

Washington, Friday, November 2, 1945

The President

EXECUTIVE ORDER 9652

AUTHORIZING THE APPOINTMENT OF CERTAIN PERSONNEL IN THE DEPARTMENT OF STATE

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

Subject to such noncompetitive tests of fitness as the Civil Service Commission may prescribe, and under the provisions of the War Service Regulations of the Civil Service Commission, the Secretary of State may appoint, upon their release from active military duty, for civilian service in the Department of State in connection with the following-described activities, (1) any of the military personnel who were on September 30, 1945, engaged on work in connection with the activities transferred to the Secretary of State by paragraph 1 of Executive Order No. 9621 of September 20, 1945,¹ and (2) any of the military personnel who shall hereafter be released from active military duty while engaged on work in connection with the activities transferred to the Department of State by paragraph 7 of Executive Order No. 9630 of September 27, 1945.²

HARRY S. TRUMAN

THE WHITE HOUSE,
October 31, 1945.

[F. R. Doc. 45-20169; Filed, Nov. 1, 1945; 10:32 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 9652, *supra*.

¹ 10 F.R. 12033.

² 10 F.R. 12245.

TITLE 7—AGRICULTURE

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

PART 945—MILK IN THE WASHINGTON, D. C., MARKETING AREA

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AUTHORITY: §§ 945.1 to 945.15, inclusive, issued under 48 Stat. 31, 670, 675; 49 Stat. 759; 50 Stat. 246; 7 U.S.C. 601 et seq.

§ 945.1 *Findings and determinations—*
(a) *Findings.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure covering the formulation of marketing agreements and orders (7 CFR, Cum. Supp. 900.1 et seq.; 10 F.R. 11791), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement and to the order, as amended, regulating the handling of milk in the Washington, D. C., marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The order regulating the handling of milk in the said marketing area, as amended and as hereby amended, and all of the terms and conditions of said order, as amended and as hereby amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the said marketing

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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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area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (c) of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the said order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in the said tentatively approved marketing agreement upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that handlers of at least 50 percent of the volume of milk which is marketed within the said marketing area refused or failed to sign the tentatively approved marketing agreement regulating the handling of milk in the said marketing area; and it is hereby determined that:

(1) The refusal or failure of such handlers to sign such tentatively approved marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, as amended, is the only practical means

pursuant to the declared policy of the act to advance the interests of the producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order is approved or favored by at least three-fourths of the producers who participated in a referendum on the question of the approval of this order, as amended, and who during the determined representative period, were engaged in the production of milk for sale in the said marketing area.

§ 945.2 *Order relative to handling.* It is therefore ordered that on and after the effective date hereof the handling of milk in the Washington, D. C., marketing area shall be in conformity to and in compliance with the terms and conditions of this order, as amended.

§ 945.3 *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as re-enacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "Secretary" means the Secretary of Agriculture or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

(c) "Washington marketing area," hereinafter referred to as the "marketing area," means (1) the territory within the boundary lines of the District of Columbia and (2) that territory in the State of Maryland included between the District of Columbia line and the following boundaries: Beginning at the junction of the southeastern boundary of the District of Columbia line and Route 224, thence south on Route 224 to Oxon Hill, thence east on St. Barnaby Road to Gordon's Corner, thence northeast on Suitland-Silver Hill Road continuing Suitland to the Junction of Route 4, thence northwest on Route 4 to Hillside, thence north on Crystal Spring Road continuing through Capitol Heights to 61st Street, thence north on 61st Street to the District of Columbia line, thence northeasterly and thence northwesterly along said District line to Kenilworth Avenue, thence north on Kenilworth Avenue to Defense Highway, thence east on Defense Highway, thence north on Edmonston Road to Greenbelt, and around the outside limits of Greenbelt, thence returning on Edmonston Road to Branchville Road, thence west on Branchville Road to Baltimore-Washington Boulevard, thence south on the Baltimore-Washington Boulevard to Metzert Road, thence west on Metzert Road to Riggs Valley Road, thence to County Road, thence west to Blair Road, thence north to Piney Branch Road, continuing north on Piney Branch Road to White Oak at intersection of Colesville Road, thence continuing north on Colesville Road to Colesville, thence west on Glenmont Road to Brookville Road, thence south on Brookville Road to Wheaton, thence on Lincoln Avenue to Kensington, thence west on Knowles Avenue and continuing west on Strathmore Avenue to Rockville Pike, thence south on Rockville Pike to Grosvenor

Lane, thence west on Grosvenor Lane to Old Georgetown Road, thence north on Old Georgetown Road to Bellsmill Road, thence west on Bellsmill Road to the Seven Locks Road, thence south on Seven Locks Road to Bradley Road, thence west on Bradley Road continuing to Conduit Road, thence southeasterly on Conduit Road to the District of Columbia line, and (3) that territory in the Commonwealth of Virginia included within the following boundaries:

Beginning at the junction of the westerly boundary of the Arlington County line and the Potomac River, thence southwesterly along the said county line to its junction with Road 639, thence westerly on Road 639 to its junction with Road 695, thence southerly along Road 695 crossing Road 694 and Highway 7 to the junction of Road 635 and Road 650, thence southerly on Road 650 crossing Highway 211 and Highway 50 to its junction with Road 709, thence southeasterly on Road 709 to its junction with Road 710, thence southerly on Road 710 to its junction with Highway 236; thence from this point in a straight line southerly to the junction of Roads 617 and 620, thence southerly on Road 617 to its junction with Road 636, thence southerly along Road 636 to Highway 9, thence in a straight line southwesterly from the junction of Road 636 and Highway 9 to the junction of Roads 641 and 642 in Prince William County, thence southeasterly along Road 642 to Road 640, thence northeasterly along Road 640 to Road 639, thence easterly along Road 639 to Highway 9; thence southeasterly along Highway 9 to Highway 1, south of Woodbridge, thence cross Highway 1 and continue southeasterly along Road 637 to Dawson Beach, thence in a straight line due east to the Potomac River, thence up said river to its junction with the western boundary of the Arlington County line.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler, who produces, under a dairy farm inspection permit issued by the applicable health department as the result of a farm inspection and other applicable health department regulations, milk which is delivered to a plant approved by the applicable health department for the handling of milk disposed of for fluid consumption as milk in the marketing area and from which plant milk, skim milk, milk drinks, or cream is disposed of for fluid consumption in the marketing area.

(f) "Handler" means any person, irrespective of whether such person is also a producer or a cooperative association of producers, who engages in such handling of milk, skim milk, or cream for fluid consumption in the marketing area as is in the current of interstate commerce, or which directly burdens, obstructs, or affects such commerce in milk and its products: *Provided*, That this definition shall not include producers or cooperative associations of producers with respect to milk or cream not handled through their own receiving or bottling plant.

(g) "Market administrator" means the person designated pursuant to § 945.4 as the agency for the administration hereof.

(h) "Cooperative association" means any cooperative association of producers which the Secretary determines (1) to have its entire activities under the control of its members and (2) to have and to exercise full authority in the sale of milk of its members.

(i) "Delivery period" means the current marketing period from the first to the last day of each month, both inclusive.

(j) "Producer milk plant" means any milk plant approved by the applicable health department for the handling of milk disposed of for fluid consumption as milk in the marketing area and currently used for any or all of the handling functions of receiving, weighing (or measuring), sampling, cooling, pasteurizing, bottling, or other preparation of milk delivered by producers, as defined in (e) of this section, for fluid sales or disposition as milk, skim milk, milk drinks, or cream for fluid consumption in the marketing area.

(k) "Emergency milk" means all milk except producer milk, and all skim milk, cream, cottage cheese, condensed skim milk, whole milk powder, and skim milk powder received at a producer milk plant except such products received from another producer milk plant.

(l) "Producer plant test" means the weighted average butterfat test of all producer milk received at a "producer milk plant" during a delivery period as determined by the market administrator.

(m) "Producer milk" means all milk received either directly or through another producer milk plant by a handler and produced by a producer as defined in (e) of this section.

§ 945.4 *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof;

(2) Report to the Secretary complaints of violations of the provisions hereof; and

(3) Make rules and regulations to effectuate the terms and provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Pay, out of the funds provided by § 945.11, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the Secretary may designate;

(4) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 2 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to §945.5 or (ii) made payments pursuant to § 945.10;

(5) Promptly verify the information contained in the reports submitted by handlers; and

(6) Check the weight and butterfat test of milk received from producers by each handler each month and report the results of the butterfat tests to producers or to their cooperative association. The market administrator may designate an independent agency to check the weight and butterfat test of such receipts by handlers.

§ 945.5 *Reports of handlers—(a) Submission of reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 10th day after the end of each delivery period; (i) The receipts of milk at each producer plant from producers, including milk produced by such handler and the weighted average test thereof; (ii) the receipts and butterfat content of milk, skim milk, cream, and milk products at each producer milk plant for the account of a handler or a cooperative association, from each producer milk plant and each emergency milk source; (iii) the utilization of all milk, skim milk, cream, and milk products received and the butterfat content of each use or product thereof; (iv) the receipts at each producer milk plant from new producers and the average test thereof; (v) the name and address of each new producer; (vi) the names of handlers from whom or to whom milk, skim milk, cream, and milk products was received or delivered; and (vii) the address of each emergency milk source from which milk, skim milk, cream, and milk products was received at a producer milk plant.

(2) Within 10 days after the market administrator's request with respect to any producer for whom such information is not in the files of the market administrator and with respect to a period or periods of time designated by the market administrator: (i) The name and address of such producer; (ii) the total pounds of milk delivered and the average butterfat test thereof; (iii) the farm scores and cattle scores recorded by the respective health departments requiring permits to sell milk to handlers in the marketing area; and (iv) the number of days upon which deliveries were made.

(3) On or before the 19th day after the end of each delivery period, at the request of the market administrator, his producer pay roll which shall show for each producer: (i) The total delivery of milk with the average butterfat test thereof; (ii) the premium rate paid; (iii) the net amount of payment made pursuant to § 945.10; and (iv) the deduc-

tions and charges made by the handler with authorizations therefor.

(b) *Verification of reports.* Each handler shall provide the market administrator or his agent with reasonable access to those records and facilities which are necessary for:

(1) The verification of the information contained in the reports submitted in accordance with this section;

(2) The verification of the payments required by § 945.10;

(3) The checking of the weighing and sampling of milk, skim milk, cream, and milk products received by such handlers; and

(4) Determining the utilization of milk, skim milk, cream, and milk products by the handler.

§ 945.6 *Classification of milk—(a) Milk to be classified.* All milk, skim milk, cream, and milk products received by each handler in his producer milk plant shall be classified by the market administrator in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Except as provided in (c), of this section, the classes of utilization shall be as follows:

(1). *Class I.* All milk, skim milk, cream, and milk products which are disposed of for fluid consumption as milk, skim milk, milk drinks, and buttermilk, and all milk not accounted for in Classes II and III.

(2) *Class II.* All milk, skim milk, cream, and milk products which are used in the manufacture of, or disposed of in, cottage cheese, pot cheese, or baker's cheese, and cream for fluid consumption.

(3) *Class III.* All milk, skim milk, cream, and milk products used in a producer milk plant as, or disposed of to a plant engaged in the wholesale manufacture of, ice cream and similar frozen dairy products and mixes therefor, butter, roller or spray nonfat dry milk solids, condensed milk, condensed skim milk, or cheese other than cottage, pot, or baker's cheese, and used as such.

(c) *Transfers of milk, skim milk, and cream.* (1) Milk and skim milk disposed of by a handler to a plant, other than a producer milk plant, outside the area from which milk was disposed of as Class I milk for fluid use outside the marketing area shall be classified as Class I, not to exceed the quantity of Class I milk at such plant, and cream disposed of by a handler to a plant outside the area from which milk or cream was disposed of for fluid use outside the marketing area shall be classified as Class II, not to exceed the quantity of Class II milk at such plant.

(2) Milk, skim milk, and cream transferred from one handler's producer milk plant to another handler's producer milk plant may be classified according to an agreement for use by such handlers; *Provided*, That an equivalent quantity of milk not otherwise classified was used by the receiving handler in the class use agreed upon, and in the absence of an agreement shall be classified in Class I; *And provided further*, If either or both handlers have purchased emergency milk the market administrator shall classify such transferred milk, skim milk, and cream so as to return to the producers

at both plants the highest class utilization according to the rules for allocation of producer milk and emergency milk in § 945.6 (f) and (g).

(d) *Computation of milk in each class.* For each delivery period the market administrator shall correct for mathematical errors the report submitted by each handler and compute from the corrected report the amount of Class I milk, Class II milk, and Class III milk, as follows:

(1) Determine the total pounds of milk to be accounted for as follows: Add into one sum (i) the total pounds of milk received from producers and handler's own farm production and (ii) the total pounds of milk, skim milk, and cream received, and the total pounds of milk, skim milk, and cream received in the form of other milk products, (a) from emergency milk sources and (b) from other producer milk plants.

(2) Determine the total pounds of butterfat to be accounted for as follows: (i) multiply by its average butterfat test the weight of the milk received from producers and handler's own farm production, and (ii) multiply by its weighted average butterfat test the weight of the milk, skim milk, cream, and milk products received (a) from emergency milk sources, and (b) from other producer milk plants, and (iii) add the resulting amounts into one sum.

(3) Determine the total pounds of Class I milk as follows: (i) Convert to pounds the quantity of milk, skim milk, buttermilk and milk drinks disposed of for fluid consumption and (ii) add to this amount any plus amount computed as follows: (a) Compute the pounds of butterfat contained in the pounds of Class I milk by multiplying the weight of each product by its average butterfat test and adding together the resulting amounts, (b) add to this amount the pounds of butterfat in Class II milk and Class III milk, (c) subtract the total pounds of butterfat thus computed from the total pounds of butterfat received computed pursuant to (2) of this paragraph, and (d) divide the difference in butterfat pounds by the producer plant test.

(4) Determine the total pounds of Class II milk as follows: (1) Multiply the weight of the cream disposed of for fluid consumption and the cottage, pot, or baker's cheese each by its average butterfat test, add together the resulting amounts, and divide by the producer plant test; (ii) add to this amount any amount by which the total product pounds of cream disposed of for consumption as fluid cream and the pounds of cream and skim milk disposed of in cottage, pot, or baker's cheese exceeds the amount computed pursuant to (i) of this subparagraph; and (iii) subtract from the amount computed pursuant to (ii) of this subparagraph any amount by which that amount when added to the amount of Class I milk determined pursuant to (3) of this paragraph exceeds the total pounds of milk received computed pursuant to (1) of this paragraph.

(5) Determine the total pounds of Class III milk as follows: (i) Multiply the weight of each of the products of Class III milk by its average butterfat test, add together the resulting amounts,

and divide by the producer plant test; (ii) add to this amount any amount by which the total product pounds of milk, skim milk, and cream disposed of in Class III products exceeds the amount computed pursuant to (i) of this subparagraph; and (iii) subtract from the amount computed pursuant to (ii) any amount by which that amount when added to the amount of Class I milk determined pursuant to (3) of this paragraph and Class II milk determined pursuant to (4) of this paragraph exceeds the total pounds of milk received computed pursuant to (1) of this paragraph.

(e) *Allocation of producer milk.* (1) Producer milk received by a handler shall first be allocated to Class I but not to exceed the Class I pounds as determined, pursuant to (d) (3) of this section, less the pounds of emergency milk allocated to Class I pursuant to the proviso in (f) of this section.

(2) Producer milk received by a handler in excess of such Class I utilization shall be allocated to Class II but not to exceed the Class II pounds as determined pursuant to (d) (4) of this section.

(3) Producer milk received by a handler in excess of Class I and Class II utilization shall be Class III.

(f) *Allocation of emergency milk.* Emergency milk received at a producer milk plant shall be allocated to Class III milk, except that emergency milk may be allocated to Class II milk to the extent that Class II use exceeds the amount of all producer milk less the amount of producer milk classified as Class I milk, and emergency milk may be allocated to Class I milk only to the extent that the total amount of Class I milk exceeds the total amount of producer milk received: *Provided*, That emergency milk purchased in the form of milk and disposed of to the armed services at delivery points more than 21 miles from the milestone in Washington, D. C., may be allocated to Class I milk, if the quantity of emergency milk allocated to such Class I sales does not exceed the quantity of such sales less the excess, if any, of producer milk receipts over the total of all Class II milk disposed of within the 21 mile area as described above and all other Class I milk.

(g) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of any milk received at a producer milk plant, the burden rests upon the handler who received the milk directly from producers or from emergency sources to prove that it should not be classified as Class I.

§ 945.7 *Minimum prices*—(a) *Class prices.* Each handler shall pay not less than the following prices per hundredweight of 4 percent milk, subject to (b), (c), (d), (e), and (f) of § 945.10 for milk received from producers and associations of producers at a producer milk plant.

(1) *Class I.* The price for Class I milk shall be \$4.05.

(2) *Class II.* The price for Class II milk shall be \$3.55.

(3) *Class III.* The price for Class III milk shall be the sum of the respective

values of butterfat and skim milk calculated as follows by the market administrator:

(1) *Butterfat.* Add all weekly quotations (using the midpoint of any weekly range as one quotation) per 40 quart can of 40 percent sweet cream approved for "Pennsylvania" and all such quotations for sweet cream approved for "Pennsylvania, Newark, and lower Merion Township" in the Philadelphia, Pennsylvania, market, as reported for each week ending within the month by the United States Department of Agriculture, divide by the number of quotations, subtract \$1.00, divide by 33.48, multiply by 4.

(ii) *Skim milk.* The weighted average selling price, wholesale at manufacturers' plants, of all spray and roller dried nonfat milk solids for human consumption, as published by the United States Department of Agriculture for the previous month, shall be used in determining the skim value as follows:

Quotation per pound:	Class III skim value
\$0.085 or below.....	.89
\$0.086 to \$0.075.....	0.07½
\$0.076 to \$0.085.....	.15
\$0.086 to \$0.095.....	.22½
\$0.096 to \$0.105.....	.30
\$0.106 to \$0.115.....	.37½
\$0.116 to \$0.125.....	.45
\$0.126 to \$0.135.....	.52½
\$0.136 to \$0.145.....	.60
\$0.146 to \$0.155.....	.67½
\$0.156 to \$0.165.....	.75
\$0.166 to \$0.175.....	.82½
\$0.176 to \$0.185.....	.90
\$0.186 to \$0.195.....	.97½

(b) *Emergency price provision.* Whenever the provisions hereof require the market administrator to use specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy or other similar payment, being made by any Federal agency, in connection with the milk, or product, associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any subsidy or other similar payment: *Providing further*, That if the specified price is not reported or published and there is no applicable uniform price, or if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

§ 945.8 *Application of provisions*—(a) *Handlers who are also producers.* No provision hereof shall apply to a handler whose only sources of milk supply are receipts from his own production or from other handlers, except that such handler shall make reports to the market administrator at such time, to such extent, and in such manner, as the market administrator may request and shall permit the market administrator to verify such reports.

§ 945.9 *Determination and announcement of uniform prices*—(a) *Computation and announcement for each handler of uniform prices to be paid producers.* On or before the 12th day after the end of each delivery period, the market administrator shall announce the Class III price and the uniform price per hundredweight of 4 percent milk to be paid producers by each handler for such delivery period. The market administrator shall compute the uniform prices of milk received from producers as follows:

(1) Multiply the hundredweight of milk received from producers that were allocated to each class by the prices applicable pursuant to § 945.7 (a);

(2) Add together the resulting amounts;

(3) Divide the result obtained by the total hundredweight of milk received from producers; and

(4) Subtract for each of the delivery periods of April, May, and June 30 cents per hundredweight and add for each of the delivery periods of September, October, and November the rate per hundredweight computed pursuant to § 945.10 (g) (3).

