SHER-BAIR LAMP SHADE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Sher-Bair Lamp Shade Company, 1331 South Kedzie Ave., Chicago 21, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
18" junior rayon lamp shade	3000-18	$1.91	$2.25	$4.05
14" satin stretched lamp shade	2000-14	1.57	1.85	3.30
15" satin stretched lamp shade	2000-15	1.91	2.25	4.05
19" satin stretched lamp shade	2000-19	2.25	2.65	4.75
12" rayon lamp shade	1000-12	1.36	1.60	2.85
14" rayon pleated lamp shade	1000-14	1.46	1.72	3.10
15" rayon pleated lamp shade	1000-15	1.67	1.85	3.35

These maximum prices are for the articles described in the manufacturer's application dated June 19, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number _____
OPA Retail Ceiling Price—$_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

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

(f) This order shall become effective on the 20th day of October 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19435; Filed, Oct. 19, 1945; 1:57 p. m.]

[MPR 254, Order 7]

JOHNSON AUTOMATICS INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1379.4 of Maximum Price Regulation No. 254; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of approximately 5,000 Enfield-type rifle barrels manufactured by Johnson Automatics, Incorporated, 84 State Street, Boston 9, Mass.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

Article	Retailer	Maximum price to consumer
Reworked Enfield-type rifle barrel	*Each* $5.40	*Each* $9

The above maximum prices are subject to the following terms: net, f. o. b. factory. These maximum prices are for the articles described in the manufacturer's application dated September 11, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 254 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries on and after the effective date of this order.

(4) The prices established by this order are subject to each seller's customary terms and conditions of sale on sales of similar articles to each class of purchaser. They include the adjustment of maximum prices permitted by § 1379.4a of Maximum Price Regulation No. 254.

(b) At the time of or prior to the first invoice to a purchaser for resale, each seller shall notify the purchaser in writing of the maximum price and conditions established by this order for resales by the purchaser. This notice may be given in any convenient form.

(c) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement

OPA Retail Ceiling Price—$9.00 each
Re-worked, Four Land Barrel to be full finished blued or parkerized star gauge specification dimensions.
Do Not Detach

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

(e) This order shall become effective on the 20th day of October 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19436; Filed, Oct. 19, 1945; 1:58 p. m.]

[MPR 591, Order 62]

STODDARD MFG. CO.

AUTHORIZATION 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 section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following home freezer manufactured by the Stoddard Manufacturing Company, 617 Fourth Street, Southwest, Mason City, Iowa, and as described in the application dated August 29, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to distributors	On sales to dealers	On sales to consumers
5B-5 cu. ft., ⅕-hp. condensing unit	$150	$180	$300

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except retailers, including allowable transportation and crating charges.

(f) The Stoddard Manufacturing Company of Mason City, Iowa, shall stencil on the inside of the lid or cover of the home freezer covered by this order, substantially the following:

OPA Maximum Retail Price—$300.00
Plus freight and crating as provided in Order No. 62 under Maximum Price Regulation No. 591.

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

This order shall become effective October 20, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19437; Filed, Oct. 19, 1945; 1:59 p. m.]

[RPS 40, Order 23]

TAYLOR MFG. CO.

AUTHORIZATION 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 § 1346.1 (b) (3) of Revised Price Schedule No. 40, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the Model No. 750M Padlock manufactured by The Taylor Manufacturing Co. of Philadelphia, Pennsylvania and as described in the application which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to jobbers	On sales to retailers
Model 750M padlock	*Per dozen* $3	*Per dozen* $4

(b) The maximum net price for sales by any person to consumers of the Model 750M Padlock manufactured by the Taylor Manufacturing Co. shall be 50 cents each.

(c) The maximum net prices established by this Order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which the manufacturer and jobber extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during October 1-15, 1941. Retailers shall extend the same price differentials in effect on comparable commodities during March 1942.

(d) Each seller covered by this Order, except retailers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this Order for each such seller as well as the maximum prices established for purchasers, except retailers, upon resale.

(e) The Taylor Manufacturing Company shall print on the box containing the padlock priced by this Order, or attach a tag to such padlock, stating the following:

OPA Maximum Retail Price—50 cents

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

This order shall become effective October 20, 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19433; Filed Oct. 19, 1945; 1:57 p. m.]