(b) *Announcement of other market information.* As soon after the 11th day after the end of each delivery period as such information becomes available, the following data shall be announced publicly by the market administrator:

(1) The total pounds of milk and the butterfat contained therein received from producers and the total pounds of such milk allocated to each class.

(2) The total pounds of emergency milk, itemized by products, received at producer milk plants and the butterfat contained therein.

(3) The total sales of handlers of each product named in § 945.6, with the butterfat contained therein.

§ 945.10 *Payments for milk*—(a) *Time and method of payment.* On or before the 14th day after the end of each delivery period, each handler shall make payments, subject to other paragraphs of this section and subject to § 945.11 (b), for all milk received from producers during the delivery period at the prices announced pursuant to § 945.9 to each producer or association of producers: *Provided*, That payments due under this section to any producers who have given authority to a cooperative association to receive payment for their milk, shall be made to the cooperative association at the uniform price computed pursuant to § 945.9 (a) (1), (2), and (3), without the adjustment provided in (4) of § 945.9 (a).

(b) *Butterfat content of milk received from producers.* In making payments to each producer, pursuant to (a) of this section, each handler shall add to the price not less than, or subtract from the price not more than, as the case may be, for each one-tenth of 1 percent of butterfat content above or below 4 percent in milk received from such producer, 6 cents per hundredweight. The butterfat content of milk received from producers shall be determined by taking the average of not less than five separate butterfat tests made from fresh samples during each delivery period. The butter-

fat content of emergency milk shall be determined at the producer's milk plant where it is received. The market administrator may designate an independent laboratory to make these tests.

(c) *Location adjustments to producers.* (1) In making payments pursuant to (a) of this section, handlers may deduct 18 cents per hundredweight with respect to milk received from producers at a plant in which no milk is bottled or finally processed for distribution to consumers and which is located more than 35 miles from the milestone in the District of Columbia and 1½ cents additional for each 10 miles in excess of 35 miles from that milestone: *Provided*, That handlers may make such deduction on milk received at such plant by transfer of a truck route to such plant from another producer milk plant during the first four full delivery periods after such transfer, only if such milk was transferred from a plant at which a similar or greater deduction was permitted. If such milk was transferred from a plant at which no deduction or a smaller deduction was permitted, the smaller deduction, or no deduction, as the case may be, must be used in computing payments until four full delivery periods have elapsed from the time of transfer.

(2) In making payments pursuant to (a) of this section, a handler whose plant is located in that part of the marketing area which is within the State of Maryland, and for which plant he does not hold a permit to distribute milk in the District of Columbia or that part of the marketing area within the State of Virginia, may deduct 46 cents per hundredweight with respect to Class I milk received from producers.

(d) *Premiums to be paid by handlers.* (1) In making payments pursuant to (a) of this section, handlers shall pay the applicable premium rates set forth in this paragraph for each producer's deliveries on that quantity of milk received from each producer which represented such producer's proportionate share of all producer milk classified as Class I and Class II. The premium rates referred to in this paragraph shall be determined from the following schedule with respect to the cattle scores and farm scores recorded for each producer by the respective health departments requiring permits to sell milk to handlers in the marketing area:

Farm score	With cattle score under 95	With cattle score 95 or over, but under 98	With cattle score 98 or over
	Per cwt.	Per cwt.	Per cwt.
Under \$0.00	\$0.00	\$0.00	\$0.00
\$0.0-84.9	.00	.03	.09
85.0-89.9	.02	.08	.14
90.0-94.9	.08	.14	.20
95.0-97.9	.20	.26	.32
Over 97.9	.31	.37	.43

(2) If more than one score has been recorded during any month, the simple average of the scores so recorded shall be used. Producers who are subject to health department regulations which do not provide for cattle scores in their scoring system shall be considered as having a cattle score of 98 or over and the

score given them by the health department shall be considered the farm score for the purpose of applying premiums under the above schedule.

(e) Any handler may make uniform payments to producers in addition to the minimum payments required by this section: *Provided*, That such additional payments, except payments made to producers supplying special milk to handlers for premium sales, are made to all producers supplying such handler with milk.

(f) Handlers may distribute the payments they are required to make to producers for milk received by them, on any uniform basis other than that specified above in this section, that is approved by the market administrator.

(g) *Payments to the seasonal-adjustment fund.* (1) On or before the 15th day after the end of each delivery period for April, May, and June, each handler, except handlers who have made payments to a cooperative association pursuant to the proviso in (a) of this section, shall pay to the market administrator for the account of the seasonal-adjustment fund an amount of money equal to \$0.30 times the hundredweight of milk received from producers during the delivery period and cooperative associations which receive payments from handlers pursuant to the proviso in (a) of this section shall pay to the market administrator for the account of the seasonal-adjustment fund an amount of money equal to \$0.30 times the hundredweight of milk delivered by the cooperative association to handlers during the delivery period for producers who have given authority to the cooperative association to receive payment for their milk.

(2) *Seasonal-adjustment fund.* The market administrator shall establish and maintain a separate fund known as the seasonal-adjustment fund into which he shall deposit all payments made by handlers or cooperative associations pursuant to § 945.10 (g) (1) and out of which he shall make all payments pursuant to § 945.10 (g) (3); *Provided*, That payments due any handler or cooperative association shall be offset by payments due from such handler or cooperative association.

(3) *Payments out of the seasonal-adjustment fund.* (i) On or before the 12th day after the end of the delivery periods of September, October, and November, the market administrator shall compute a seasonal adjustment fund rate as follows: divide one-third of the aggregate amount paid to the seasonal-adjustment fund pursuant to § 945.10 (g) (1) by the total hundredweight of producer milk delivered during the delivery period involved (September, October, or November).

(ii) On or before the 15th day after the end of the delivery periods of September, October, and November, the market administrator shall pay out of the seasonal-adjustment fund to each cooperative association an amount equal to the rate computed pursuant to (i) of this paragraph times the hundredweight of milk delivered to handlers during the delivery period by such association for producers who have given authority to

such cooperative association to receive payment for their milk, and to each handler an amount equal to the rate computed pursuant to (i) of this paragraph times the hundredweight of milk received during the delivery period from producers other than those producers for whom a cooperative association receives payments pursuant to the proviso in paragraph (a) of this section.

(h) *Errors in payment.* Errors in making the payments prescribed in this section shall be corrected not later than the date for making payments next following the determination of such errors.

§ 945.11 *Expense of administration and marketing services—(a) Payments by handlers.* As his prorata share of the expense of the administration hereof, each handler shall pay to the market administrator on or before the 18th day after the end of each delivery period an amount equal to 2 cents per hundredweight with respect to all milk and cream received by him from all sources except other handlers' producer milk plants, or produced by him, during such delivery period, or such lesser amount, the exact amount to be determined by the market administrator subject to review by the Secretary. Each handler which is a cooperative association shall pay such prorata share of the expense of administration only on such milk and cream actually received at a producer milk plant operated by such cooperative association. If the market administrator designates an independent agency to determine the butterfat content of milk received by handlers from producers as permitted by § 945.10 (b), each handler shall pay to the market administrator an amount equal to one-half the cost of such tests of producer milk and the entire cost of such tests of emergency milk, the exact amount to be determined by the market administrator.

(b) *Marketing services.* If the market administrator designates an independent agency to determine the butterfat content of milk received by handlers from producers, as permitted under § 945.10 (b), each handler shall deduct from his payments to each producer an amount equal to one-half the cost per test, the exact amount to be determined by the market administrator, and shall pay such deduction to the market administrator on or before the 18th day after the end of each delivery period. Such monies shall be used by the market administrator to pay the independent laboratory for the verification of weighing, sampling, and testing of milk received from producers.

(c) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's pro rata share of expense as set forth in this section.

§ 945.12 *Emergency milk committee.* (a) At the application of handlers of more than 50 percent of the milk received from producers for sale in the marketing area, the Director of the Dairy Branch, Production and Marketing Administration, Department of Agriculture (hereinafter referred to as Director of Branch),

may select a committee to be known as the "Emergency Milk Committee," all of whom may be selected from among the persons nominated in accordance with the procedure established by the Director of Branch. The market administrator shall be a member of such committee and may act as chairman thereof.

(b) *Duties.* The Emergency Milk Committee may supervise the purchase and allocation of emergency milk and cream among handlers desiring to purchase such milk and cream through one or more importing agencies, and shall make rules and regulations subject to the approval of the Director of Branch, with respect to such allocation of milk and cream and the distribution of the cost thereof.

§ 945.13 *Effective time, suspension, or termination—(a) Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to (b) of this section.

(b) *Suspension or termination.* The Secretary may suspend or terminate this amended order or any provision hereof whenever he finds that this amended order or any provision hereof obstructs or does not tend to effectuate the declared policy of the act. This amended order shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* (1) If, upon the suspension or termination of any or all provisions hereof, there are obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(2) The market administrator, or such other person as the Secretary may designate, shall (i) continue in such capacity until removed by the Secretary; (ii) from time to time account for all receipts and disbursements, and when so directed by the Secretary deliver all funds on hand, together with the books and records of the market administrator or such person, to such person as the Secretary shall direct; and (iii) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any

funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 945.14 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States or name any bureau or division of the United States Department of Agriculture to act as his agent or representative in connection with any of the provisions hereof.

§ 945.15 *Liability.* The liability of handlers hereunder is several and not joint and no handler shall be liable for the default of any other handler.

Issued at Washington, D. C., this 26th day of October 1945, to be effective on and after the 3d day of November 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

Approved: October 31, 1945.

HARRY S. TRUMAN.

[F. R. Doc. 45-20140; Filed, Oct. 31, 1945;
3:34 p. m.]

PART 968—MILK IN THE WICHITA, KANSAS,
MARKETING AREA

AMENDMENT OF ORDER REGULATING
HANDLING

§ 968.0 *Findings and determinations—(a) Findings.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure covering the formulation of marketing agreements and marketing orders (7 CFR Cum. Supp., 900.1 et seq.), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement and to the order regulating the handling of milk in the Wichita, Kansas, marketing area. Upon the basis of the evidence introduced in such hearing and the record thereof, it is hereby found that:

(1) The order regulating the handling of milk in the said marketing area, as hereby amended, and all of the terms and conditions of said order, as hereby amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 3 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the said order are such prices as will reflect the aforesaid factors, insure a sufficient supply of

pure and wholesome milk and be in the public interest; and

(3) The said order regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in the said tentatively approved marketing agreement upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this order) of at least 50 percent of the volume of milk which is marketed within the said marketing area refused or failed to sign the tentatively approved marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign such tentatively approved marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order is the only practical means pursuant to the declared policy of the act to advance the interests of the producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order is approved by at least two-thirds of the producers who participated in a referendum on the question of the approval of the order and who during the month of July 1945 (which month has been determined to be a representative period) were engaged in the production of milk for sale in the said marketing area.

It is hereby ordered, That from and after the effective date hereof, the handling of milk in the Wichita, Kansas, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended in the following respects:

1. Delete § 968.1 (b) and substitute therefor the following:

(b) "Secretary" means the Secretary of Agriculture or any officer or employee of the United States who is authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

2. Delete the term "War Food Administrator" wherever appearing and substitute therefor the term "Secretary."

3. Delete § 968.1 (e) and substitute therefor the following:

(e) "Producer" means any person, irrespective of whether such person is also a handler, who, in conformity with the applicable health regulations of the city of Wichita, Kansas, produces milk which is received at the plant of a handler from which milk is disposed of as Class I milk or as Class II milk in the marketing area. This definition shall include any person who, in conformity with the applicable health regulations of the city of Wichita, Kansas, produces milk which a cooperative association, or other handler, causes to be delivered to a plant from which no milk is disposed of in the marketing area.

4. Delete § 968.3* (a) and substitute therefor the following:

(a) *Basis of classification.* All milk and milk products purchased or received by each handler, including milk of a producer which is caused to be delivered to a plant from which no milk is disposed of as Class I or Class II milk within the marketing area, shall be reported by the handler in the classes set forth in (b) of this section: *Provided*, That (1) milk sold or disposed of as milk or cream by a handler to a nonhandler who distributes fluid milk and cream shall be classified by the market administrator as follows: (i) determine the classification of all milk received by such nonhandler and (ii) allocate the milk or cream disposed of by a handler to such nonhandler to the highest use classification remaining after subtracting, in series beginning with the highest use classification, the receipts of milk by such nonhandler direct from dairy farmers; (2) milk sold or disposed of as fluid milk by a handler who purchases or receives milk from producers to another handler shall be classified as Class I milk: *Provided*, That if such milk, except milk sold or disposed of by such handler to another handler who purchases or receives no milk from producers, is reported by the receiving handler or by the disposing handler as having been utilized as Class II milk or Class III milk, such milk shall be classified accordingly, subject to verification by the market administrator; (3) cream sold or disposed of as fluid cream by a handler who purchases or receives milk from producers to another handler shall be classified as Class II milk: *Provided*, That if such cream, except cream sold or disposed of by such handler to another handler who purchases or receives no milk from producers, is reported by the receiving handler or by the disposing handler as having been utilized as Class III milk, such cream shall be classified accordingly, subject to verification by the market administrator; and (4) milk or cream sold or disposed of by a handler who receives no milk from producers to another handler who receives milk from producers shall be classified in the lowest use classification of the purchasing handler.

5. In § 968.3 (b) (3) (ii) delete the words "from producers" and add the following phrase: "except receipts from other handlers."

6. In § 968.3 (d) (5) (iii) delete the words "from producers" and insert in lieu thereof the following phrase: "except receipts from other handlers."

7. Delete § 968.4 and substitute therefor the following:

§ 968.4 *Minimum prices*—(a) *Class prices.* Each handler shall pay at the time and in the manner set forth in § 968.8 not less than the prices set forth in this section per hundredweight of milk received during each delivery period from producers:

(1) *Class I milk.* The price per hundredweight shall be the price determined pursuant to (b) of this section, plus 80 cents.

(2) *Class II milk.* The price per hundredweight shall be the price deter-

mined pursuant to (b) of this section, plus 55 cents.

(3) *Class III milk.* The price per hundredweight shall be the average of the prices paid during each delivery period for ungraded milk containing 3.8 percent butterfat at the following plants now operated by the listed companies: at Wichita and Anthony, Kansas, by the DeCoursey Cream Company; at Blackwell, Oklahoma, by the Blackwell Cheese Company; and at Arkansas City, Kansas, by the Steffens Ice and Ice Cream Company, but in no event shall the price be less than that paid at the plant at Wichita, Kansas, operated by the DeCoursey Cream Company.

(b) *Basic formula price to be used in determining Class I and Class II prices.* The basic formula price to be used in determining the Class I and Class II prices set forth in (a) of this section, shall be the average of the basic or field prices ascertained to have been paid for milk of 3.5 percent butterfat content received during the immediately preceding delivery period at the following places for which prices are reported to the market administrator by the listed companies or by the United States Department of Agriculture (or by such other Federal agency as may be authorized to perform this price reporting function):

Companies	Locations
Borden Co.....	Mt. Pleasant, Mich.
Carnation Co.....	Sparta, Mich.
Pet Milk Co.....	Hudson, Mich.
Pet Milk Co.....	Wayland, Mich.
Pet Milk Co.....	Coopersville, Mich.
Borden Co.....	Greenville, Wis.
Borden Co.....	Black Creek, Wis.
Borden Co.....	Orfordville, Wis.
Carnation Co.....	Chilton, Wis.
Carnation Co.....	Berlin, Wis.
Carnation Co.....	Richland Center, Wis.
Carnation Co.....	Oconomowoc, Wis.
Carnation Co.....	Jefferson, Wis.
Pet Milk Co.....	New Glarus, Wis.
Pet Milk Co.....	Belleville, Wis.
Borden Co.....	New London, Wis.
White House Milk Co.	Manitowoc, Wis.
White House Milk Co.	West Bend, Wis.

divided by 3.5 and multiplied by 3.8 but in no event shall such basic price be less than the following: multiply by 3.8 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) for the immediately preceding delivery period, and add 20 percent: *Provided*, That such price shall be subject to the following adjustments: (1) add 3½ cents per hundredweight for each full one-half cent that the price of nonfat dry milk solids for human consumption is above 5½ cents per pound or (2) subtract 3½ cents per hundredweight for each full one-half cent that the price of such nonfat dry milk solids is below 5½ cents per pound. For purposes of determining this adjustment, the price of nonfat dry milk solids to be used shall be the average of the carlot prices for nonfat dry milk solids for human consumption, f. o. b. manufacturing plant, as published by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) for the

Chicago area during the immediately preceding delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such nonfat dry milk solids for the previous delivery period. In the event the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) does not publish carlot prices for nonfat dry milk solids for human consumption, f. o. b. manufacturing plant, the average of the carlot prices for nonfat dry milk solids for human consumption, delivered at Chicago, shall be used. In the latter event, such price shall be subject to the following adjustments: (i) add 3½ cents per hundredweight for each full one-half cent that the price of nonfat dry milk solids for human consumption, delivered at Chicago, is above 7½ cents per pound, or (ii) subtract 3½ cents per hundredweight for each full one-half cent that such price of nonfat dry milk solids is below 7½ cents per pound.

(c) *Emergency provisions.* (1) Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy or other similar payments being made in connection with the milk or product associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

(2) Whenever the Secretary finds and announces that the Class I and Class II prices computed for any delivery period pursuant to (a) of this section are not in the public interest, the Class I and Class II prices for such delivery period shall be the same as the Class I and Class II prices for the previous delivery period.

8. In § 968.5 (a) delete the word "5th" and substitute therefor the word "7th."

9. In § 968.7 (b) (8) delete the word "8th" and substitute therefor the word "10th."

10. In § 968.8 (a) delete the word "10th" and substitute therefor the word "12th."

11. In § 968.8 (b) delete the word "25th" and substitute therefor the word "27th."

12. In § 968.8 (e) delete the word "10th" and substitute therefor the word "12th."

13. In § 968.8 (f) (1) and (2) delete the word "10th" and substitute therefor the word "12th."

14. In § 968.9 (c) (5) delete the words "2 full calendar months" and "2 months"

and substitute therefor the words "one full calendar month" and "one month," respectively.

15. Add to § 968.9 (c) the following:

(6) For purposes of this section only, the term "producer" shall include any person who has been a producer as defined in § 968.1 (e), but whom the Wichita Board of Health has suspended temporarily for failure to produce milk in conformity with the applicable health regulations of the city of Wichita, Kansas.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.)

Issued at Washington, D. C., this 26th day of October 1945, to be effective on and after the 1st day of December 1945.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

Approved: October 31, 1945.

HARRY S. TRULMAN.

[F. R. Doc. 45-20141; Filed, Oct. 31, 1945;
3:34 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 01-1]

PART 01—AIRWORTHINESS CERTIFICATES

DURATION OF AIRWORTHINESS CERTIFICATE

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 31st day of October 1945.

Effective October 31, 1945, § 01.13 of the Civil Air Regulations is repealed.