[SO 133, Order 2]

KAPLAN FURNITURE 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 Supplementary Order No. 133, It is ordered:

(a) *Manufacturer's Maximum Prices.* Kaplan Furniture Company, 91 Albany Street, Cambridge, Massachusetts, may add an additional adjustment charge to its maximum prices for sales and deliveries to all classes of purchasers of the articles of wood household furniture which it manufactures and for which it had established maximum prices in effect prior to the effective date of this order. That additional adjustment charge shall be an amount equal to 5 per cent of the previously established maximum price as adjusted by paragraph (d) of Order No. 1052 under Maximum Price Regulation No. 188. This additional adjustment charge may be made and collected only if it is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customers, in addition to his properly established maximum price in effect immediately before this order was issued, an adjustment charge in the same amount as the additional adjustment charge herein authorized for and which he pays to his supplier. If he did not have a maximum price in effect for the article at the time this order was issued, he may add the same adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires the maximum resale price to be computed on the basis of cost, the reseller must find his maximum resale price (not including the permitted adjustment charge) by using as cost his invoice cost less any adjustment charge stated on the invoice as a separate amount.

On all sales other than sales to the ultimate consumer this additional adjustment charge may be made and collected only if it is separately stated on each invoice. The adjusted price is subject to each seller's customary terms, discounts and allowances on sales of the same or similar articles. The adjustment charge authorized in this paragraph (b) is in addition to any adjustment charge permitted for wholesalers by Order No. 1052 under Maximum Price Regulation No. 188.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the articles. This notice may be given in any convenient form, and is, in addition to any notice required by paragraphs (d) or (e) of Order No. 1052 of Maximum Price Regulation No. 188.

(d) *Report to be filed.* The manufacturer shall file with the Office of Price Administration, Washington 25, D. C., the report described in section 5 of Supplementary Order 133.

(e) All requests not specifically granted by this order are hereby denied.

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

This order shall become effective on the 20th day of October 1945.

Issued this 19th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19440; Filed, Oct. 19, 1945; 1:59 p. m.]

HUDSON MOTOR CAR CO.

Order authorizing Hudson Motor Car Company to adjust maximum prices after delivery of 1945 or 1946 model year passenger automobiles.

The passenger automobile manufacturers and the Office of Price Administration are now engaged in determining what the maximum prices will be on sales of new passenger automobiles. While this determination is being made, the Hudson Motor Car Company wishes to distribute the new automobiles it is currently producing. These automobiles will be distributed to dealers for use as showroom cars. This distribution will be made in part through distributors. The Hudson Motor Car Company and its distributors are, therefore, authorized in this Order to sell these automobiles at the existing maximum prices under section 6 of Maximum Price Regulation 594 to be adjusted upwards after deliveries are made by the amounts of the differences between those maximum prices and the respective maximum prices the Office of Price Administration may authorize the Hudson Motor Car Company and its distributors to charge for the same automobiles under section 7 or 8 of Maximum Price Regulation 594.

Therefore, in accordance with the Emergency Price Control Act of 1942, as amended, *It is ordered:*

(1) The Hudson Motor Car Company, Detroit, Michigan, and its distributors, are authorized to sell and deliver to dealers 1945 or 1946 model year automobiles the Hudson Motor Car Company manufactures at the maximum prices permitted under section 6 of Maximum Price Regulation 594 to be adjusted upwards after deliveries are made by the amounts of the differences between such maximum prices and the maximum prices the Office of Price Administration may authorize them to charge under section 7 or 8 of Maximum Price Regulation 594.

(2) This order applies only to sales made by the Hudson Motor Car Company and its distributors and does not apply to sales made by dealers.

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

This order shall be effective as of October 18, 1945.

Issued this 18th day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19423; Filed, Oct. 19, 1945; 1:54 p. m.]

[Max. Import Price Reg., Amdt. 2 to Rev. Order 51]

TAPIOCA FLOUR PRODUCED IN SANTO DOMINGO AND BRAZIL

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered,* That Revised Order No. 51 under the Maximum Import Price Regulation be amended in the following respects:

1. In section (c) (1) (ii), the heading and the text are amended to read as follows:

(ii) *Sales by resellers of flour imported by U. S. C. C.* The maximum price, ex dock U. S. port of arrival, for sales by resellers of Brazilian tapioca flour imported by the U. S. C. C. shall be the U. S. C. C. maximum price established by subdivision (i) above for the particular material involved, plus a total of $0.005 per pound, regardless of the number of resellers involved. For sales ex warehouse add $.0025 per pound to the ex dock price.