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

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-20172; Filed, Nov. 1, 1945;
11:01 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5162]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

STROMBERG HATCHERY

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Government connections:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Organization and operation:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Stock:* § 3.6 (i) *Advertising falsely or misleadingly—Government approval, connection or standards—Government indorsement:* § 3.6 (j) *Advertising falsely or misleadingly—History of product or offering:* § 3.6 (l) *Advertising falsely or misleadingly—Indorsements, approval and testimonials:* § 3.6 (t) *Advertising falsely or*

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misleadingly—Qualities or properties of product or service: § 3.6 (dd) *Advertising falsely or misleadingly—Success, use or standing:* § 3.18 *Claiming indorsements or testimonials falsely or misleadingly.* In connection with the offering for sale, sale and distribution of baby chicks or other poultry in commerce, (1) representing that respondents are United States Record of Performance poultry breeders or that they operate a poultry breeding plant under the supervision of an official state agency supervising United States Record of Performance work; (2) representing that United States Record of Performance males head any of their flocks unless the flocks concerning which such representations are made are segregated and headed by males which have been officially banded with U.S.R.O.P. sealed and numbered official leg bands and duly registered as such; (3) representing that their chickens or baby chicks are produced from or sired by, United States Record of Performance males unless the chickens or baby chicks concerning which such representations are made have been actually sired by males which have been officially banded with U.S.R.O.P. sealed and numbered leg bands and duly registered as such; (4) using the term "R.O.P. Sired" or any other term of similar import or meaning to designate or describe respondents' chicks in such a manner as to represent directly or by implication that the chicks so designated are U.S.R.O.P. chicks or that respondents are participants in the National Poultry Improvement Plan; (5) representing that all of their flock inspection work is done by authorized, licensed inspectors and testers; or (6) representing that their baby chicks are blood tested for pullorum (B.W.D.) or fowl typhoid; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) (Cease and desist order, Stromberg Hatchery, Docket 5162, October 3, 1945)

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 3d day of October, A. D. 1945.

In the Matter of Ernest Stromberg, Josephine Stromberg, Betty Snyder, and Loyl Stromberg, Individuals Trading as Stromberg Hatchery

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and a stipulation as to the facts entered into between the respondents and Richard P. Whiteley, Assistant Chief Counsel, for the Federal Trade Commission, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue its findings as to the facts and conclusion based thereon and an order disposing of the proceeding; and the Commission having made its findings as to the facts and conclusion that respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Ernest Stromberg, Josephine Stromberg, Betty Snyder, and Loyl Stromberg, individually or trading as Stromberg Hatchery or under any other name or names,

their representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of baby chicks or other poultry in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing that respondents are United States Record of Performance poultry breeders or that they operate a poultry breeding plant under the supervision of an official state agency supervising United States Record of Performance work.

2. Representing that United States Record of Performance males head any of their flocks unless the flocks concerning which such representations are made are segregated and headed by males which have been officially banded with U.S.R.O.P. sealed and numbered official leg bands and duly registered as such.

3. Representing that their chickens or baby chicks are produced from or sired by, United States Record of Performance males unless the chickens or baby chicks concerning which such representations are made have been actually sired by males which have been officially banded with U.S.R.O.P. sealed and numbered leg bands and duly registered as such.

4. Using the term "R. O. P. Sired" or any other term of similar import or meaning to designate or describe respondents' chicks in such a manner as to represent directly or by implication that the chicks so designated are U.S.R.O.P. chicks or that respondents are participants in the National Poultry Improvement Plan.

5. Representing that all of their flock inspection work is done by authorized, licensed inspectors and testers.

6. Representing that their baby chicks are blood tested for pullorum (B.W.D.) or fowl typhoid.

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. 45-20173; Filed, Nov. 1, 1945;
11:19 a. m.]

[Docket No. 5233]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ANTI-CO-RODE LABORATORIES

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Laboratory:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.66 (d) *Misbranding or mislabeling—Nature:* § 3.66 (h) *Misbranding or mislabeling—Qualities or properties:* § 3.96 (a) *Using misleading name—*

Goods—Nature: § 3.96 (a) *Using misleading name—Goods—Qualities or properties:* § 3.96 (b) *Using misleading name—Vendor—Producer or laboratory status of dealer or seller:* § 3.96 (b) *Using misleading name—Vendor—Products.* In connection with the offering for sale, sale, and distribution in commerce of respondent's chemical product now designated "Anti-Co-Rode," or any other product of substantially similar composition or possessing substantially similar properties, (1) representing, directly or by implication, that respondent's product prevents, stops, or dissolves sulphate of lead corrosion on automotive battery plates, or that it retorets the acid solution of such batteries; (2) representing, directly or by implication, that said product increases the power or prolongs the life of automotive batteries, or that the use of said product results in easier starting or brighter lights for automotive vehicles; (3) using the term "Anti-Co-Rode" or any other term of similar import, as a part of respondent's trade name or to designate, describe, or refer to respondent's product; or otherwise representing, directly or by implication, that said product is an anti-corrosive; or (4) using the word "Laboratories", or any other word of similar import, as a part of respondent's trade name; or otherwise representing, directly or by implication, that respondent owns or operates a laboratory; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sec. 45b) [Cease and desist order, Anti-Co-Rode Laboratories, Docket 5286, October 8, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of October A. D. 1945.

In the Matter of Benjamin L. Fry, an Individual Trading as Anti-Co-Rode Laboratories

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and a stipulation as to the facts entered into by and between counsel for the Commission and the respondent upon the record, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Benjamin L. Fry, individually and trading as Anti-Co-Rode Laboratories, or trading under any other name, and his 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 respondent's chemical product now designated "Anti-Co-Rode," or any other product of substantially similar composition or possessing substantially similar properties, do forthwith cease and desist from:

1. Representing, directly or by implication, that respondent's product prevents, stops, or dissolves sulphate of lead corrosion on automotive battery plates,

or that it restores the acid solution of such batteries.

2. Representing, directly or by implication, that said product increases the power or prolongs the life of automotive batteries, or that the use of said product results in easier starting or brighter lights for automotive vehicles.

3. Using the term "Anti-Co-Rode," or any other term of similar import, as a part of respondent's trade name or to designate, describe, or refer to respondent's product; or otherwise representing, directly or by implication, that said product is an anti-corrosive.

4. Using the word "Laboratories," or any other word of similar import, as a part of respondent's trade name; or otherwise representing, directly or by implication, that respondent owns or operates a laboratory.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-20174; Filed, Nov. 1, 1945; 11:29 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 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 3290¹—TEXTILE, CLOTHING AND LEATHER

[General Limitation Order L-118 as Amended Oct. 30, 1945]

FEMININE LOUNGING WEAR AND CERTAIN OTHER GARMENTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of wool, silk, rayon, cotton, linen and other materials 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:

§ 3290.16¹ *General Limitation Order L-118—(a) Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

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

(1) "Women's" means lounging wear of sizes 36, 38, 40, 42, 44, 46, 48, 50, 52.

¹ Formerly Part 1221, § 1221.1.

(2) "Misses" means lounging wear of sizes 10, 12, 14, 16, 18, 20.

(3) "Junior misses" means lounging wear of sizes 9, 11, 13, 15, 17.

(4) "Teen age" means lounging wear of sizes 10, 12, 14, 16.

(5) "Girls" means lounging wear of sizes 7, 8, 9, 10, 12, 14.

(6) "Children's" means lounging wear of sizes 2, 3, 4, 5, 6.

(7) "Wool cloth" means any cloth containing any percentage of new wool, reprocessed wool or reused wool.

(8) "Feminine lounging wear" means women's and children's robes, bathrobes, housecoats, negligees, brunch coats, demi-housecoats, beach coats, and lounging pajamas.

(9) "Lounging pajama" means a one or two piece garment with trouser leg worn by women and children for informal indoor wear.

(10) "Put into process" means the first cutting operation in the manufacture of any lounging wear for sale, resale or on commission, including but not being limited to cutting by manufacturers of the trade, tailors, and home dressmakers.

(11) *Measurements.* Particular measurements set forth in this order shall refer to finished measurements after all manufacturing operations have been completed and the garment is ready for shipment, as follows:

(i) All measurements for length of robes, bathrobes, housecoats, brunch coats, beach coats, demi-housecoats, negligees and pajama tops for all sizes and ranges are from nape of neck to bottom of finished garment. No garment shall exceed the maximum length herein prescribed at any point in its circumference.

(ii) All measurements for lounging pajama trousers are to be outseam overall measurements, including turn-up and waist band.

(12) "Sweep" means amount of material in circumference of the garment.

(13) "Unusual height" means 5'8½" or more without shoes.

(14) "Abnormal size" means the size of any person requiring feminine lounging wear with measurements exceeding the maximum schedule attached hereto.

(15) "Rayon cloth" means cloth made from rayon fiber or yarn produced from cellulose or with cellulose base, whether under the viscose, acetate, cuprammonium, or other processes.

(16) Unless otherwise expressly defined, all terms shall have their usual trade meaning.

(c) [Deleted Oct. 30, 1945.]

(d) *General exceptions.* The prohibitions and restrictions of this order shall not apply to lounging wear manufactured or sold for use as:

(1) Infants' and toddlers' size ranges 1 to 3.

(2) Lounging wear for persons who, because of unusual height, abnormal size, or physical deformities, require additional material for proportionate length or sweep of robe, bathrobe, housecoat, negligee, or lounging pajama.

(3) Historical costumes for theatrical productions: *Provided, however,* That no feminine apparel manufactured or sold pursuant to this paragraph shall be used

MAXIMUM MEASUREMENTS FOR WOMEN'S AND CHILDREN'S LOUNGING PAJAMAS—Con.

SCHEDULE B—continued

Girls' sizes.....	7	8	10	12	14	16
Length top of two-piece pajama.....	18	19	20	21	22	23
Length trouser from top of waist band and including turn-up at bottom.....	32	33	36½	39	40	41½
Circumference of each trouser leg.....	17½	17½	18	18½	18½	18¾
Hem of top.....	½	½	½	½	½	½

Children's sizes.....	3	4	5	6	6X
Length top of two-piece pajama.....	14	15	16	17	18
Length trouser from top of waist band and including turn-up at bottom.....	23	24½	26	27½	28
Circumference of each trouser leg.....	15½	15½	16	16½	16½
Hem of top.....	½	½	½	½	½

[F. R. Doc. 45-20049; Filed, Oct. 30, 1945; 3:05 p. m.]

Chapter XI—Office of Price Administration

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Restriction Order 7, Revocation]

KEROSENE IN PUERTO RICO

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

Restriction Order 7 (§1394.2002) is hereby revoked, except that any violation which occurred or rights or liabilities which arose before the effective date of this order of revocation shall be governed by the order in effect at the time the violation occurred or the rights or liabilities arose.

This order of revocation shall be effective as of November 1, 1945.

Issued this 31st day of October 1945.

SAM GILSTRAP,
Territorial Director
for Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-20143; Filed, Oct. 31, 1945; 4:21 p. m.]

PART 1492—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9C, Revocation]

NEW COOKING STOVES IN PUERTO RICO

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

Ration Order 9C (§ 1432.71) is hereby revoked, except that any violation which occurred or rights or liabilities which arose before the effective date of this order of revocation shall be governed by the order in effect at the time the violation occurred or the rights or liabilities arose.

This order of revocation shall be effective as of November 1, 1945.

Issued this 31st day of October 1945.

SAM GILSTRAP,
Territorial Director
for Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-20144; Filed, Oct. 31, 1945; 4:22 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289, Amdt. 39]

DAIRY PRODUCTS

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

Section 20 (m) is added to read as follows:

(m) *Specific additions to applicable maximum prices for certain sales of butter*—(1) *Sales by persons who own 1,000 pounds or less of butter on October 31, 1945.* Any person who owns 1,000 pounds or less of butter at the close of business on October 31, 1945 may add five cents per pound to the applicable maximum prices established by preceding paragraphs (a) to (l), inclusive, of this section 20 for sales of butter by him.

(2) *Sales by persons who own more than 1,000 pounds of butter on October 31, 1945.* Any person who owns more than 1,000 pounds of butter at the close of business on October 31, 1945 may increase the applicable maximum prices established by preceding paragraphs (a) to (l) inclusive of this section 20 for sales of butter by him if, and after, he complies with all of the following conditions:

He must file (by registered mail) with the Secretary of the Office of Price Administration in Washington, D. C., an affidavit stating the total number of pounds of butter owned by him (wherever located) at the close of business on October 31, 1945. This affidavit, which must set forth the following calculations, must also be accompanied by a check or money order payable to the Treasurer of the United States of America in an amount figured as follows:

(i) He must determine the total number of pounds of butter he owns at the opening of business on the date of the affidavit;

(ii) He may then subtract the number of pounds purchased by him between the opening of business on November 1, 1945 and the opening of business on the date of the affidavit from a supplier who was entitled to charge, and did charge, him the full five cents per pound increase to the applicable maximum prices for butter in effect on October 31, 1945 permitted under the provisions of this section 20 (m).

¹ 10 F.R. 2352, 2658, 2928, 3554, 3948, 3950, 5772, 5792, 6232.

(iii) If he is a creamery or manufacturer of butter, he may further subtract the number of pounds of butter manufactured by him during the month of October 1945 upon which he did not, and will not, apply for the subsidy or upon which, if he has so applied, he has withdrawn his application prior to his receipt of the subsidy payment;

(iv) He must then multiply this difference by five cents and subtract \$50.00.

(v) The result of this computation is the amount owed to the United States Treasurer and is the amount of the check or money order payable to the Treasurer of the United States of America which must be mailed to the Secretary of the Office of Price Administration in Washington, D. C. If no amount is shown to be due, no payment need be made.

Upon the mailing of the affidavit showing the information required, accompanied by the check or money order payable to the Treasurer of the United States of America, if one is due, in a registered envelope properly addressed to the Secretary of the Office of Price Administration in Washington, D. C., any person owning more than 1000 pounds of butter on October 31, 1945 may automatically increase his applicable maximum prices established by preceding paragraphs (a) to (l) of this section 20 for sales of butter by five cents per pound: *Provided, however,* That if a creamery or manufacturer of butter has based his computations in determining the amount due the United States Treasury upon non-receipt of the butter subsidy for butter manufactured by him during the month of October, 1945 he must return to the Reconstruction Finance Corporation any subsidy payment he subsequently receives for butter which he manufactured during that month.

(3) *Sales of butter by the U. S. Government.* Notwithstanding any other provision of this section 20, the maximum price for the sale of butter by the United States Government or any of its agencies to a creamery or manufacturer of butter or to a primary distributor shall be the maximum price, determined under preceding paragraphs (a) to (l), inclusive, for the sale of such butter by creameries to primary distributors, plus five cents per pound; and the maximum price for the sale of butter by the United States Government or any of its agencies to any other person shall be the maximum price, determined under preceding paragraphs (a) to (l), inclusive, for sales of butter by creameries to primary distributors, plus five and one-half cents per pound.

(4) *Prohibitions against evasions.* The additions to the applicable maximum prices for the sale of butter permitted by this section 20 (m) shall apply only when all the conditions set forth have been fully satisfied; in no other case may any person sell butter at a maximum price in excess of the applicable maximum price established by paragraphs (a) to (l), inclusive, of this section 20.

No person, other than one owning 1000 pounds or less of butter at the close of business on October 31, 1945, who, on or after November 1, 1945, acquires 1000

pounds or more of butter at a price not in excess of the maximum price in effect for such sale on October 31, 1945 may sell at a maximum price in excess of that in effect on October 31, 1945 unless and until he files (by registered mail) the affidavit and pays the amount due the United States Government in accordance with the provisions of subparagraph (2) of this section 20 (m). Until such time, he must sell at no more than the maximum prices applicable to him on October 31, 1945.

Transfers or sales of butter which have the effect of permitting the resale of the butter at any of the increased maximum prices established by this section 20 (m) without an initial corresponding payment (or forfeiture of subsidy) of five cents per pound, less the allowable 1000 pound deduction, to the Treasurer of the United States (or to the Reconstruction Finance Corporation) shall be deemed prima facie evidence of a violation of the provisions of this regulation. The increased maximum prices established by this section 20 (m) shall not be obtained, charged or paid by means of transfers, sales, agreements, or understandings designed to evade or circumvent, or having the effect of evasion or circumvention of, the provisions and price limitations set forth herein.

This amendment shall become effective 12:01 a. m., 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 31st day of October 1945.

CHESTER BOWLES,
Administrator.

Approved: October 30, 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-20149; Filed, Oct. 31, 1945;
4:23 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[RMPR 335, Amdt. 10]

PEANUTS AND PEANUT BUTTER

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 335 is amended in the following respects:

1. In section 4 (c) (3), the paragraph which commences with the words "On and after November 1, 1943" is amended to read as follows:

On and after November 1, 1945, processors' maximum prices for sales of peanut butter in containers of 2 pounds or less to all persons other than commercial, industrial, institutional users and governmental agencies shall be 4¢ per pound more in each case than the maximum price in effect for the same item immediately prior to November 1, 1945.

2. In section 5 (a) the paragraph which commences with the words "On and after November 1, 1943" is amended to read as follows:

On and after November 1, 1945, primary distributors' maximum prices for sales of peanut butter in containers of 2 pounds or less to all persons other than commercial, industrial, institutional users and governmental agencies shall be recalculated in accordance with this section as each delivery of an item of peanut butter at the increased maximum price is received after that date.

3. In section 23 the introductory paragraph is amended to read as follows:

SEC. 23. Notification of change in maximum price. If a processor's or primary distributor's maximum price for an item is changed by or pursuant to a provision of this regulation, he shall give notice of such change with the first shipment or delivery of the item after the change in price becomes effective in the following manner. He shall:

This amendment shall become effective at 12:01 a. m. November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

Approved: October 24, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-20150; Filed, Oct. 31, 1945;
4:24 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 422, Amdt. 59]

CEILING PRICES OF CERTAIN FOODS SOLD AT
RETAIL IN GROUP 3 AND GROUP 4 STORES

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

Maximum Price Regulation 422 is amended in the following respect:

Section 25d is added to read as follows:

Sec. 25d. Ceiling prices for sales of butter if you own more than 1000 pounds on October 31, 1945. Notwithstanding any other provisions of this regulation, if, at the close of business on October 31, 1945, you own more than 1000 pounds of butter, you must, on and after November 1, 1945 continue to sell each item of butter at no more than the ceiling price you had in effect for such item on October 31, 1945 until you file by registered mail with the Secretary of the Office of Price Administration, Washington, D. C., an affidavit setting forth the number of pounds you owned at the close of business on October 31, 1945. This affidavit must also set forth the calculation required herein, and must be accompanied by a check or

money order payable to the Treasurer of the United States in an amount figured as follows:

(a) Take the number of pounds of butter you own at the opening of business on the date of filing; (b) subtract the number of pounds received by you between the opening of business on November 1, 1945 and the date of filing with a "net cost" based on a delivery at the five-cent increase in your supplier's ceiling price charged pursuant to Amendment No. 39 to Revised Maximum Price Regulation 289; (c) multiply the difference by five cents, and subtract \$50.00. Immediately upon the mailing of such affidavit with the amount due (if any), your ceiling price shall be figured in accordance with the other provisions of this regulation.

In the case of stores under one ownership, the number of pounds owned shall be the total of the number of pounds in each such store and wherever else located.

This amendment shall become effective at 12:01 a. m. November 1, 1945.

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

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20145; Filed, Oct. 31, 1945;
4:22 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 422, Amdt. 60]

CEILING PRICES OF CERTAIN FOODS SOLD AT
RETAIL IN GROUP 3 AND GROUP 4 STORES

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

Maximum Price Regulation No. 422 is amended in the following respects:

1. A footnote reference 1 is added after the last word in the first paragraph of section 7 (b).

2. A new footnote 1 is added to section 7 (b) to read as follows:

¹ However, for each item of butter, you may on or after November 1, 1945 figure a new ceiling price immediately upon receipt of a delivery at a "net cost" different from the "net cost" on which your existing ceiling price is based. On each Thursday thereafter, you must refigure your ceiling price in accordance with the rules in section 8.