2. Section (c) (1) (iii) is added to read as follows:

(iii) *Sales by direct importers or their resellers.* The maximum price ex dock U. S. port of arrival, for sales of Brazilian tapioca flour imported by persons (other than U. S. C. C.) or their resellers shall be the sum of the following, regardless of the number of resellers involved:

(*a*) The f. o. b. ocean vessel, port of origin purchase price paid by such importer (not exceeding the maximum purchase prices established by paragraph (b) above).

(*b*) All other costs (including freight and insurance) incurred by such importer in transporting the commodity from port of origin to the U. S. port of arrival.

(*c*) An amount equal to $.00625 per pound. For sales ex warehouse add $.0025 per pound to the dock price.

This amendment shall become effective October 26, 1945.

Issued this 22d day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19511; Filed, Oct. 22, 1945; 11:43 a. m.]

[SO 81, Order 1]

U. S. COMMERCIAL CO., ET AL.

EXEMPTION FROM PRICE CONTROL

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and in accordance with section 11 of Supplementary Order 81, it is ordered that:

(a) *Purpose of this order.* This order completely exempts from price control a specific lot of 300 tons of India Black Pepper consisting of Aleppy and Tellicherry to be purchased from the Indian Government by the U. S. Commercial Company, brought into the United States to be held in bond and sold for export and ultimate consumption outside of the United States. As to this lot of pepper, Revised Price Schedule 52 will not be applicable.

(b) *Exemption from maximum prices.* A specific lot of 300 tons of India Black Pepper purchased from the Indian Government by the U. S. Commercial Company, of the Foreign Economic Administration, to be held in bond and sold for export, is exempted from price control.

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

(d) This order shall become effective October 26, 1945.

Issued this 22d day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19538; Filed, Oct. 22, 1945; 11:43 a. m.]

[MPR 592, Amdt. 12 to Order 1]

SPECIFIED CONSTRUCTION MATERIALS AND REFRACTORIES

ESTABLISHMENT OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 2.1 (b) (1) is amended to read as follows:

(b) *Maximum prices for manufacturers in the Hudson River Area.* (1) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592, for clay building brick (common and face, except ceramic glazed brick and "H" Grade Hudson River Common Brick) produced in that part of the state of New York within 10 air miles of the east and west banks of the Hudson River between the north line of the City of Schuylerville and the south line of the City of Newburgh, may be increased by adding the following amounts to the f. o. b. plant or delivered prices:

This Amendment No. 12 shall become effective October 26, 1945.

Issued this 22d day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-19537; Filed, Oct. 22, 1945; 11:42 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

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

REGION I

Boston Order 1-C, Amendment 11, covering poultry in certain areas in Massachusetts. Filed 3:41 p. m.

Montpelier Order 2-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Vermont. Filed 3:52 p. m.

REGION II

Altoona Order 1-D, covering butter and cheese in the Altoona Area. Filed 3:41 p. m.

Altoona Order 2-D, covering butter and cheese in the Altoona Area. Filed 3:41 p. m.

Altoona Order 2-F, Amendment 42, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 3:52 p. m.

Binghamton Order 2-F, Amendment 54, covering fresh fruits and vegetables in certain counties in New York. Filed 3:52 p. m.

Buffalo Order 3-F, Amendment 31, covering fresh fruits and vegetables in certain areas in New York. Filed 3:53 p. m.

Buffalo Order 4-F, Amendment 31, covering fresh fruits and vegetables in certain areas in New York. Filed 3:52 p. m.

Camden Order 3-F, Amendment 54, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 3:52 p. m.

Newark Order 1-P, Amendment 10, covering fresh fish and seafood. Filed 3:42 p. m.

New York Order 29, covering dry groceries in certain counties in New York. Filed 3:39 p. m.

Wilmington Order 4-F, Amendment 56, covering fresh fruits and vegetables in the entire state of Delaware. Filed 3:45 p. m.

REGION III

Cincinnati Order 4-F, Amendment 41, covering fresh fruits and vegetables in Hamilton County, Ohio. Filed 3:45 p. m.