This amendment shall become effective at 12:01 a. m. November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20146; Filed, Oct. 31, 1945;
4:23 p. m.]

¹ 8 F.R. 6834, 10264, 10987, 12445, 14852; 9 F.R. 10263, 11712, 12413; 10 F.R. 3642, 6589.

¹ 10 F.R. 1535, 2024, 2257, 3814, 5370, 5577, 6235, 6514, 7251, 8015, 8256, 8272, 8263, 9430, 11363, 12264, 12265, 12810, 12592, 12073.

² 10 F.R. 2352, 2658, 2928, 3554, 3348, 3950, 5772, 5792, 6232, 7249, 7832, 9034, 11693, 12651, 12357, 12363, 13216.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,¹ Amdt. 57]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN \$250,000 (GROUP 1 AND GROUP 2 STORES)

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

Maximum Price Regulation No. 423 is amended in the following respect:

Section 18(m) is added to read as follows:

(m) Sec. 25d. *Ceiling prices for sales of butter if you own more than 1000 pounds on October 31, 1945.* (Applies to you if at the close of business on October 31, 1945 you own more than 1000 pounds of butter.)

This amendment shall become effective at 12:01 a. m. November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20147; Filed, Oct. 31, 1945; 4:22 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,¹ Amdt. 58]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN \$250,000 (GROUP 1 AND GROUP 2 STORES)

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

Maximum Price Regulation No. 423 is amended in the following respects:

1. A footnote reference 1 is added after the last word in the first paragraph of section 7 (b).

2. A new footnote 1 is added to section 7 (b) to read as follows:

¹ However, for each item of butter, you may on or after November 1, 1945 figure a new ceiling price immediately upon receipt of a delivery at a "net cost" different from the "net cost" on which your existing ceiling price is based. On each Thursday thereafter, you must refigure your ceiling price in accordance with the rules in section 8.

This amendment shall become effective at 12:01 a. m. November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20148; Filed, Oct. 31, 1945; 4:22 p. m.]

¹ 10 F. R. 1523, 2025, 2298, 3814, 5370, 5578, 6235, 6514, 8015, 8656, 9272, 9263, 9431, 11303, 12264, 12265, 12810, 12992, 13074.

PART 1393—ICE

[MPR 154, as Amended, Amdt. 13]

ICE

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 § 1393.8 (d) (2), at the conclusion of subdivision (iii) the following sentence is added: "Specifically, any person furnishing protective service under contracts subject to section 14 (b), Part 1, of the Interstate Commerce Act may join in applications for adjustment by buyer-seller agreement under this subparagraph 2 (and, accordingly, execute the Purchaser's Certification, Item F of OPA Form 644-2452), notwithstanding the foregoing requirement that the purchaser must agree to absorb the proposed increase."

This amendment shall become effective November 6, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20179; Filed, Nov. 1, 1945; 11:42 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3¹, Amdt. 43]

SUGAR

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

Second Revised Ration Order 3 is amended in the following respects:

1. Section 3.18 (a) is amended by deleting "cough drops" in Item 9 and adding "cough drops" after the words "vitamin oils" in Item 14.

2. Section 3.28 is added to read as follows:

Sec. 3.28 *Change in base and supplemental issuance for certain industrial users.* (a) An industrial user who uses sugar in the manufacture of cough drops, and whose base was changed because of the change in classification of cough drops on July 1, 1945, is entitled to an adjustment of his base. The District Office shall, on and after November 5, 1945, recompute his bases by adding to his base for the production of the products listed in class 14 of section 3.18 the amount of his base period use of sugar for cough drops and by deleting any base period use of sugar for cough drops from class 9. In addition, it shall redetermine the amount of his allotments for the fourth quarter of 1945 and issue to him evidences equal to the difference between the total amount of his allotments for that quarter, as issued, and the total of the amounts arrived at by using the new bases.

3. Section 20.2 is amended by amending Items 9 and 14 to read as follows:

¹ 9 F. R. 13641.

9. Candy; chocolate; cocoa; chewing gum----- 50

14. Pharmaceuticals (Internal); allergy foods; vitamin foods; cough drops. 110

This amendment shall become effective November 5, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20178; Filed, Nov. 1, 1945; 11:42 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,¹ Amdt. 81]

MEAT, FATS, FISH AND CHEESE

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

Revised Ration Order 16 is amended in the following respects:

1. Section 1.1 (a) (4) is amended to read as follows:

(4) "Rationed fats or oils" which are defined in detail in section 27.1 include, among other products, "butter", "margarine", "lard", "cooking and salad oils" and "shortening". Mayonnaise, salad dressing, USP Vitamin Oils, Vitamin E Oil, fish liver oil, sperm oil, and "fats" resulting from cooking done by "consumers" and "institutional users" are not included.

2. The last sentence of the definition of "Rationed fats or oils" contained in section 27.1 (a) is amended to read as follows: "However, 'rationed fats or oils' does not include mayonnaise, salad dressing, USP Vitamin Oils, Vitamin E Oil, fish liver oil, sperm oil or fat resulting from cooking done by a 'consumer' or 'institutional user'."

This amendment shall become effective November 5, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20175; Filed, Nov. 1, 1945; 11:42 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,¹ Amdt. 82]

MEAT, FATS, FISH AND CHEESES

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

Revised Ration Order 16 is amended in the following respects:

1. Section 4.11 (b) (5) is amended to read as follows:

(5) A primary distributor is not required to file any report on OPA Forms R-1606 (Revised), R-1607, R-1609, R-1626 (Revised) or Dairy Products Report No. 1 for foods covered by this order

¹ 8 F. R. 3591.

which have a zero point value during the entire period covered by the report. However, this sub-section shall not be deemed to affect any requirements to report to the Department of Agriculture on Dairy Products Report No. 1.

2. Section 4.11 (d) is amended to read as follows:

(d) A primary distributor must give all the information called for by the form on which he reports. A primary distributor, required to report on OPA Form R-1606 (Revised), OPA Form R-1607, or Dairy Products Report No. 1, must, among other things, report his inventory of rationed foods at the establishment covered by the report, at the beginning and end of the reporting period.

However, a primary distributor is not required to include in his report on OPA Forms R-1606 (Revised), R-1607, R-1609, R-1626 (Revised), or Dairy Products Report No. 1 any information with respect to foods covered by this order while they have a zero point value. This section shall not be deemed to affect any requirements to report to the Department of Agriculture on Dairy Products Report No. 1.

This amendment shall become effective November 5, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20176; Filed, Nov. 1, 1945; 11:42 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[RO 20,¹ Amdt 5]

LAUNDRY SOAP RATIONING IN VIRGIN ISLANDS

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

Ration Order 20 is amended in the following respects:

1. The table in section 6.2 is amended by adding the following:

RED STAMPS

Valid period	Valid during ration period (Book No. 2)	Weight value of stamps
Oct. 20, to Nov. 19, 1945.	V-2	1 lb. laundry soap.
Nov. 20, to Dec. 19, 1945.	V-5	1 lb. laundry soap.
Dec. 20, to Jan. 19, 1946.	V-8	1 lb. laundry soap.

This amendment shall become effective as of October 20, 1945.

Issued this 1st day of November 1945.

JACOB A. ROBLES,
Territorial Director.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-20177; Filed, Nov. 1, 1945; 11:42 a. m.]

¹9 F.R. 14229.

PART 1426—PRIMARY FOREST PRODUCTS

[MPR 556,¹ Corr. to Amdt. 1]

WESTERN RAILROAD TIES AND WOODEN MINE MATERIALS

Amendment 1 to Maximum Price Regulation 556 is corrected in the following respects:

1. In section 16, Table 9, lines Nos. 1 and 2, the word "to" is substituted for the "&" sign.

This correction shall become effective November 1, 1945.

Issued this 1st day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20180; Filed, Nov. 1, 1945; 11:42 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,¹ Amdt. 152]

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.

Maximum Price Regulation 426 is amended in the following respects:

1. In the definitions of "grower-distributor" and "buyer distributor" in Appendix J, paragraph (f) (3), and of "shipping point distributor" in Appendix K, paragraph (k), the phrase "during the 1944 season" is changed to "during the current season".

2. In Appendix K, paragraph (f), Table 3 (Maximum Prices for Apples), the Column 5 (b) prices for November in the table in footnote 4 are changed to \$4.12 for items 3 and 4 (box or bushel), \$12.36 for items 14 and 15 (barrel), \$0.0915 for items 25 and 26 (graded and packed in certain containers, per pound), \$0.0930 for items 36 and 37 (graded in bulk, per pound), \$0.0775 for items 47 and 48 (tree-run, in containers, per pound), and \$0.0735 for items 56 and 57 (tree-run in bulk per pound).

3. In Appendix K, paragraph (g), Table A, item 3 (apples), the per-pound markup in Column 4 is changed from 1/10 cent to 1/9 cent, the per-pound markup in Column 8 is changed from 2/10 cent to 2/9 cent, and the per-pound markup in Column 9 is changed from 3/10 cent to 1/3 cent.

This amendment shall become effective at 12:01 a. m. November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

Approved: October 30, 1945.

J. B. HURSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-20151; Filed, Oct. 31, 1945; 4:24 p. m.]

¹9 F.R. 16966.

²10 F.R. 7403, 7500, 7539, 7578, 7663, 7683, 7789, 8021, 8063, 8239, 8239, 8467, 8611, 8657, 8905, 8936, 8923, 9023, 9023, 9118, 9119, 9277, 9447, 9628, 9928, 10025, 10229, 10311, 10363, 11072, 12213, 12084, 12408, 12447, 12532, 12367, 12702.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicles

[Emergency Order M-6]

PART 176—TRANSPORTATION OF HOUSEHOLD GOODS IN INTERSTATE OR FOREIGN COMMERCE

EMERGENCY EMPLOYMENT OF ONE MOTOR COMMON CARRIER BY ANOTHER FOR THE TRANSPORTATION OF HOUSEHOLD GOODS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of October, A. D. 1945.

The Commission, Division 3, having under consideration a petition of the American Trucking Associations, Inc., and the Household Goods Conference of the American Trucking Associations; and

It appearing, that an extraordinary demand for the transportation of household goods from national defense areas and other areas has created an urgent need for the full use of motor carrier facilities for the transportation of household goods;

And it further appearing, that such full use of motor carrier facilities would be aided by authorizing motor common carriers which have contracted to transport household goods by motor vehicle from and to points served by them to employ other motor common carriers to perform the transportation in whole or in part; therefore: It is ordered, that:

§ 176.10 *Employment of one motor common carrier by another.* (a) Unless the shipper directs otherwise, a motor common carrier which has entered into a bill of lading contract to transport household goods by motor vehicle to a point it is authorized to serve may employ another motor common carrier to perform the transportation service in whole or in part; *Provided*, That the motor common carrier so employed has a certificate of public convenience and necessity authorizing it to perform the service for which it is employed.

(b) *Tariff rates, charges, and rules.* The tariff rates, charges, rules, and regulations to be applied on shipments transported as authorized in the next preceding paragraph shall be those in effect over the lines of the bill of lading carrier.

(c) *Condition precedent.* Before a common carrier of household goods by motor vehicle may avail itself of the authority conferred in this order it must have on file in each of its tariffs containing rates, charges, rules, and regulations applying to the transportation of household goods locally over its lines a rule providing as follows:

Unless otherwise directed by the shipper, shipments of household goods originating on the lines of any carrier party to this tariff and consigned to a point served by it, at the option of the originating carrier, will be transported by other motor common carriers authorized to perform the service, and the rates, charges, rules, and regulations to be applied in connection with shipments so

transported are those applicable over the liens of the originating carrier.

NOTE: This rule is published on one day's notice under authority of Emergency Order No. M-6 of the Interstate Commerce Commission and will expire December 31, 1945.

It is further ordered, that this order will expire December 31, 1945, unless otherwise ordered.

And it is further ordered, that a copy of this order be served on each common carrier of household goods by motor vehicle and that notice of this order be given to the general public by posting a copy of it in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 45-20190; Filed, Nov. 1, 1945;
12:00 p. m.]

Notices

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6781]

NEW YORK METROPOLITAN DISTRICT

ASSIGNMENT OF FM FREQUENCIES TO EXISTING FM LICENSEES

This proceeding arose as a result of the Commission's action of September 12, 1945, allocating frequencies to the existing FM licensees and permittees and providing that licensees could file objections with the Commission concerning their assignment. Only three objections to the frequencies assigned were filed and all three of these related to New York assignments. These objections were filed by Columbia Broadcasting System, National Broadcasting Company, and Bamberger Broadcasting Service, respectively. A hearing was requested and was held October 15, 1945.

At the hearing Columbia Broadcasting System presented a proposed plan for allocating frequencies in Area I which differed from that proposed by the Commission. The claim was made that under this new proposal, it would be possible to have about 10 stations in New York City with approximately the same coverage and that the average coverage of FM metropolitan stations outside of New York City would be greater under the CBS proposal than under the Commission's proposal.

The Commission has carefully examined the CBS proposal and supporting data. It appears from this examination that under the CBS proposal more of the channels assignable to New York will have approximately the same coverage than is possible under the Commission's proposal but as a result some of the channels assigned to other cities will have a somewhat smaller service area beyond the 1000 uv/m contour. The claim that the average coverage of FM stations outside of New York would be increased is not borne out by the data. On the basis

of all the data, it appears that there is no material difference between the Commission's proposal and that of CBS so far as average coverage of FM stations in Area I is concerned. However, it should be noted that the CBS proposal does have some advantages over the Commission proposal so far as interference within the 1000 uv/m is concerned. Under the CBS proposal there are only three instances where interference will occur within the 1000 uv/m contour whereas under the Commission's proposal there are nine such instances.

In view of the foregoing, the Commission has determined to adopt the CBS proposal as the basis for allocating FM metropolitan stations in Area I. It should be pointed out that the proposal will not be followed in any hard and fast manner by the Commission but is published as a guide to people interested in FM as to the general manner in which the Commission expects to license FM stations in Area I.

At the hearing on October 15, an applicant for a new station in the New York area appeared and objected to the granting of frequencies to existing FM stations. Two points were made. In the first place, it was urged that no frequencies be assigned at this time to existing stations but that such stations should be required to compete with all other applicants for the 20 frequencies which are available in New York. However, it should be noted that existing licensees do stand on a different footing from applicants. Had the Commission determined not to move FM higher in the spectrum, no question would be raised with respect to the license status of present licensees. The fact that in order to minimize skywave interference the Commission moved the whole FM band to a position higher in the spectrum has no impact upon the status of existing licensees and permittees.

The second point raised was that the best assignments should not be given to the existing licensees but that applicants as well as existing licensees should be entitled to compete for them. The answer to this is that under the Commission's rules and regulations all of the New York stations will have opportunity for equal coverage within the 1000 uv/m contour and this is the only contour that is protected in Area I by the Commission's rules. Moreover, while some of the channels do appear to have a theoretical superiority so far as coverage beyond 1000 uv/m contour is concerned, this is only temporary at the best until more stations are licensed and may disappear even before then. The evidence at the hearing indicated that all calculations were based on the assumption that each station would be operated with effective power of 20 kilowatts and an antenna height of 500 feet and that the antenna would be located as near the center of the city as possible. Deviation in any one of these factors by stations on the same or adjacent channel might change the theoretical superiority. Finally, not all of the theoretically best channels have been assigned in New York to existing stations. Some of the existing licensees in indicat-

ing their preference have been assigned channels which are not the theoretically best in New York City. Hence, a representative number of the theoretically best channels is available in the New York City area for the new applicants.

As a result of the Commission's action in adopting the CBS proposal as a basis for allocation in Area I, some changes have been necessary in the assignments to existing stations and permittees. The new assignments are listed below in Table I. In Table II, there are shown the channels which are available for assignments in the various cities of Area I, or in nearby cities, according to the CBS proposal as adopted by the Commission.

TABLE I.—FREQUENCY ASSIGNMENTS FOR EXISTING FM BROADCAST STATIONS AND OUTSTANDING CONSTRUCTION PERMITS

METROPOLITAN STATIONS	
City and Call Letters, and Channel No.	Frequency
Baton Rouge, La., WBRB; 41.....	98.1
Binghamton, WBNF-FM; 142.....	106.3
Boston, WBZ-FM; 164.....	100.7
Chicago, WBBM-FM; 57.....	99.3
Chicago, WDLN; 59.....	99.7
Chicago, WEHS; 61.....	100.1
Chicago, WGNB; 55.....	98.9
Chicago, WWZR; 53.....	98.5
Columbus, WELD; 33.....	94.6
Detroit, WENA; 45.....	96.9
Detroit, WLOU; 43.....	96.5
Evansville, WMLL; 34.....	94.7
Fort Wayne, WOVO-FM; 40.....	95.9
Hartford, WDRC-FM; 32.....	94.3
Hartford, WTIC-FM; 28.....	93.5
Indianapolis, WABW; 35.....	94.9
Kansas City, KOZY; 60.....	99.9
Kansas City, KMBC-FM; 50.....	97.9
Milwaukee, WMMF; 22.....	92.3
Nashville, WSM-FM; 61.....	100.1
Philadelphia, KYW-FM; 162.....	100.3
Philadelphia, WCAU-FM; 174.....	102.7
Philadelphia, WFIL-FM; 176.....	103.1
Philadelphia, WIP-FM; 148.....	107.5
Philadelphia, WIBG-FM; 146.....	107.1
Philadelphia, WPEN-FM; 158.....	109.6
Pittsburgh, KDKA-FM; 31.....	94.1
Pittsburgh, WMOT; 33.....	94.5
Rochester, WHEF; 53.....	98.5
Rochester, WHFM; 55.....	98.9
Salt Lake City, KSL-FM; 61.....	100.1
Schenectady, WGFM; 164.....	100.7
Schenectady, WBCA; 166.....	101.1
South Bend, WSBF; 67.....	101.3
Springfield, Mass., WBZA-FM; 146.....	107.1
Superior, Wis., WDUL; 22.....	92.3
Worcester, Mass., WTAG-FM; 174.....	102.7
Worcester, Mass., WGTR; 178.....	103.1
Alpine, N. J., WFMN; 155.....	108.9
New York, N. Y., WQXQ; 149.....	107.7
New York, N. Y., WABF; 53.....	98.5
New York, N. Y., WGYN; 141.....	108.1
New York, N. Y., WFGG; 59.....	99.7
New York, N. Y., WHNF; 57.....	99.3
New York, N. Y., WNYC-FM; 133.....	101.5
New York, N. Y., WEAM; 143.....	106.5
New York, N. Y., WABC-FM; 145.....	106.9
New York, N. Y., WEAJ-FM; 147.....	107.3
Jersey City, N. J., WAAW; 131.....	104.1

RURAL STATIONS

(Located at present sites)

Mt. Washington, N. H., WMTW; 151.....	108.1
Winston-Salem, N. C., WMIT; 47.....	97.3

CLASS OF STATION NOT YET DETERMINED

Los Angeles, Calif., KHJ-FM; 59.....	99.7
Los Angeles, Calif., KTLO; 61.....	100.1

¹Indicates a change from previous assignment.