Cincinnati Order 8-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Ohio. Filed 3:45 p. m.

Cleveland Order 5-W and 38, covering dry groceries in certain areas in the Cleveland Area. Filed 3:40 p. m.

Cleveland Order 6-W and 37, covering dry groceries in Cuyahoga County, Ohio. Filed 3:41 p. m.

Escanaba Order 3-C, covering poultry in certain areas in Michigan. Filed 3:46 p. m.

Escanaba Order 4-C, covering poultry in certain areas in Michigan. Filed 3:46 p. m.

Grand Rapids Order 14-F (appendix A), Amendment 96, covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 3:47 p. m.

Grand Rapids Order 14-F (appendix B), Amendment 96, covering fresh fruits and vegetables in certain cities in Michigan. Filed 3:47 p. m.

Grand Rapids Order (appendix C), Amendment 70, covering fresh fruits and vegetables in certain counties in Michigan. Filed 3:47 p. m.

Indianapolis Order 14-F, Amendment 38, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe. Filed 3:47 p. m.

Indianapolis Order 15-F, Amendment 38, covering fresh fruits and vegetables in Wayne, Delaware and Allen. Filed 3:48 p. m.

Indianapolis Order 16-F, Amendment 37, covering fresh fruits and vegetables in St. Joseph. Filed 3:48 p. m.

Indianapolis Order 17-F, Amendment 38, covering fresh fruits and vegetables in Vanderburgh. Filed 3:48 p. m.

Lexington Order 5-F, Amendment 29, covering fresh fruits and vegetables in Fayette County, Kentucky. Filed 3:52 p. m.

Lexington Order 6-F, Amendment 29, covering fresh fruits and vegetables in Campbell and Kenton Counties, Kentucky. Filed 3:52 p. m.

REGION IV

Atlanta Order 10-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Georgia. Filed 3:53 p. m.

Atlanta Order 10-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Georgia. Filed 3:53 p. m.

Atlanta Order 10-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Georgia. Filed 3:53 p. m.

Atlanta Order 10-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Georgia. Filed 3:53 p. m.

REGION V

Kansas City Order 4-F, covering fresh fruits and vegetables in certain areas in Kansas and Missouri. Filed 3:53 p. m.

Shreveport Order 4-F and 5-F, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 3:54 p. m.

Shreveport Order 4-F and 5-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 3:54 p. m.

Shreveport Order 4-F and 5-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 3:54 p. m.

Wichita Order 31, covering dry groceries in certain areas in Kansas. Filed 3:42 p. m.

REGION VI

Des Moines Order 4-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Iowa and Nebraska. Filed 3:40 p. m.

Des Moines Order 5-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Iowa and Nebraska. Filed 3:40 p. m.

Des Moines Order 6-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Iowa. Filed 3:40 p. m.

Des Moines Order 7-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Iowa and Illinois. Filed 3:41 p. m.

Sioux Falls Order 20 and 6-W, covering dry groceries in certain areas in South Dakota and Minnesota. Filed 3:38 p. m.

Sioux Falls Order 21 and 7-W, covering dry groceries in certain areas in South Dakota and Minnesota. Filed 3:38 p. m.

Sioux Falls Order 22 and 8-W, covering dry groceries in certain areas in South Dakota. Filed 3:38 p. m.

Springfield Order 29-W, covering dry groceries in certain counties in Illinois. Filed 3:43 p. m.

Springfield Order 30-W, covering dry groceries in certain counties in Illinois. Filed 3:43 p. m.

Springfield Order 31-W, covering dry groceries in certain counties in Illinois. Filed 3:43 p. m.

Springfield Order 32-W, covering dry groceries in certain counties in Illinois. Filed 3:42 p. m.

Springfield Order 55, covering dry groceries in certain counties in Illinois. Filed 3:44 p. m.

Springfield Order 56, covering dry groceries in certain counties in Illinois. Filed 3:43 p. m.

Springfield Order 57, covering dry groceries in certain counties in Illinois. Filed 3:44 p. m.

Springfield Order 58, covering dry groceries in certain counties in Illinois. Filed 3:43 p. 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. 45-19422; Filed, Oct. 19, 1945; 1:54 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register October 19, 1945.

REGION II

Scranton Order 16-C, Amendment 9, covering poultry in certain areas in the state of Pennsylvania. Filed 10:38 a. m.

Scranton Order 5-C, Amendment 1, covering poultry in certain areas in the state of Pennsylvania. Filed 10:38 a. m.

Scranton Order 17-C, Amendment 9, covering poultry in certain areas in the state of Pennsylvania. Filed 10:38 a. m.

Wilmington Order 4-F, Amendment 56, covering fresh fruits and vegetables in the entire state of Delaware. Filed 10:42 a. m.

Williamsport Order 7-W and 28, covering dry groceries in certain areas in the state of Pennsylvania. Filed 10:48 a. m.

REGION III

Louisville Order 12-F, Amendment 40, covering fresh fruits and vegetables in Jefferson, Ky., and Clark and Floyd Counties, Indiana. Filed 10:34 a. m.

Louisville Order 15-F, Amendment 17, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 10:34 a. m.

Louisville Order 17-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 10:35 a. m.

Louisville Order 18-F, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 10:35 a. m.

Louisville Order 19-F, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 10:36 a. m.

Louisville Order 20-F, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 10:36 a. m.

REGION V

Dallas Order 4-F, Amendment 11, covering fresh fruits and vegetables in Dallas County, Texas. Filed 10:38 a. m.

Dallas Order 6-F, Amendment 1, covering fresh fruits and vegetables in McLennan County, Texas. Filed 10:44 a. m.

Dallas Order 7-W and 23, covering dry groceries in certain counties in Texas. Filed 10:44 a. m.

Dallas Order 29, covering dry groceries in certain counties in Texas. Filed 10:45 a. m.

Houston Order 4-W, covering dry groceries in Harris County, Texas. Filed 10:43 a. m.

Houston Order 5-W, covering dry groceries in certain counties in Texas. Filed 10:43 a. m.

Houston Order 17, covering dry groceries in Harris County, Texas. Filed 10:42 a. m.

Houston Order 19, covering dry groceries in certain counties in Texas. Filed 10:44 a. m.

Houston Order 20, covering dry groceries in certain counties in Texas. Filed 10:42 a. m.

Wichita Order 1-M, covering malt beverages in certain areas in Kansas. Filed 10:29 a. m.

Wichita Order 1-C, Amendment 9, covering poultry in state of Kansas, except Leavenworth, Johnson and Wyandotte. Filed 10:29 a. m.

REGION VI

Des Moines Order 4-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Nebraska, Iowa. Filed 10:29 a. m.

Des Moines Order 5-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Nebraska and Iowa. Filed 10:29 a. m.

Des Moines Order 6-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Iowa. Filed 10:30 a. m.

Des Moines Order 7-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Iowa. Filed 10:31 a. m.

Des Moines Order 11-W, under Order 1-B, covering dry groceries in certain counties in Iowa. Filed 10:32 a. m.

Des Moines Order 19, covering dry groceries in the Cedar Rapids Area. Filed 10:32 a. m.

Green Bay Order 8-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 10:33 a. m.

Green Bay Order 9-F, Amendment 3, covering fresh fruits and vegetables in Forest, Florence and Marinette. Filed 10:33 a. m.

Green Bay Order 10-F, Amendment 3, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls. Filed 10:33 a. m.

Milwaukee Order 8-F, Amendment 30, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 10:37 a. m.

Milwaukee Order 9-F, Amendment 30, covering fresh fruits and vegetables in Fond Du Lac Counties and Sheboygan. Filed 10:37 a. m.

Milwaukee Order 11-F, Amendment 22, covering fresh fruits and vegetables in the cities of Kenosha and Racine and Milwaukee County, Wisconsin. Filed 10:38 a. m.

Milwaukee Order 12-F, Amendment 3, covering fresh fruits and vegetables in La Crosse and Sparta, Wisconsin. Filed 10:38 a. m.

Peoria Order 7-F, Amendment 26, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:33 a. m.

Peoria Order 8-F, Amendment 27, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:33 a. m.

Peoria Order 9-F, Amendment 27, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:33 a. m.

Peoria Order 10-F, Amendment 27, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:33 a. m.

Peoria Order 11-F, Amendment 1, covering fresh fruits and vegetables in Winnebago in the state of Illinois. Filed 10:34 a. m.

Springfield Order 21-F, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:34 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. 45-19503; Filed, Oct. 22, 1945; 11:41 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT MF-1, Revocation, Amdt. 2]

ROCK ISLAND MOTOR TRANSIT CO.