TABLE II—ALLOCATION PLAN FOR FM STATION IN AREA I

Name of city	Number of existing AM stations	Number of possible metropolitan stations for the city where AM stations are located or in nearby cities	Channel No. ¹
CONNECTICUT			
Bridgeport.....	2	3	65, 67, 69.
Hartford.....	4	6	23, 28, 30, 32, 34, 36.
New Haven.....	2	5	63, 71, 75, 77, 79.
New London.....	1	2	59, 52.
Stamford.....	1	(²)	
Waterbury.....	2	4	22, 24, 61, 73.
DELAWARE			
Wilmington.....	2	3	64, 66, 68.
DISTRICT OF COLUMBIA			
Washington.....	6	12	21, 23, 25, 27, 29, 31, 33, 35, 63, 65, 67, 69, 71.
MARYLAND			
Baltimore.....	5	10	51, 53, 55, 57, 59, 61, 73, 75, 77, 79.
Frederick.....	1	(²)	
Hagerstown.....	1	(²)	
Salisbury.....	1	(²)	
MASSACHUSETTS			
Boston.....	7	10	21, 23, 25, 27, 29, 31, 33, 35, 61, 63, 43, 45, 47.
New Bedford-Fall River.....	2	3	
Fitchburg.....	1	(²)	
Greenfield.....	1	(²)	
Holyoke-Springfield.....	4	6	33, 40, 42, 44, 46, 48.
Lawrence-Lowell-Haverhill-Fortmouth, N. H.....	3	4	37, 39, 41, 49.
Pittsfield.....	1	(²)	
Salem.....	1	(²)	
Worcester.....	3	4	60, 62, 74, 76.
W. Yarmouth-Hyannis.....	1	(²)	
NEW HAMPSHIRE			
Manchester.....	2	2	69, 70.
NEW JERSEY			
Asbury Park.....	1	(²)	
Atlantic City.....	2	(²)	
Bridgeton.....	1	(²)	
Camden (see Philadelphia).....			
Jersey City.....	1	(²)	
Newark.....	2	(²)	
Paterson.....	1	(²)	
Trenton.....	2	3	70, 72, 78.
Zaraphath.....	1	(²)	
NEW YORK			
Albany - Schenectady-Troy.....	6	12	21, 23, 25, 27, 29, 31, 33, 35, 59, 64, 66, 72.
Brooklyn.....	3	(²)	
Freeport.....	1	(²)	
Kingston.....	1	(²)	
Middletown.....	1	(²)	
Newburgh.....	1	(²)	
New York City.....	13	20	21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 63, 55, 57, 59.
Poughkeepsie.....	1	(²)	
White Plains.....	1	(²)	
Woodside.....	1	(²)	
PENNSYLVANIA			
Allentown - Bethlehem-Easton.....	2	4	34, 36, 38, 40.
Harrisburg.....	3	6	45, 47, 49, 70, 72, 78.
Hazleton.....	1	(²)	
Leicester.....	1	2	22, 24.
Philadelphia.....	10	13	42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 74, 76.

TABLE II—ALLOCATION PLAN FOR FM STATION IN AREA I—Continued

Name of city	Number of existing AM stations	Number of possible metropolitan stations for the city where AM stations are located or in nearby cities	Channel No. ¹
PENNSYLVANIA—continued			
Reading.....	2	4	61, 63, 65, 67.
Scranton-Wilkes-Barre.....	5	9	61, 63, 65, 67, 71, 73, 75, 77, 79 (see Note A).
York.....	2	5	25, 27, 29, 41, 43.
RHODE ISLAND			
Pawtucket-Providence.....	4	6	54, 56, 58, 70, 72, 74.

¹ Channel number system corresponds to that specified in FCC Rule 3.391, as promulgated September 12, 1945.

² This city would be eligible for Community stations. Note A: There is a possibility of adding Channel No. 67 to Scranton.

Note B: Channels No. 51, 53, 55 and 57 are available for wide coverage stations in Mt. Washington area.

Dated: October 26, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-20138; Filed, Oct. 31, 1945; 3:27 p. m.]

[Docket No. 6789]

PRESS WIRELESS, INC., AND WESTERN UNION TELEGRAPH CO.

ORDER INSTITUTING AN INVESTIGATION AND SETTING HEARING DATE

In the matter of increased charges for deferred press telegraph communications between New York, N. Y., and France and Germany.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 24th day of October 1945;

It appearing, that Press Wireless, Inc., and The Western Union Telegraph Company have filed with the Commission revised tariff schedules effective October 28 and November 9, 1945, respectively, stating new increased charges for deferred press telegraph messages between New York, N. Y., on the one hand, and France and Germany, on the other; said tariff schedules being designated as follows:

Press Wireless, Inc.: Tariff F. O. C. No. 10, 6th Revised Page 46 (see), 1st Revised Page 46 (see).

The Western Union Telegraph Company: Tariff F. O. C. No. 189, 3rd Revised Page 62, 2nd Revised Page 63.

It further appearing, that said tariff schedules state increased charges for press telegraph communications in interstate and foreign commerce; that the rights and interests of the public, and particularly those of users of press service, may be injuriously affected thereby; and it being the opinion of the Commission that the effective date of such schedules, insofar as they provide for increased charges for telegraph communications

between New York, N. Y., on the one hand, and France and Germany, on the other, should be postponed pending hearing and decision on the lawfulness of such increased charges;

It is ordered, That the Commission, upon its own motion, without formal pleading, enter upon a hearing concerning the lawfulness of the charges contained in the above-cited tariff schedules, insofar as they relate to press telegraph communications between New York, N. Y., and France and Germany;

It is further ordered, That the operation of the above-cited tariff schedules, insofar as they provide for increased charges for and in connection with telegraph communications be suspended; that the use of the charges therein stated be deferred until January 28, 1946, unless otherwise ordered by the Commission; and that during said period of suspension no changes shall be made in such charges or in the charges sought to be altered, unless authorized by special permission of the Commission;

It is further ordered, That an investigation be, and the same is hereby instituted, into the lawfulness of the rates, charges, classifications, regulations, practices, and services of Press Wireless, Inc., and The Western Union Telegraph Company, for and in connection with press telegraph communication service between the United States, on the one hand, and France and Germany, on the other;

It is further ordered, That in the event a decision as to the lawfulness of the charges herein suspended has not been made during the suspension period and said charges have gone into effect, all of the carriers subject to the Commission's jurisdiction participating in the services provided under the tariff provisions herein suspended, shall, until further order of the Commission, each keep accurate account of all amounts charged, collected or received by reason of any increase in charges effected thereby; that each such carrier shall specify in such accounts by whom and in whose behalf such amounts are paid; and each such carrier shall file with this Commission a report, under oath, on or before the 10th day of each calendar month, commencing February 10, 1946, showing the amounts accounted for as aforesaid during the previous calendar month;

It is further ordered, That a copy of this order be filed in the offices of the Commission with said tariff schedules herein suspended; that all carriers subject to the Commission's jurisdiction which are parties to such tariff schedules be, and they are hereby each made a party respondent to this proceeding; and that copies hereof be served upon each such party respondent;

It is further ordered, That this proceeding be, and the same is hereby assigned for hearing on the 16th day of November, 1945, beginning at 10:00 a. m. at the offices of the Federal Communications Commission in Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-20139; Filed, Oct. 31, 1945; 3:27 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 354, Corr. to Amdt. 1]

REROUTING OF TRAFFIC; EMPLOYEES STRIKE ON T. P. & W. RAILROAD

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of October A. D. 1945.

Upon further consideration of Service Order No. 354 (10 F.R. 12534), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 354 (10 F.R. 12534), be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p. m., December 31, 1945, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, 485, sec. 4, 10; 54 Stat. 901, 912; 49 U.S.C., 1 (10)-(17))

It is further ordered, That this order shall become effective at 11:59 p. m., October 31, 1945; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 45-20189; Filed, Nov. 1, 1945; 12:00 m.]

OFFICE OF PRICE ADMINISTRATION.

[Max. Import Price Reg., Order 103]

PAN AMERICAN LUMBER CO.

ESTABLISHMENT 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 21 of the Maximum Import Price Regulation, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which the importer may sell, and maximum prices at which wholesalers and retailers may buy and sell, certain forcep type lemon and lime squeezers with seed strainer, made of galvanized steel, weighing approximately five ounces, 6½ inches long marked "Made in Mexico," imported from Mexico by Pan American Lumber Company, 1112 South Texas Bank Building, San Antonio, Texas.

(b) *Maximum prices on sales by the importer.* The importer may not sell these lemon and lime squeezers and no person may buy them from him at prices exceeding the following:

Class of purchaser:	Maximum prices (each)
Wholesalers-----	40¢
Retailers-----	48¢
Consumers-----	75¢

¹ F. o. b. shipping point.

(c) *Maximum wholesale and retail prices.* No wholesaler or retailer may sell such lemon and lime squeezers, and no person may buy them from such sellers, at prices higher than the following:

Class of seller:	Maximum prices (each)
Wholesalers-----	48¢
Retailers-----	75¢

¹ F. o. b. shipping point.

(d) *Importer to notify wholesalers.* The importer shall include the following statement on each invoice covering sales of such lemon and lime squeezers to wholesalers:

Order No. 103 issued by the Office of Price Administration under the Maximum Import Price Regulation establishes your maximum selling prices for these lemon and lime squeezers at 48¢ each, f. o. b. shipping point, and requires that you include on your invoice to each retailer, a statement that his maximum selling price under that order is 75¢ each.

(e) *Importer and wholesalers to notify retailers.* The importer and every wholesaler selling these lemon and lime squeezers to retailers shall include on the invoice to each retailer the following statement:

Your maximum selling price for these lemon and lime squeezers as established by Order No. 103 issued by the Office of Price Administration under the Maximum Import Price Regulation, is 75¢ each.

(f) *Revocation and amendment.* The maximum prices established by Orders Nos. L-2903 and L-4585 issued under section 8 of the Maximum Import Price Regulation and effective April 20 and June 2, 1945, respectively, are incorporated in this order, and Orders Nos. L-2903 and L-4585 are therefore revoked. This order may be revoked or amended at any time.

This order shall become effective November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20114; Filed, Oct. 31, 1945; 11:36 a. m.]

[Order 760 Under 3 (b)]

W. & F. MFG. CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reason set forth in the opinion issued simultaneously; *It is ordered*, That:

W. & F. Manufacturing Company, Inc., of Buffalo, New York, is hereby authorized to sell wax fuel tablets in bars designed to be broken into three tablets in retail size packages containing four bars or twelve individual tablets, within the United States, at wholesale prices not to exceed 22.75¢ per retail package (\$2.73 per dozen retail packages), and

the W. & F. Manufacturing Company, Inc., and all other retailers are hereby authorized to sell wax fuel tablets in the retail package described above at retail, at prices not to exceed 35¢ per retail package at all points within the United States.

The following scale of discounts to dealer and jobber prices will apply to the list retail package price of 35¢ per package (\$4.20 per dozen retail packages):

Dealers—1 to 5 dozen—	35%.
Dealers—6 to 11 dozen—	35% and 5%.
Dealers—12 dozen or more—	35% and 10%.
Jobbers—12 dozen or more—	35% and 20%.

All sellers are required to maintain these discounts.

The W. & F. Manufacturing Company, Inc., shall, for a period of ninety days place in each package of wax fuel tablets a notice to retailers as follows:

The Office of Price Administration has established a maximum price for retail sales of wax fuel tablets at 35¢ per retail package of four bars designed to be broken into three tablets each.

This order may be revoked or amended at any time by the Office of Price Administration.

This Order No. 760 shall become effective the 31st day of October 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20115; Filed, Oct. 31, 1945; 11:36 a. m.]

[RPS 40, Order 24]

HARRY ENGERT

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 Harry Engert to jobbers of the door latch manufactured by it and as described in the application dated June 29, 1945 which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25 D. C., shall be: \$2.10 per dozen including screws.

(b) The maximum net delivered prices for sales by any person of the door latch manufactured by Harry Engert and as described in its application dated June 29, 1945, shall be:

On Sales to retailers—\$2.80 per dozen including screws.

On Sales to consumers at retail—35 cents each with screws.

(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 jobbers 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 sales of similar commodities during March 1942.

(d) Each seller covered by this order, except a retailer, 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) Harry Engert, the manufacturer, shall print on the box containing the latch or attach a tag to such latch which shall substantially contain the following:

OPA Maximum Retail Price 35 cents each

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

This order shall become effective November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20116; Filed, Oct. 31, 1945; 11:36 a. m.]

[MPR 120, Amdt. 4 to Rev. Order 1432]

PIKE-ELKHORN COAL CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

Revised Order No. 1432 under Maximum Price Regulation No. 120, is amended in the following respect:

Paragraph (b) (2) is amended by adding thereto the following name and mine index number:

Pike-Elkhorn Coal Company—7038.

This Amendment No. 4 to Revised Order No. 1432 under Maximum Price Regulation No. 120 shall become effective November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20117; Filed, Oct. 31, 1945; 11:37 a. m.]

[MPR 120, Order 1507]

BITUMINOUS COAL IN CAMPBELL COUNTY, TENN.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Bituminous coal produced at non-rail connected mines of less than 50 tons daily capacity, in the Rich Mountain Seam in Campbell County, Tennessee, in Maximum Truck Price Group No. 3 of District 8 may be sold for truck shipment at cents per net ton maximum prices not exceeding the following:

Size Group Nos.	1	2	3	4	7	8
	625	625	625	625	275	270

(b) The maximum prices established by this order shall expire at midnight, January 31, 1946.

(c) Except as is specifically provided in this order the provisions of Maximum Price Regulation No. 120, governing the sale of bituminous coal produced in District No. 8, shall remain in effect.

(d) All invoices in connection with the sale of bituminous coal priced under this order shall state that the price charged was established by Order No. 1507 under Maximum Price Regulation 120 of the Office of Price Administration.

(e) Each producer of bituminous coal affected by this order must file for the month of October, 1945, and for each succeeding month, monthly operating reports on OPA Form No. 653-572. Such reports must be filed on or before the 20th day of the month following the month for which the report is made.

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

This order shall become effective November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20118; Filed, Oct. 31, 1945; 11:37 a. m.]

[MPR 188, Order 127 Under 2d Rev. Order A-3]

KAPPELER BRUSHES

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 Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 108, it is ordered:

(a) *Manufacturer's maximum prices.* Kappeler Brushes, 411-7th St., Carlstadt, New Jersey, may increase its maximum prices to brush manufacturers of artists and commercial brushes which it manufactures by 7%.

(b) *Maximum prices of purchasers for resale.* This paragraph sets forth the methods by which persons purchasing the artists and commercial brushes referred to in paragraph (a) shall determine their maximum resale prices:

(1) If the purchaser for resale has already established his maximum prices under the General Maximum Price Regulation for his resales of these brushes prior to the issuance of this order, he may increase such maximum price by 7 percent.

(2) If the purchaser for resale has not established his maximum prices for these brushes under the General Maximum Price Regulation, he shall proceed to do so, and may increase the maximum prices established under § 1499.2 of that regulation by 7 percent. However, if the applicable pricing provision of the General Maximum Price Regulation is § 1499.3 (a), which requires his maximum prices to be determined on the basis

of cost, the reseller shall use the actual invoice price to him as his cost, and the price so computed shall not be increased in any amount. Ceiling prices which will be established under § 1499.3 (c) of that regulation, if that is the applicable pricing provision will be based upon the supplier's prices as adjusted by this order.

(c) *Terms of sale.* Maximum prices adjusted by this order are subject to each seller's customary terms, discounts, allowances and other price differentials on sales to each class of purchaser.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale showing a maximum price adjusted in accordance with the terms of this order, the seller shall notify such purchaser in writing of the methods established in paragraph (b) for determining adjusted maximum prices for resales of the articles covered by this order. This notice may be given in any convenient form.

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

(f) *Effective date.* This order shall become effective on November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20119; Filed, Oct. 31, 1945; 11:37 a. m.]

[MPR 591, Order 89]

COMMERCIAL TANK AND METALIZING 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 prices, f. o. b. point of shipment for sales by any person of the following septic tanks manufactured by the Commercial Tank and Metalizing Company of New Castle, Pennsylvania, and described in its application of September 20, 1945, shall be:

(1) On sales to consumers:	
Steel (14 gauge) septic tank, 230 gallon capacity	923.00
Steel (14 gauge) septic tank, 300 gallon capacity	31.00
Steel (13 gauge) septic tank, 500 gallon capacity	51.00
(2) On sales to dealers:	
Steel (14 gauge) septic tank, 200 gallon capacity	17.25
Steel (14 gauge) septic tank, 300 gallon capacity	23.25
Steel (13 gauge) septic tank, 500 gallon capacity	38.25
(3) On sales to jobbers:	
Steel (14 gauge) septic tank, 200 gallon capacity	13.75
Steel (14 gauge) septic tank, 300 gallon capacity	18.50
Steel (13 gauge) septic tank, 500 gallon capacity	30.20

(b) The maximum prices specified in (a) above shall be subject to 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) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(d) Each seller covered by this order, except on sales to consumers, shall notify in writing each purchaser 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 purchaser's, except retailers, upon resale.

(e) The Commercial Tank and Metalizing Company shall stencil in a conspicuous place on each of the septic tanks the following:

OPA Maximum Consumer Price \$-----

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

This order shall become effective November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20120; Filed, Oct. 31, 1945; 11:37 a. m.]

[MPR 591, Order 81]

WESTINGHOUSE ELECTRIC AND 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 excluding federal excise taxes for sales to consumers by any person of the following electric-fired water heaters manufactured by the Westinghouse Electric and Manufacturing Company of Mansfield, Ohio, and described in its application of October 1, 1945, shall be:

Model No.

4640-SG1, 40 gallon electric-fired water heater, single element-----	\$83.25
4640-SG2, 40 gallon electric-fired water heater, double element-----	88.25

(b) The maximum net prices, f. o. b. point of shipment for sales to class A dealers and public utility companies by any person shall be the maximum prices specified in (a) less a discount of 40 percent in less than carload quantities. An additional discount of 5 percent shall be extended on sales in carload quantities.

(c) The maximum net prices, f. o. b. point of shipment for sales by any person to central stations and dealers other than class A dealers shall be the maximum prices specified in (a) above subject to the following discounts:

	Percent
(1) On sales of less than 3 heaters-----	25
(2) On sales of 3 or more heaters-----	32½

(d) In addition to the discounts set forth above, the maximum prices established by this order shall be subject to such other 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 quantities during March 1942.

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller except on sales to consumers shall notify in writing each of his purchasers at or before the time of the first invoice after the effective date of the maximum prices established by this order for sales by each seller as well as the maximum prices established for his purchasers except a dealer upon resale.

(g) The Westinghouse Electric and Manufacturing Company shall attach a tag to each of the commodities covered by this order and shall print on such tag substantially the following:

OPA Maximum Price \$-----

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

This order shall become effective November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20121; Filed, Oct. 31, 1945; 11:38 a. m.]

[MPR 591, Order 82]

COLUMBIA ELECTRIC AND 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 aluminum mail box manufactured by the Columbia Electric and Manufacturing Company of West 1024 Ide Avenue, Spokane, Washington and as described in the application dated October 15, 1945 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
MB100 aluminum mail box-----	Each \$0.75	Each \$1.00

(b) The maximum net price for sales by any person to consumers of the aluminum mail box manufactured by the Columbia Electric and Manufacturing Company, shall be:

On sales to consumers (each)

MB100 aluminum mail box----- \$1.50

(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) Each seller covered by this order, except a retailer, 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 purchaser's, except retailers, upon resale.

(e) The Columbia Electric and Manufacturing Company shall print on the box containing the mail box, or attach a tag to the mail box covered by this order, substantially the following:

OPA Maximum Retail Price \$1.50

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

This order shall become effective November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20122; Filed, Oct. 31, 1945; 11:38 a. m.]

[MPR 591, Order 83]

PLUMBERS PRODUCTS TOOL AND MACHINE 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 list price, f. o. b. point of shipment for sales by any person to plumbing and heating contractors, commercial and industrial users of the following commodity manufactured by the Plumbers Products Tool and Machine Company of Philadelphia, Pennsylvania and described in its application dated October 4, 1945, shall be:

3½" Chrome Plated Basket Strainer complete with 4" tail piece—\$2.00.

(b) The maximum net price, f. o. b. point of shipment, for sales by any person shall be the maximum list price specified in (a) above less successive discounts of 20 and 5 percent.

(c) The maximum net price specified in (a) and (b) above for sales by the Plumbers Products Tool and Machine Company shall be f. o. b. point of manufacture with actual freight allowed up to \$1.00 per cwt. on shipment of 150 pounds or more.

(d) The maximum prices established by this order shall be subject to dis-

counts 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.

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(f) The Plumbers Products Tool and Machine Company shall notify in writing each of its purchasers of the maximum prices established by this order for sales by the Plumbers Products Tool and Machine Company, as well as the maximum prices established for purchasers upon resale.

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

This order shall become effective November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20123; Filed, Oct. 31, 1945; 11:39 a. m.]

[MPR 591, Order 84]

INMAN 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, f. o. b. point of shipment, for sales by any person to consumers of the following Electric Immersion Water Heaters manufactured by the Inman Products Company and as described in its application dated August 10, 1945, shall be:

SAL-4000 Trans-Flo immersion water heater.....	\$34.00
SA-3000 Trans-Flo side arm water heater.....	35.00

(b) Maximum net prices f. o. b. point of shipment for sales by any person to dealers shall be the maximum prices specified in (a) above less a discount of 25 percent.

(c) Maximum net prices f. o. b. point of shipment for sales by any person to jobbers shall be the maximum prices specified in (a) above less successive discounts of 25-25 percent.

(d) The maximum net prices established by this order shall be subject to such further 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.

(e) The maximum prices for sales on an installed basis of the commodities

covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) 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 except dealers upon resale.

(g) The Inman Products Company shall stencil in a conspicuous place on each of the electric water heaters covered by this order the maximum price to consumers established by this order and shall identify such prices as the maximum price to consumers.

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

This order shall become effective November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20124; Filed, Oct. 31, 1945; 11:39 a. m.]

[MPR 591, Order 85]

SCHAIBLE 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 list price, f. o. b. point of shipment, for sales by any person to plumbing and heating contractors, commercial, and industrial users of the following commodity manufactured by the Schaible Company of Cincinnati, Ohio, and described in its application dated September 25, 1945, shall be:

Model #936 chrome plated deck type faucet complete with hose and spray (8" center to center—7½" swinging spout).....	67.45
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(b) The maximum net price, f. o. b. point of shipment, for sales by any person to plumbing and heating jobbers shall be the maximum list price specified in (a) above less successive discounts of 20 and 5 percent.

(c) The maximum net prices specified in (a) and (b) above for sales by the Schaible Company shall be f. o. b. point of manufacture with actual freight allowed up to \$1.50 per cwt. on shipments of 150 pounds or more.

(d) The maximum prices established by this order shall be 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.

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined

in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(f) The Schaible Company shall notify in writing each of its purchasers of the maximum price established by this order for sales by the Schaible Company, as well as the maximum prices established for purchasers upon resale.

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

This order shall become effective November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20125; Filed, Oct. 31, 1945; 11:39 a. m.]

[MPR 591, Order 86]

BREWER-TITCHENER CORP.

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 Brewer Titchener Corporation of Binghamton, New York, and as described in the application dated August 28, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	Onsales to distributors	Onsales to dealers	Onsales to consumers
Model 12½ cu. ft. ¼ hp. condensing unit.....	\$249	\$283	\$450
Model 18 cu. ft. ½ hp. condensing unit.....	247	403	650
Model 23 cu. ft. ¾ hp. condensing unit.....	375	450	700

(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 Brewer-Titchener Corporation of Binghamton, New York, shall stencil on the lid or cover of farm freezers covered by this order, substantially the following:

OPA Maximum Retail Price—\$-----

Plus freight and crating as provided in Order No. 86 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 November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20126; Filed, Oct. 31, 1945; 11:39 a. m.]

[MPR 591, Order 87]

SIMPLEX 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 Two Temperature Refrigerators manufactured by the Simplex Manufacturing Company of 1135 Third Street, Oakland, Calif. and as described in the application dated September 11, 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 FC8-4-40-12 cu. ft. hp. condensing unit.....	\$222.50	\$267	\$445

(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 Simplex Manufacturing Company of Oakland, California, shall stencil on the lid or cover of Model FC8-4-46 Two Temperature refrigerator covered by this order, substantially the following:

OPA Maximum Retail Price \$445.00

Plus freight and crating as provided in Order No. 87 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 November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20127; Filed, Oct. 31, 1945; 11:40 a. m.]

[MPR 591, Order 88]

SUB-ZERO FREEZER 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 Sub-Zero Freezer Company of Madison, Wis., and as described in the application dated July 19, 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
17.5 cu. ft. 1/4 hp. condensing unit.....	\$283	\$340	\$568
15.5 cu. ft. 1/2 hp. condensing unit.....	268	322	536
11 cu. ft. 1/4 hp. condensing unit.....	185	222	370
18.75 cu. ft. 1/2 hp. condensing unit.....	300	360	600
11 cu. ft. 1/4 hp. condensing unit.....	195	234	390

(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 Sub-Zero Freezer Company of Madison, Wis., shall stencil on the lid or cover of farm freezers covered by this order, substantially the following:

OPA Maximum Retail Price—\$-----

Plus freight and crating as provided in Order No. 88 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 November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20128; Filed, Oct. 31, 1945; 11:40 a. m.]

[MPR 591, Order 89]

CARRIER CORP.

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 Carrier Corporation of Syracuse, N. Y., and as described in the application dated September 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
No. 14D5, 15 cu. ft. 1/4 hp. condensing unit.....	\$255	\$300	\$510
No. 14D7, 30 cu. ft. 1/2 hp. condensing unit.....	400	480	800
No. 14B1, 3 cu. ft. 1/8 hp. condensing unit.....	130	160	250

(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 Carrier Corporation of Syracuse, N. Y., shall stencil on the lid or covers of the home freezers covered by this order, substantially the following:

OPA Maximum Retail Price—\$-----

Plus freight and crating as provided in Order No. 89 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 November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20129; Filed, Oct. 31, 1945;
11:40 a. m.]

[MPR 591, Order 90]

CHICOPEE MFG. CORP.

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) *Manufacturers maximum prices.*

(1) The maximum list prices, f. o. b. point of shipment, for sales by the Chicopee Manufacturing Corporation of New Brunswick, New Jersey, of the plastic insect screen cloth manufactured by it and as described in the applications dated August 29, 1945 and September 5, 1945, which are on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

16 x 16—15-gage Lumite plastic insect screen cloth, \$12.00 per 100 sq. ft.

18 x 18—12-gage Lumite plastic insect screen cloth, \$11.50 per 100 sq. ft.

Subject to the functional discounts set forth in (2) below.

(2) The maximum list prices set forth above shall be subject to the following functional discounts:

On sales to jobbers in carload lots—33 $\frac{1}{3}$ –20%.

On sales to jobbers in less than carload lots—33 $\frac{1}{3}$ –17 $\frac{1}{2}$ %.

On sales to jobbers—drop shipments—33 $\frac{1}{3}$ –15%.

On sales to retailers in any quantity—33 $\frac{1}{3}$ %.

(b) *Jobbers maximum prices*—(1) *On sales to retailers.* The maximum net prices, f. o. b. point of shipment, for sales by jobbers to retailers of the following Lumite Plastic Insect Screen Cloth manufactured by the Chicopee Manufacturing Corporation of New Brunswick, New Jersey, shall be:

16 x 16-mesh 15-gage Lumite plastic insect screen cloth, \$8.00 per 100 sq. ft.

18 x 18-mesh 12-gage Lumite plastic insect screen cloth, \$7.65 per 100 sq. ft.

(2) *On sales to consumers.* The maximum net prices for sales by jobbers to consumers of the following Lumite Plastic Insect Screen Cloth manufactured by the Chicopee Manufacturing Corporation of New Brunswick, New Jersey, shall be:

16 x 16—Mesh 15-gage Lumite plastic insect screen cloth, 12¢ per sq. ft.

18 x 18—Mesh 12-gage Lumite plastic insect screen cloth, 11 $\frac{1}{2}$ ¢ per sq. ft.

(c) *Retailers maximum prices.* The maximum net prices for sales by retailers to consumers of the following Lumite plastic insect screen cloth manufactured by the Chicopee Manufacturing Corporation of New Brunswick, New Jersey, shall be:

16 x 16 mesh 15-gage Lumite plastic insect screen cloth, 12¢ per sq. ft.

18 x 18 mesh 12-gage Lumite plastic insect screen cloth, 11 $\frac{1}{2}$ ¢ per sq. ft.

(d) The maximum net prices established by this order shall be subject to discounts and allowances, including transportation allowances and price differentials which are at least as favorable as those which each seller 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 November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20130; Filed, Oct. 31, 1945;
11:40 a. m.]

[MPR 591, Order 91]

FERUM 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 No. 226, 2" x 2" heavy type steel corner brace manufactured by The Ferum Company of New York, New York shall be:

(1) On sales to wholesalers and jobbers without screws, \$1.35 per gross.

(2) On sales to retailers—without screws, \$1.29 per gross.

(3) On sales to consumers—with screws, \$0.62 each.

(b) The maximum net prices established by this order shall be subject to 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 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 except retailers on resale.

(d) The Ferum Company shall print the following in a conspicuous place on the box containing the corner braces subject to this order:

Maximum retail price with screws—\$0.02 each.

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

This order shall become effective November 1, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20131; Filed, Oct. 31, 1945;
11:41 a. m.]

[MPR 591, Order 92]

JAMES HILL 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 16 (b) (1) of Maximum Price Regulation No. 591, it is ordered:

(a) *Adjustment of maximum prices for the James Hill Manufacturing Company of Providence, Rhode Island.* (1) This order permits the James Hill Manufacturing Company of Providence, Rhode Island to increase its presently established maximum net prices to each class of customer of its line of stove pipe and elbows by 8.3 percent.

(2) The maximum net prices set forth in (a) (1) above are subject to cash discounts and transportation allowances at least as favorable as those granted as a deduction from net prices at each class of customer during March 1942 on comparable sales of similar commodities.

(b) *Maximum prices for resellers.* All resellers of the commodities for which adjustment is granted the James Hill Manufacturing Company in (a) above may add to their March 1942 prices the actual dollars-and-cents increase in their cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The James Hill Manufacturing Company shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first billing after the adjustment is put into effect:

Order No. 92 under section 16 (b) (1) of Maximum Price Regulation No. 591 provides for a 8.3 percent increase in net prices for sales of stove pipe and elbows manufactured by the James Hill Manufacturing Company. Resellers may add to their March 1942 prices the actual dollars-and-cents increase resulting from the adjustment granted the James Hill Manufacturing Company by this order.

(d) All prayers of the application of the James Hill Manufacturing Company not granted in this order are denied.

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

This order shall become effective November 1, 1945.

Issued this 31st day of October 1945,

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20132; Filed, Oct. 31, 1945; 11:41 a. m.]

[MPR 188, Order 4633]

C. C. GALBRAITH & SONS, 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 C. C. Galbraith & Sons, Incorporated, 450 Sixth Avenue, New York 11, 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	Maximum prices for sales by any seller to—				
	Model No.	Wholesaler (jobber)	Retailer (3 units or more)	Retailer (less than 3 units)	Consumer
Electric heater.....	A	Each \$4.18	Each \$4.94	Each \$5.32	Each \$7.98

These maximum prices are for the article described in the manufacturer's application dated September 21, 1945. They include the Federal Excise Tax.

(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 either of the following statements with the correct order number filled in:

Order No. 4633
Model No. A
OPA Retail Ceiling Price \$7.98
Federal Excise Tax Included
Do Not Detach or Obliterate

or

C. C. Galbraith & Sons, Inc.
450 Sixth Avenue
New York 11, New York
Model No. A
OPA Retail Ceiling Price \$7.98
Federal Excise Tax Included
Do Not Detach or Obliterate

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

(e) This order shall become effective on the 31st day of October 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20154; Filed, Oct. 31, 1945; 4:28 p. m.]

[Max. Import Price Reg., Order 104]

ENGLISH BONE CHINA AND EARTHENWARE
ESTABLISHMENT 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 21 of the Maximum Import Price Regulation, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which importers may sell, and maximum prices at which wholesalers and retailers may purchase and sell, English Bone China and Earthenware. The maximum prices established herein constitute adjustments of maximum prices established by section 8 of the Maximum Import Price

Regulation but are expressed in terms of permitted increases over prices prevailing in March 1942 for the reason that these commodities have almost without exception continued to be sold at March 1942 prices.

(b) *Maximum prices for importers.* The maximum price at which any importer may sell or deliver and at which any person may buy or receive from such importer any English Bone China or Earthenware shall be the maximum price at which such importer delivered or offered for delivery the same commodity to the same class of purchaser during March 1942 plus an adjustment charge of 3% in the case of English Bone China and 5% in the case of English Earthenware: *Provided, however,* That any importer making such additional adjustment shall show the amount thereof on his invoice, separately designated as an "OPA adjustment charge", as an addition to his March 1942 maximum price applicable to the particular class of purchaser.

(c) *Maximum prices for wholesalers.* The maximum price at which any wholesaler may sell or deliver and at which any person may buy or receive from such wholesaler any English Bone China or Earthenware shall be the maximum price at which such wholesaler delivered or offered for delivery the same commodity to the same class of purchaser in March 1942 plus the amount of any "OPA adjustment charge" separately designated and charged on his supplier's invoice and paid by such wholesaler: *Provided, however,* That any wholesaler making such additional adjustment charge shall show the amount thereof on his invoice, separately designated as an "OPA adjustment charge", as an addition to his March 1942 maximum price applicable to the particular class of purchaser.

(d) *Maximum prices for retailers.* The maximum price at which any retailer may sell or deliver and at which any person in the course of trade or business may buy or receive from such retailer any English Bone China or Earthenware shall be the maximum price at which such retailer delivered or offered for delivery the same commodity in March 1942 or, if such retailer did not sell or offer for sale the same commodity during March 1942, his maximum price shall be twice the price invoiced by his supplier as the latter's March 1942 price without inclusion of the separately designated "OPA adjustment charge".

(e) *Maximum prices upon application.* The maximum price at which any person may sell or deliver and at which any person in the course of trade or business may buy or receive from such seller any English Bone China or Earthenware for which such seller is unable to compute his maximum price under one of the above paragraphs shall be established for him by the Office of Price Administration in line with the level of maximum prices otherwise established herein. Application for such maximum price shall be submitted by letter to the Office of Export-Import, Office of Price Administration, Washington, D. C., and shall disclose the nature of the seller and the proposed class of purchaser as importer, wholesaler or retailer, the name of the

supplier, the description of the commodity, the price paid therefor, and the proposed selling price. The commodity may not be offered for sale until a maximum price therefor has been thus established.

(f) *Statements on invoices to retailers.* Any person making a sale or delivery to a retailer at a total price which includes an "OPA adjustment charge" shall include on his invoice the following statement:

Our price for this merchandise includes an "OPA adjustment charge" which we have separately designated in addition to our March 1942 ceiling price. Order No. 104 issued under the Maximum Import Price Regulation requires that you absorb this adjustment charge and continue to sell each item at your March 1942 selling or offering price or, if you did not deliver or offer for delivery the same item in March 1942, at a price not exceeding twice the amount of our March 1942 price without inclusion of the "OPA adjustment charge".

(g) *Discounts, credit terms and transportation charges.* Each seller shall apply to the maximum prices established by this order the same discounts, credit terms and practices relating to the payment of freight charges which he used during March 1942 on sales of English Bone China or Earthenware.

(h) *Brokers or agents commissions.* The maximum prices established by this order include and may not be increased by any commission paid to any broker or to any buying or selling agent.

(i) *Application of the Maximum Import Price Regulation.* Unless the context otherwise requires, the provisions of the Maximum Import Price Regulation, as amended, shall apply to sales for which maximum prices are established by this order.

(j) *Less than maximum prices.* Lower prices than those established by this order may be charged, demanded, paid or offered.

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

This order shall become effective October 31, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20152; Filed, Oct. 31, 1945; 4:24 p. m.]

[RMPR 136, Order 525]

MACK MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 525 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Mack Manufacturing Corporation; Docket No. 6083-136.21-521.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, It is ordered:

(a) The Mack Manufacturing Corporation, Empire State Building, New York, New York, is authorized to sell to national accounts, resellers and pur-

chasers at retail, the Mack motor truck containing the chassis described in subparagraph (1) at a price not to exceed the list price in that subparagraph, adjusted as provided in that subparagraph, plus the applicable allowances in subparagraph (2).

(1) *List price.* Subject to seller's discount in effect on March 31, 1942 to the applicable class of purchaser:

Model	Description	List Price, F.R.P. Factory
EFT-Special	167" wheel base and 1942 standard specifications and equipment of Model EFT chassis except for Mack FN 277" engine, a Mack TR 30 direct transmission and a 1942 series drive line.	\$2,010

(2) *Charges.* (i) A charge for extra, special, and optional equipment not to exceed the charge in effect on March 31, 1942 for such equipment;

(ii) A charge to cover handling and delivery expense computed in accordance with the method the seller had in effect on March 31, 1942;

(iii) A charge to cover freight expense, based on current freight rates and computed in accordance with the method the seller had in effect on March 31, 1942;

(iv) A charge to include the Federal tax on tires and tubes and other Federal excise taxes, and State and local taxes on the truck being sold, computed in accordance with the method the seller had in effect on March 31, 1942.

(b) A reseller of Mack motor trucks may sell, delivered at place of business, the Mack motor truck containing the chassis described in subparagraph (1) below at a price not to exceed the total of the list price in that subparagraph and the applicable charges in subparagraph (2) below, subject to the discounts in effect on March 31, 1942 to the applicable class of purchaser.

(1) *List price.*

Model	Description	List Price, F.R.P. Factory
EFT-Special	167" wheelbase and 1942 Standard Specifications and equipment of Model EFT chassis except for Mack FN 277" engine, a Mack TR 30 direct transmission and a 1942 series drive line.	\$2,010

(2) *Charges.* (i) A charge for extra, special and optional equipment not to exceed the charge the reseller had in effect on March 31, 1942 for such equipment;

(ii) A charge for transportation which shall not exceed the charge Mack Manufacturing Corporation would make for the transportation of the truck from the factory to the place of business of the reseller;

(iii) A charge to cover Federal, State and local taxes on the purchase, sale or delivery of the truck, computed in accordance with the method the reseller had in effect on March 31, 1942;

(iv) A charge for handling and delivery equal to the charge the reseller had in effect on March 31, 1942;

(v) The dollar amount of all other charges the reseller had in effect on March 31, 1942 to the applicable class of purchaser.

(c) A reseller of Mack motor trucks that cannot establish a price under paragraph (b) because it was not in business on March 31, 1942 shall determine its maximum price by adding to the list price in subparagraph (1) of paragraph (b) the following applicable charges:

(1) *Charges.* (i) The original equipment retail charge that Mack Manufacturing Corporation suggested on March 31, 1942 be made by resellers for the extra, special or optional equipment attached to the truck as original equipment;

(ii) A charge for transportation which shall not exceed the charge Mack Manufacturing Corporation would make for the transportation of the truck from the factory to the place of business of the reseller;

(iii) A charge equal to the charge made by the Mack Manufacturing Corporation, in accordance with the method that manufacturer had in effect on March 31, 1942, to cover the Federal tax on tires and tubes and other Federal excise taxes;

(iv) A charge equal to the reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the truck;

(v) A charge equal to the reseller's actual expense for handling and delivery of the truck.