SUBSTITUTED AND COORDINATED SERVICE FOR CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY CO.

Pursuant to Executive Orders 8989, as amended, and 9156, it is ordered that the order of August 23, 1945, as amended (10 F.R. 10407, 12050) revoking Special Order ODT MF-1 (9 F.R. 3402), be, and it is hereby, amended by striking out "November 1, 1945" and inserting "December 1, 1945" in lieu thereof.

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

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

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

[F. R. Doc. 45-19442; Filed, Oct. 19, 1945; 3:25 p. m.]

WAR PRODUCTION BOARD.

[Consent Order, Revocations, List 3]

SUDDUTH HOMES, INC., ET AL.

CONSENT ORDERS

In view of the revocation of certain limitation and conservation orders controlling the supply and distribution of materials, the Director of the Compliance Division and the General Counsel have directed that the consent orders hereinafter listed be revoked forthwith.

In view of the foregoing, *it is hereby ordered,* That the following consent orders be revoked, effective October 22, 1945, *Provided, however,* That this revocation does not affect any liabilities incurred for violations of the consent order prior to revocation:

C-180 Sudduth Homes, Inc.
C-200 John F. Reagan
C-202 Al Green
C-203 First Federal and Loan Association of Wilkinsburg
C-208 Clifford Mooers
C-209 William J. Hannah
C-211 James Gallo
C-212 Mangels of Atlanta, Inc.
C-214 Atlas Distributing Corp.
C-218 Harry E. Evans
C-223 John R. Browne
C-224 Russell W. Peddicord
C-235 Jack F. Walters and Mrs. Mary H. Walters
C-238 James H. Lasher
C-240 Floyd E. Weist
C-242 Hotel Edison Corporation
C-244 Quin-Se-Willa Bar and Club
C-250 Arthur V. Hartung
C-252 Wiley Manufacturing Co.
C-267 George A. Johnson
C-273 Paul I. Kleven
C-276 Michele Dentamaro
C-285 Romuald Stolnicki and Pauline Stolnicki
C-288 Joseph Poremba
C-291 B. W. Kerr
C-295 Joseph Lachow Co.
C-298 Kalman Fikter and Paul Krenzien
C-302 George F. Bunn
C-306 Sovereign Builders Supply Co.
C-310 Broward County Kennel Club, Inc.
C-312 Eva Hoffman, Fanny Hoffman and Sylvia Hoffman
C-315 Albert L. Pierce
C-319 The Timber Sky Camp
C-331 Lincoln D. Colt
C-332 Feliksa Krakowiak
C-333 Orrin A. DeMass
C-342 Vasilios Labanaris
C-344 J. Stanley Tunney
C-347 Carl B. Damaske
C-356 Everett L. Ladd
C-357 J. S. Bush
C-358 Henry J. Meyer
C-360 Arthur Plesum
C-386 H. P. Hood and Sons, Inc.
C-388 Janet Rose Corp.
C-390 Chester L. Field
C-399 Morrison M. Bump
C-400 F. C. Thorold
C-403 Walter S. Milne
C-411 Richard S. Page and J. A. Singarella Co.
C-418 Stanley Rivers

A

Mike Vuich	Issued Dec. 1, 1943
Charles J. Willard	Issued Dec. 3, 1943
Paul V. Amon	Issued Jan. 11, 1944
Anthony V. Taurasi	Issued Feb. 1, 1944
Stephan Kubik	Issued Mar. 27, 1944
Le Roy A. Kohler	Issued May 8, 1944
United Association of Plumbers and Steam Fitters, Local Union 538.	Issued June 9, 1944
Albert DeLay	Issued June 21, 1944
Martin Jarvis	Issued July 1, 1944
Ben F. Hutchins	Issued July 28, 1944
John Njziolek	Issued Aug. 10, 1944

Issued this 22d day of October 1945.

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

[F. R. Doc. 45-19499; Filed, Oct. 22, 1945; 11:39 a. m.]

WAR SHIPPING ADMINISTRATION.

"PIONEER II"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17—78th Congress).

Whereas on October 28, 1942, title to the vessel "Pioneer II" (228326) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17—78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: October 19, 1945.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 45-19476; Filed, Oct. 22, 1945; 10:17 a. m.]