(d) A reseller of Mack motor trucks in any of the territories or possessions of the United States is authorized to sell the truck described in paragraph (b) at a price not to exceed the maximum price established in paragraph (b) or (c), whichever is applicable, 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 truck; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage, and terminal operations.

(e) All requests not granted herein are denied.

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

Note: Where the manufacturer has an established price in accordance with section 8 of Revised Maximum Price Regulation 136, which is different than a price permitted under paragraph (a) because of substantial change in design, specifications or equipment of the truck, the reseller may add to its price under paragraph (b), (c) or (d) any increase in price to it over the price it would otherwise pay under paragraph (a), plus its customary markup on such a cost increase, but in the case of a decrease in the price under paragraph (a) the reseller must reduce its price under paragraph (b), (c) or (d) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective October 31, 1945.

Issued this 31st day of October 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20153; Filed, Oct. 31, 1945; 4:25 p. m.]

Regional and District Office Orders

[Region II Adopting Order 2 Under Basic Order 1 Under 18 (c)]

CORDWOOD AND SLABWOOD IN ST. LAWRENCE COUNTY, N. Y.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942, as amended, by § 1499.18 (c) of the General Maximum Price Regulation as amended, and by Revised Procedural Regulation No. 1, it is hereby ordered:

(a) *What this order does.* This adopting order under Basic Order No. 1 establishes dollars-and-cents ceiling prices for cordwood and for slabwood when sold and delivered in the County of St. Lawrence in the State of New York. This order supersedes Revised Order G-14 as amended, as to St. Lawrence County in the State of New York.

(b) *Applicability of Basic Order No. 1 for area pricing of firewood in Region II.* All provisions of Basic Order No. 1 under § 1499.18 (c) of the General Maximum Price Regulation, Basic Order for Area Pricing of Firewood in Region II, issued by the New York Regional Office, Region II of the Office of Price Administration, are adopted in this order and are just as much a part of this order as if specifically set forth herein. If said Basic Order No. 1 is amended in any respect, the provisions of said order, as amended, shall likewise, without further action, become a part of this order. All persons subject to this adopting order are also subject to Basic Order No. 1 and should be familiar with the provisions of said order.

(c) Maximum prices for cordwood and for slabwood are fixed and adjusted as follows:

SCHEDULE I—PRODUCER PRICES OF CORDWOOD AT ROADSIDE

[Hard or soft cordwood]

Size of wood	Unit of sale	Maximum price for full cord (128 cu. ft.)
12" up to and including 15" ¹	1 cord (128 cu. ft.)	\$20.00
16"	do	19.80
18"	1 cord	19.65
24"	do	19.35
36"	do	18.70
48" and over	do	18.00

¹ 12" to 15" cordwood is to be sold at the 12" price, irrespective of the increased cubic footage due to lengths over 12".

FOB MILL PRICES FOR SLABWOOD

Type of slabwood	Size of wood	Maximum price per full cord (128 cu. ft.)
Hardwood slabwood	12" up to and including 15" ¹	\$10.00
	16"	9.80
	18"	9.65
	24"	9.35
	36"	8.70
	48" and over	8.00
Softwood slabwood	12" up to and including 15" ¹	7.00
	16"	6.80
	18"	6.65
	24"	6.35
	36"	5.70
	48" and over	5.00

¹ 12" to 15" slabwood is to be sold at the 12" price, irrespective of the increased cubic footage due to lengths over 12".

When slabwood or cordwood is delivered to the dealer's yard an addition of \$4.00 per full cord is allowed and a proportionate addition on deliveries of less than a full cord.

SCHEDULE II—PRICES OF CORDWOOD DELIVERED TO CONSUMERS' PREMISES

Type of wood	Size of wood	Unit of sale	Maximum price
Hardwood cordwood	12" up to and includ. 15" ¹	¼ cord (32 cu. ft.)	\$4.00
	do	½ cord (64 cu. ft.)	7.70
	do	¾ cord (96 cu. ft.)	11.75
	do	1 cord (128 cu. ft.)	21.75
	do	1 cord (128 cu. ft.)	23.00
	16"	¼ cord (42½ cu. ft.)	8.75
	18"	¼ cord (48 cu. ft.)	10.70
	24"	½ cord (64 cu. ft.)	13.15
	24"	1 cord (128 cu. ft.)	25.50
	36"	¾ cord (96 cu. ft.)	18.75
	48"	1 cord (128 cu. ft.)	20.10
Softwood cordwood	12" up to and includ. 15" ¹	¼ cord (32 cu. ft.)	3.70
	do	½ cord (64 cu. ft.)	6.00
	do	¾ cord (96 cu. ft.)	12.75
	do	1 cord (128 cu. ft.)	19.00
	do	1 cord (128 cu. ft.)	25.00
	16"	¼ cord (42½ cu. ft.)	8.15
	18"	¼ cord (48 cu. ft.)	9.15
	24"	½ cord (64 cu. ft.)	11.40
	24"	1 cord (128 cu. ft.)	21.05
	36"	¾ cord (96 cu. ft.)	16.25
	48"	1 cord (128 cu. ft.)	18.30

¹ 12" to 15" cordwood is to be sold at the 12" price, irrespective of the increased cubic footage due to lengths over 12".

On units of sales and sizes of wood other than those set forth above, the prices shall be proportionate to those set forth above. All customary allowances and differentials must be preserved.

PRICES OF SLABWOOD DELIVERED TO CONSUMERS' PREMISES

Type of wood	Size of wood	Unit of sale	Maximum price
Hardwood slabwood	12" up to and including 15" ¹	¼ cord (32 cu. ft.)	\$2.75
	do	½ cord (64 cu. ft.)	5.00
	do	¾ cord (96 cu. ft.)	8.75
	do	1 cord (128 cu. ft.)	14.70
	do	1 cord (128 cu. ft.)	19.00
	16"	¼ cord (42½ cu. ft.)	6.25
	18"	¼ cord (48 cu. ft.)	7.05
	24"	½ cord (64 cu. ft.)	8.75
	24"	1 cord (128 cu. ft.)	16.00
	36"	¾ cord (96 cu. ft.)	12.70
	48"	1 cord (128 cu. ft.)	14.05
Softwood slabwood	12" up to and including 15" ¹	¼ cord (32 cu. ft.)	2.40
	do	½ cord (64 cu. ft.)	4.25
	do	¾ cord (96 cu. ft.)	8.25
	do	1 cord (128 cu. ft.)	12.25
	do	1 cord (128 cu. ft.)	16.00
	16"	¼ cord (42½ cu. ft.)	5.70
	18"	¼ cord (48 cu. ft.)	6.00
	24"	½ cord (64 cu. ft.)	7.45
	24"	1 cord (128 cu. ft.)	14.35
	36"	¾ cord (96 cu. ft.)	10.65
	48"	1 cord (128 cu. ft.)	12.00

¹ 12" to 15" slabwood is to be sold at the 12" price irrespective of the increased cubic footage due to lengths over 12".

In determining maximum prices, the total amount ordered for delivery by the customer shall be controlling as to quantity.

On units of sale and sizes of wood other than those set forth above, the prices shall be proportionate to those set forth above. All customary allowances and differentials must be preserved.

SCHEDULE III—CONSUMERS' PRICES OF CORDWOOD AND SLABWOOD AT DEALER'S YARD

When a full cord of firewood (128 cu. ft.), whether cordwood or slabwood, is purchased by the consumer and delivery taken at the dealer's yard instead of at the consumer's premises, a reduction in price of at least \$2.00 must be made. When less than a cord is purchased the reduction shall be the same fraction of \$2.00 as the quantity purchased is of a full cord.

SCHEDULE IV

For stacking, at the consumer's premises, a service charge not exceeding 25¢ per ¼ cord may be made on sales of ¼ cord or more. On sales of ½ cord a service charge for stacking, not exceeding 15¢, may be made.

On units of sale and sizes of wood other than those set forth above, the prices shall be proportionate to those set forth above. All customary allowances and differentials must be preserved.

Stacking and splitting charges may only be made at the express voluntary request of the purchaser for the performance of this service, and the seller may in no instance require as a condition of sale or delivery that the purchaser use such stacking or splitting service. No service charge other than those specifically authorized by this order may be made and the service charges permitted by this order must be specifically stated on all invoices.

This order shall become effective August 18, 1945.

Issued this 11th day of August 1945.

LEO F. GENTNER,

Acting Regional Administrator.

[F. R. Doc. 45-20085; Filed, Oct. 30, 1945;

4:52 p. m.]

[Wilmington Order G-1 Under RMPR 259]

CONTAINERS AND CASES OF DOMESTIC MALT BEVERAGES IN DELAWARE

For the reasons set forth in the accompanying opinion, it is hereby ordered:

SECTION 1. What this order does. In accordance with the provisions of section 5.2 (c) of RMPR 259, this order establishes uniform maximum deposit charges which may be imposed by wholesalers and retailers for cases and containers in connection with sales of domestic malt beverages in bottles or cases.

SEC. 2. Where this order applies. The provisions of this order apply to all wholesalers and retailers located within the State of Delaware.

SEC. 3. Applicability. No wholesaler or retailer located within the area where this order is applicable may require a deposit from purchasers in excess of the sum permitted by this order.

SEC. 4. Deposit charges established by this order. The maximum deposit charges for all sellers to which this order is applicable are as follows:

Cases:

Wood, fibre or paper (6-8-12 oz.)	-----	\$0.27
Wood, fibre or paper (32 oz.)	-----	.15

Containers:

6-8-ounce bottle	-----	.02
12-ounce bottle	-----	.02
32-ounce bottle	-----	.05

SEC. 5. Definitions. Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to the terms used herein.

This order shall become effective October 22, 1945.

Issued this 16th day of October 1945.

CHAS. W. HARDESTY,
Director.

[F. R. Doc. 45-20074; Filed, Oct. 30, 1945; 4:50 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 56]

SOLID FUELS IN WATERLOO, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

Appendix No. 16 which covers the Waterloo, Iowa, area, is amended as follows: Paragraphs (b), I, II, V, VI, VII and VIII are amended to read:

	Price schedule	Delivered per ton
I. Bituminous coal from district No. 3 (northern West Virginia):		
1. Lump and egg—Size group No. 1 (all lump and double screened coals, bottom size larger than 2") in price classification A	-----	\$12.88
II. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):		
1. Lump and egg—Size group Nos. 1 and 2 (all lump coal, bottom size 3/4"; all egg coal, top size larger than 3", bottom size no limit) in price classification A	-----	13.90

	Price schedule	Delivered per ton
V. High volatile bituminous coal from district No. 10 (Illinois):		
A. Southern subdistrict price group Nos. 1, 2 and 8 (deep machine mines):		
1. Lump—Size group Nos. 1 and 2 (all lump coal, bottom size larger than 3", washed or raw)	-----	9.85
2. Egg—Size group No. 3 (all egg coal—bottom size larger than 2", but not exceeding 3", washed or raw)	-----	9.45
3. Stove—Size group No. 8 (all stove coal—bottom size larger than 3/8" and top size larger than 1 1/2" but not exceeding 2", washed or raw)	-----	8.95
4. Special stoker—Size group Nos. 21, 22 and 28 (washed or air-cleaned nut and pea coal—bottom size larger than 1 millimeter and top size not exceeding 2" and dry deducted special stoker—bottom size larger than 28 mesh and top size not exceeding 3/8")	-----	8.90
5. Dedusted screenings—Size group Nos. 26 and 27 (dry dedusted screening—top size not exceeding 2") (common trade names Universal & Commercial Stoker)	-----	8.59
B. Belleville and Duquoin subdistricts, price group Nos. 10 and 16-22 inclusive:		
1. Egg—Size group Nos. 2 and 3 (all egg coal, bottom size larger than 2" but not larger than 4", washed or raw):	-----	8.89
Strip mines	-----	8.85
Deep machine mines	-----	8.85
C. Central subdistrict, price group Nos. 12 and 13: Deep machine mines:		
1. Lump—Size group No. 1 (all lump coal, bottom size larger than 4", washed or raw)	-----	8.80
2. Egg—Size group Nos. 2 and 3 (all egg coal, bottom size larger than 2", but not larger than 4", washed or raw)	-----	8.55
D. Fulton Peoria subdistrict, price group Nos. 24, 25 and 26: Strip mines:		
1. Egg—Size group No. 2 (all egg coal—bottom size larger than 3" but not exceeding 4", washed or raw)	-----	7.90
2. Stove—Size group No. 8 (all stove coal—bottom size larger than 3/8" and top size larger than 1 1/2" but not exceeding 2", washed or raw)	-----	7.35
VI. High volatile bituminous coal from district No. 11 (Indiana):		
1. Lump—Size group No. 1 (all lump coal—bottom size larger than 4", washed or raw) from mine index No. 58 only	-----	10.53
2. Lump—Size group Nos. 1 and 2 (all lump coal—bottom size larger than 3", washed or raw) in price group Nos. 6 and 14	-----	9.93
3. Egg—Size group No. 3 (all egg coal—bottom size larger than 2" but not exceeding 3", washed or raw) in price group Nos. 6 and 14	-----	9.73
4. Egg—Size group Nos. 2 and 3 (all egg coal—bottom size larger than 2", but not larger than 4", washed or raw) in price group Nos. 7, 18 and 19	-----	8.63
5. Stove—Size group No. 8 (all stove coal—bottom size larger than 3/8", top size larger than 1 1/2" but not exceeding 2", washed or raw) in price group Nos. 6 and 14	-----	0.13

	Price schedule	Delivered per ton
VI. High volatile bituminous coal from district No. 11 (Indiana)—Con.		
6. Stoker—Size group Nos. 9-12, inclusive (raw nut and pea coal—bottom size larger than 10 mesh or 2" and top size not exceeding 2") in price group Nos. 6 and 14	-----	\$9.28
VII. Pennsylvania anthracite:		
1. Egg, stove, and nut	-----	19.65
VIII. Coke—byproduct:		
1. Solvay or Koppers—Egg, stove, or nut	-----	17.15

This Amendment No. 56 to Order No. G-16 supersedes Order Nos. G-23 and G-24 as to dealers covered hereby.

Issued this 25th day of September 1945.

This Amendment No. 56 to Order No. G-16 shall be effective immediately.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-20076; Filed, Oct. 30, 1945; 4:50 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 55]

SOLID FUELS IN ELGIN, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

Appendix No. 11 which covers the Elgin, Illinois, area, is amended as follows: Paragraphs (b), I, III, IV, V, VI and VII are amended to read:

Price schedule	Delivered	
	1 ton	1/2 ton
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):		
1. Lump, egg and stove, size groups 1, 2 and 3 (all lump coal bottom size 3/4", all egg coal top size larger than 3", bottom size no limit; all stove coal, top size larger than 1 1/2" but not exceeding 2", bottom size smaller than 3". In price classifications A and B:		
(a) Forked	\$13.85	\$7.20
(b) Shovelled	12.85	6.70
2. Pea or deducted screenings, size group No. 5 (top size not exceeding 3/4", bottom size smaller than 3/4". In price classification A	11.10	5.60
3. Screened mine run, size group No. 6 (straight run of mine from which all or part of the 3/4" or 1/2" top size has been removed.) In price classification A and B	11.45	6.00
III. High volatile bituminous coal from district No. 10 (Illinois):		
A. Southern subdistrict price group Nos. 1, 2 and 6 (deep machine mines):		
1. Lump, egg and nut, size group Nos. 1 through 5 (all lump, egg or nut coals with a bottom size larger than 1")	9.15	4.85
2. Special stoker, size group Nos. 21, 22 and 23 (washed or air-cleaned nut and pea coal, bottom size larger than 1 millimeter; top size not exceeding 2" and all dry deducted special stoker, bottom size larger than 23 mesh and top size not exceeding 3/8")	8.45	4.43
3. Washed or air deducted screenings, size group Nos. 23, 24, 25 and 27 (all washed, air cleaned or dry deducted screenings, top size not exceeding 2") (common trade names universal, commercial and S. F. Stoker)	8.00	4.23

Price schedule	Delivered	
	1 ton	½ ton
III. High volatile bituminous coal from district No. 10—Con.		
B. Central subdistrict price group Nos. 12 and 13 (deep machine mines):		
1. Lump and egg, size group Nos. 1, 2 and 3 (all lump and egg coals, bottom size larger than 2", washed or raw).....	\$7.70	\$4.10
2. Washed nut and pea, size group Nos. 17-20 inclusive (washed or air cleaned nut and pea coal, bottom size larger than 10 mesh or 3/32" and top size not exceeding 2").....	7.35	3.93
C. Northern subdistrict price group No. 29 (strip mines):		
1. Lump and egg, size group Nos. 1, 2, and 3 (all lump and egg coals, bottom size larger than 2", washed or raw).....	8.35	4.18
2. Raw or washed nut, pea and stoker, size group Nos. 9-12 inclusive and 17-20 inclusive (all raw, washed or air cleaned nut and pea coal, bottom size larger than 10 mesh or 3/32"; top size not exceeding 2").....	7.40	3.95
IV. High volatile bituminous coal from district No. 11 (Indiana):		
1. Lump and egg, size group Nos. 1, 2 and 3 (all lump and egg coals, bottom size larger than 2" washed or raw):		
A. In price group Nos. 6 and 14.....	9.38	4.97
B. In price group Nos. 15 and 16.....	9.03	4.77
C. In price group No. 10, mine index No. 115 only.....	8.53	4.52
2. Raw nut and pea, size group Nos. 9-12 inclusive (all raw nut and pea coal, bottom size larger than 10 mesh or 3/32" and top size not exceeding 2") price group Nos. 6 and 14.....	8.28	4.42
V. Pennsylvania anthracite:		
1. Egg, stove and nut.....	19.20	9.85
2. Pea.....	16.40	8.48
3. Buckwheat.....	15.20	7.85
VI. Briquettes—low volatile Berwind.....	13.70	7.10
VII. Coke byproduct:		
1. Egg, stove and nut.....	15.00	7.75

This Amendment No. 55 to Order No. G-16 supersedes Order Nos. G-23 and G-24 as to dealers covered hereby.

Issued this 24th day of September 1945.

This Amendment No. 55 to Order No. G-16 shall be effective immediately.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-20075; Filed, Oct. 30, 1945; 4:50 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 57]

SOLID FUELS IN AURORA, ILL. AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

Appendix No. 18 which covers the Aurora, Illinois, area, is amended as follows: Paragraph (b), I, IV, V, VI, VII, and VIII are amended to read:

Price Schedule	Delivered per ton
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Lump, egg and stove—Size group Nos. 1, 2 and 3 (all lump coal—bottom size 3/8"; all egg coal—top size larger than 3", bottom size—no limit; all stove coal—top size larger than 1 1/4", but not exceeding 3", bottom size smaller than 3") in price classifications A and B.....	\$12.90

Price Schedule	Delivered per ton
I. Low volatile bituminous coal from district No. 7—Continued.	
2. Nut—Size group No. 4 (top size larger than 3/4", but not exceeding 1 1/4", bottom size smaller than 1 1/4") in price classification A.....	\$10.90
3. Pea or dedusted screenings—Size group No. 5 (top size not exceeding 3/4", bottom size smaller than 3/4") in price classification A.....	10.60
4. Screened run of mine—Size group No. 6 (straight run of mine from which all or part of the 3/8" or 3/4" top size has been removed in price classifications A and B.....	11.15
IV. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict price group Nos. 1, 2 and 8 (deep machine mines):	
1. Lump, egg and stove—Size group Nos. 1, 2, 3, 4, 5, 6 and 8 (all lump or egg coals—bottom size larger than 2", washed or raw; also all lump, egg and stove coals, bottom size 2" and smaller, washed or raw).....	8.65
2. Special stoker—Size group Nos. 21, 22 and 23 (washed or air cleaned nut and pea coal—bottom size larger than 1 millimeter, top size not exceeding 2"; and dry dedusted special stoker—bottom size larger than 28 mesh and top size not exceeding 3/8").....	7.65
3. Washed and dedusted screenings—Size group Nos. 23, 24, 26 and 27 (washed, air cleaned or dry dedusted screenings, top size not exceeding 2") (common trade names, Universal, Commercial, and S. P. Stoker).....	7.25
B. Belleville and Duquoin subdistricts, price group Nos. 10 and 16-22 inclusive:	
1. Lump and egg—Size group Nos. 1, 2 and 3 (all lump or egg coals—bottom size larger than 2", washed or raw):	
(a) Strip mines.....	7.35
(b) Deep machine mines.....	7.40
C. Northern subdistrict price group No. 29 (strip mines):	
1. Lump and egg—Size group Nos. 1, 2 and 3 (all lump or egg coals, bottom size larger than 2", washed or raw).....	6.60
2. Dedusted screenings—Size group Nos. 26 and 27 (dry dedusted screenings, top size not exceeding 2") mine index No. 515.....	6.10
V. High volatile bituminous coal from district No. 11 (Indiana):	
1. Lump and egg—Size group Nos. 1, 2, and 3 (all lump or egg coals, bottom size larger than 2", washed or raw):	
(a) Price group Nos. 6 and 14.....	8.73
(b) Price group Nos. 15 and 16.....	8.33
(c) Price group Nos. 5 and 13.....	7.58
(d) Price group Nos. 9-12 inclusive.....	7.43
(e) Price group No. 10—Mine index No. 115 only.....	7.88
2. Raw, nut and pea—Size group No. 9-12 inc. (raw, nut and pea coal—bottom size larger than 10 mesh or 3/32" and top size not exceeding 2"):	
(a) Price group Nos. 6 and 14.....	7.68
(b) Price group No. 10—Mine index 115 only.....	7.03
VI. Pennsylvania anthracite:	
1. Egg, stove, and nut.....	17.50

Price Schedule	Delivered per ton
VII. Briquettes low volatile:	
1. Berwind.....	\$13.20
2. Glen Rogers.....	13.40
VIII. Coke—byproduct:	
1. Egg, stove, and nut.....	14.00

This Amendment No. 57 to Order No. G-16 supersedes Order Nos. G-23 and G-24 as to dealers covered hereby.

Issued this 25th day of September 1945.

This Amendment No. 57 to Order No. G-16 shall be effective immediately.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-20077; Filed, Oct. 30, 1945; 4:50 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 58]

SOLID FUELS IN CLINTON, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

Appendix No. 13 which covers the Clinton, Iowa, area, is amended to read as follows: Paragraphs (b), I, IV, V, VI and VII are amended to read:

Price Schedule	Delivered per ton
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Lump and egg—size group Nos. 1 and 2 (all lump coal bottom size 3/8"; all egg coal top size larger than 3" bottom size no limit) in price classification A.....	\$13.70
2. Stove—size group No. 3 (all stove coal, top size larger than 1 1/4" but not exceeding 3"; bottom size smaller than 3") in price classification A.....	13.15
3. Pea—Size group No. 5 (top size not exceeding 3/4"; bottom size smaller than 3/4") in price classification A.....	12.40
IV. High volatile bituminous coal from District No. 10 (Illinois):	
1. Southern subdistrict price group Nos. 1, 2, and 8 (deep machine mines):	
a. Lump, egg and nut—Size group Nos. 1 through 5 inc. (all lump and egg coals bottom size larger than 1 1/2", including 6" lump, 6" x 3" egg and 3" x 2" nut).....	9.10
b. Special stoker—Size group Nos. 21, 22 and 23 (all washed or air cleaned nut and pea coal, bottom size larger than 1 millimeter and top size not exceeding 2"; and all dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding 3/8").....	8.70
c. Washed and dedusted screenings—Size group Nos. 23, 24, 26, and 27 (washed, air cleaned or dry dedusted screenings, top size not exceeding 2") (common trade names, Universal, Commercial, and S. P. Stoker).....	8.50

Price schedule

Delivered per ton

IV. High volatile bituminous coal from District No. 10 (Illinois)—Con.

2. Belleville and Duquoin sub-districts, price group Nos. 10 and 16-22 inc.:

a. Lump and egg—Size group Nos. 1, 2 and 3 (all lump and egg coals, bottom size larger than 2" (washed or raw)):

Strip mines..... 98.45

Deep machine mines..... 8.50

3. Fulton Peoria subdistrict price group Nos. 24 to 28 inc., strip mines:

a. Lump, egg and nut—Size group Nos. 1-5 inc. (all lump and egg coals bottom size larger than 1½" including 9" x 5", 6" x 4", 6" x 2", 4" x 2")..... 7.25

b. Stove—Size group No. 8 (all stove coal, bottom size larger than ¾" and top size larger than 1½" but not exceeding 2" washed or raw)..... 6.95

c. Stoker—Size group Nos. 17-20 inc. (washed or air cleaned nut and pea coal bottom size larger than 10 mesh or ¾" and top size not exceeding 2") price group Nos. 27 and 28 only..... 7.55

d. Washed screenings—Size group Nos. 23 and 24 (washed or air cleaned screenings top size not exceeding 2") price group Nos. 27 and 28 only..... 6.90

V. High volatile bituminous coal from district No. 11 (Indiana):

1. Lump and egg—Size group Nos. 1, 2 and 3 (all lump and egg coals bottom size larger than 2" washed or raw) price group Nos. 6, 14, 15, 16 and 17..... 9.48

2. Stoker—Size group Nos. 9-12 inc. (raw nut and pea coal bottom size larger than 10 mesh or ¾" and top size not exceeding 2"):

a. Price group Nos. 6 and 14..... 9.13

b. Mine index No. 115 only..... 8.38

VI. Briquettes—made from district No. 7 low volatile coal..... 14.00

VII. Coke—byproduct—Solvay or Koppers:

1. Stove and nut..... 16.25

This Amendment No. 58 to Order No. G-16 supersedes Order No's. G-23 and G-24 as to dealers covered hereby.

Issued this 25th day of September 1945.

This Amendment No. 58 to Order No. G-16 shall be effective immediately.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-20078; Filed, Oct. 30, 1945; 4:50 p. m.]

SOLID FUELS IN ROCKFORD, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects: Appendix No. 12 which covers the Rockford, Illinois, area, is amended as follows: Paragraphs (b), I, III, IV, V, VI and VII are amended to read as follows:

Price schedule

Delivered per ton

I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):

1. Egg, size group No. 2 (all egg coal, top size larger than 3"; bottom size no limit) in price classification A:

a. Forked or screened..... 14.05 8.60

b. Shovelled or bin run..... 13.45 7.25

2. Stove, size group No. 3 (all stove coal top size larger than 1½" but not exceeding 3"; bottom size smaller than 3") in price classification A:

a. Forked or screened..... 14.50 7.75

b. Shovelled or bin run..... 13.45 7.50

3. Nut, size group No. 4 (top size larger than 3" but not exceeding 1½", bottom size smaller than 1½") in price classification A..... 12.45 6.75

4. Pea or dedusted screenings, size group No. 5 (top size not exceeding 3"; bottom size smaller than 3") in price classification A..... 12.10 6.75

III. High volatile bituminous coal from district No. 10 (Illinois) deep machine mines:

A. Southern subdistrict, price group Nos. 1, 2 and 3:

1. Lump, size group No. 1 (all lump coals, bottom size larger than 4", washed or raw)..... 9.89 5.40

2. Egg, size group No. 3 (all egg coal, bottom size larger than 2" but not exceeding 3", washed or raw)..... 9.50 5.25

3. Nut and stove, size group Nos. 4, 5, 6 and 8 (all egg and stove coals, bottom size 2" and smaller, washed or raw)..... 9.15 5.10

4. Nut, washed or raw, size group Nos. 9-12, inclusive, and 17-20, inclusive (all raw, washed or air-cleaned nut and pea coal, bottom size larger than 10 mesh or ¾" and top size not exceeding 2")..... 8.15 4.75

5. Special stoker, size group Nos. 21, 22 and 23 (washed grain-cleaned nut and pea coal, bottom size larger than 1 millimeter, top size not exceeding 2"; and dry dedusted special stoker, bottom size larger than 28 mesh and top size, not exceeding 2")..... 8.65 4.85

6. Dedusted screenings, size group Nos. 24 and 27 (dry dedusted screenings, top size not exceeding 2") (common trade names, universal and commercial stoker)..... 8.05 4.75

7. Raw screenings, size group Nos. 13 and 14 (raw screenings larger than 3" x 0 but not exceeding 2" x 0)..... 7.75 4.35

B. Southern subdistrict price group No. 7 (strip mines):

1. Washed nut and pea, size group 17-20 inclusive (washed or air-cleaned nut and pea coal, bottom size larger than 10 mesh or ¾" and top size not exceeding 2")..... 7.85 4.45

2. Washed screenings, size group Nos. 23 and 24 (washed or air-cleaned screenings, top size not exceeding 2")..... 7.70 4.35

C. Belleville and Duquoin sub-districts, price group 10 and 16-22 inclusive:

1. Lump and egg, size group Nos. 1, 2 and 3 (all lump or egg coals, bottom size larger than 2" washed or raw):

a. Strip mines..... 8.65 4.85

b. Deep machine mines..... 8.70 4.85

2. Washed nut, size group Nos. 17-20 inch (washed or air-cleaned nut and pea coals, bottom size larger than 10 mesh or ¾" and top size not exceeding 2"):

a. Strip mines..... 7.89 4.49

b. Deep machine mines..... 7.85 4.43

3. Washed screenings, size group Nos. 23 and 24 (washed or air-cleaned screenings, top size not exceeding 2"):

a. Strip mines..... 7.75 4.29

b. Deep machine mines..... 7.69 4.33

IV. High volatile bituminous coal from district No. 11 (Indiana):

1. Lump, size group No. 1 (all lump coal, bottom size larger than 4") price group Nos. 6, 14, 15 and 16..... 9.63 5.47

2. Egg, size group Nos. 2 and 3 (all egg coal, bottom size larger than 2" but not larger than 4") price group Nos. 6, 14, 15, and 16..... 9.43 5.27

3. Egg, size group Nos. 2 and 3 (all egg coal, bottom size larger than 2" but not larger than 4") price group Nos. 7, 15 and 19..... 8.73 4.87

[Region VI Order G-16 Under RMPR 122, Amdt. 59]

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects: Appendix No. 12 which covers the Rockford, Illinois, area, is amended as follows: Paragraphs (b), I, III, IV, V, VI and VII are amended to read as follows:

Price schedule

Delivered

1 ton ½ ton

IV. High volatile bituminous coal from district No. 11—Con.

4. Nut, size group No. 5 (all nut coal, top size larger than 2" but not larger than 4"; bottom size larger than 1½" but not larger than 2") price group Nos. 7, 15 and 19..... \$3.33 \$4.72

5. Raw nut and pea, size group Nos. 9-12 inches (raw nut and pea coal, bottom size larger than 10 mesh or ¾" and top size not exceeding 2") price group Nos. 6 and 14..... 8.63 4.82

6. Washed screenings, size group Nos. 23 and 24 (washed or air-cleaned screenings, top size not exceeding 2")..... 7.93 4.47

V. Briquettes (low volatile) from district No. 7 (Illinois):

1. Raw coal..... 14.95 8.09

2. Oven Ready..... 15.15 8.11

VI. Pennsylvania anthracite:

1. Egg, stove, nut..... 19.00 10.20

2. Pea..... 17.00 9.43

VII. By-product coke:

1. Rockford Koppers..... 14.50 7.75

2. Solvay or Koppers other than Rockford..... 13.65 8.23

Price schedule

Delivered

1 ton ½ ton

The above prices include the 2% Illinois retailer's occupational tax.

This Amendment No. 59 to Order No. G-16 supersedes Order Nos. G-23 and G-24 as to dealers covered hereby.

Issued this 26th day of September 1945.

This Amendment No. 59 to Order No. G-16 shall be effective immediately.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-20079; Filed, Oct. 30, 1945; 4:51 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 63]

SOLID FUELS IN CEDAR RAPIDS, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects: Appendix No. 6 which covers the Cedar Rapids, Iowa, area, is amended as follows: Paragraphs (b), I, II, V, VI, VII and VIII are amended to read:

Schedule of coal delivered by dealers

Domestic delivered price per ton

I. Low volatile bituminous coal from district No. 3 (West Virginia):

1. Lump and egg, size group Nos. 1 and 2, price classification A..... \$12.63

II. Low volatile bituminous coals from district No. 7 (West Virginia and Virginia):

1. Lump and egg, size group Nos. 1 and 2, price classification A..... 13.10

2. Stove, size group No. 3, price classification A..... 12.60

V. High volatile coal from district No. 10 (Illinois):

A. Southern subdistrict (deep machine mines):

1. Lump and egg, size groups 1, 2 and 3, price groups 1, 2 and 8..... 9.50

2. Egg and nut, size groups 4, 5, 6 and 8, price groups 1, 2 and 8..... 9.20

3. Prepared stoker, size groups 22 and 23, price groups 1, 2 and 8..... 8.80

The above prices include the 2% Illinois retailer's occupational tax.

This Amendment No. 59 to Order No. G-16 supersedes Order Nos. G-23 and G-24 as to dealers covered hereby.

Issued this 26th day of September 1945.

This Amendment No. 59 to Order No. G-16 shall be effective immediately.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-20079; Filed, Oct. 30, 1945; 4:51 p. m.]

SOLID FUELS IN CEDAR RAPIDS, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects: Appendix No. 6 which covers the Cedar Rapids, Iowa, area, is amended as follows: Paragraphs (b), I, II, V, VI, VII and VIII are amended to read:

Schedule of coal delivered by dealers

Domestic delivered price per ton

I. Low volatile bituminous coal from district No. 3 (West Virginia):

1. Lump and egg, size group Nos. 1 and 2, price classification A..... \$12.63

II. Low volatile bituminous coals from district No. 7 (West Virginia and Virginia):

1. Lump and egg, size group Nos. 1 and 2, price classification A..... 13.10

2. Stove, size group No. 3, price classification A..... 12.60

V. High volatile coal from district No. 10 (Illinois):

A. Southern subdistrict (deep machine mines):

1. Lump and egg, size groups 1, 2 and 3, price groups 1, 2 and 8..... 9.50

2. Egg and nut, size groups 4, 5, 6 and 8, price groups 1, 2 and 8..... 9.20

3. Prepared stoker, size groups 22 and 23, price groups 1, 2 and 8..... 8.80

Maximum Price Regulation No. 122 is amended in the following respects:
 Revised Appendix No. 10, which covers the Peoria, Illinois, area, is amended as follows:

1. Paragraph (b), 1, I, III, IV and V are amended to read:

Schedule of prices for equipped rail dealers

	<i>Domestic delivered cash price 2-ton lots per ton</i>
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and Virginia):	
1. Egg—Price classification A.....	\$11.05
2. Stove (top size larger than 1 1/4" not exceeding 3"; bottom size smaller than 3") price classification A.....	10.95
3. Pea (double screened; top size not exceeding 3/4"; bottom size less than 3/4") price classification A.....	0.80

III. High volatile bituminous coal from district No. 10 (Illinois):

A. Southern subdistrict—Price groups 1, 2 and 8, deep machine mines:

1. Egg—Size group Nos. 2 and 3 (minimum top size 3"; minimum bottom size larger than 2").....	8.10
2. Prepared stoker, size group Nos. 21, 22 and 28 (including 3/4" x 10 mesh and 5/16" x 10 mesh).....	7.45
3. Screenings, size group Nos. 23 and 24 and 26 and 27—washed or dedusted (screenings include 2" top size) (common trade names, Universal, Commercial and S. P. Stoker).....	6.95

B. Central subdistrict—Price group No. 12, deep machine mines:

1. Egg, size group No. 2 (including 6" x 4", 7" x 4").....	5.90
2. Stoker nut, size group No. 20 (including 3/4" x 5/16").....	6.30

C. Fulton-Peoria subdistrict strip mines:

1. No. 5 seam, lump and egg, size group Nos. 1, 2, and 3 (bottom size larger than 2"), washed or raw; price group Nos. 24, 25, and 26 Fulton County coal only.....	5.20
2. No. 6 seam, lump, size group No. 1 (larger than 4") price group Nos. 27 and 28.....	5.80
3. No. 6 seam, egg, size group No. 5 (including 4" x 2") price group Nos. 27 and 28.....	5.60
4. No. 6 seam, stoker nut, size group Nos. 18, 19 and 20 (maximum top size 1 1/2", minimum bottom size larger than 10 mesh or 3/2") price group Nos. 27 and 28.....	6.25
5. No. 5 seam, stoker nut, size group Nos. 18, 19, and 20 (for dimensions see III-C-4 above) price group No. 24.....	5.20
6. No. 5 seam, washed screenings, size group No. 24 (including 1 1/2" x 0) price group No. 24.....	4.60

IV. High volatile bituminous coal from district No. 11 (Indiana):

A. Linton Sullivan subdistrict:

1. Block or lump—Size group No. 1 (larger than 4") price group No. 16.....	7.83
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V. Coke byproduct..... 15.25

Schedule of coal delivered by dealers	Domestic delivered price per ton	
	1 ton	1/2 ton
V. High volatile coal from district No. 10 (Illinois)—Continued.		
B. Central subdistrict (deep machine mines):		
1. Lump and egg, size groups 1, 2 and 3, price groups 12, 13 and 23.....	\$7.55	
2. Egg and nut, size groups 4, 5, 6 and 8, price groups 12, 13 and 23.....	7.50	
C. Fulton-Peoria subdistrict (strip mines):		
1. Lump and egg, size groups 1, 2, and 3, price groups 24, 25 and 26.....	7.85	
2. Egg and nut, size groups 4, 5, 6 and 8, price groups 24 to 28, inclusive.....	6.90	
D. Northern subdistrict (strip mines):		
1. Lump and egg, size groups 1, 2 and 3, price group 34.....	7.85	
2. Egg and nut, size groups 4, 5, 6 and 8, price group 34.....	7.25	
VI. High volatile coal from district No. 11 (Indiana):		
1. Lump and egg, size groups 1, 2 and 3, price groups 15 and 16.....	9.78	
2. Lump and egg, size groups 1, 2 and 3, price groups 6 and 14.....	10.18	
3. Egg and stove, size groups 4, 5, 6 and 8, price groups 6 and 14.....	9.18	
4. Stoker, size groups 9 through 12, price groups 6 and 14.....	8.93	
VII. Byproduct coke:		
1. Egg, stove and nut.....	16.45	
VIII. Briquettes, Berwind.....	13.75	

This Amendment No. 60 to Order No. G-16 supersedes Order Nos. G-23 and G-24 as to dealers covered hereby.

Issued this 26th day of September 1945.

This Amendment No. 60 to Order No. G-16 shall become effective immediately.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-20080; Filed, Oct. 30, 1945; 4:51 p. m.]

[Region VI Order G-16 Under RMFR 122, Amdt. 61]

SOLID FUELS IN BURLINGTON, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

Appendix No. 7 which covers the Burlington and West Burlington, Iowa, area, is amended as follows: Paragraphs (b), I, IV, V, and VI are amended to read:

Price schedule	Domestic delivered price	
	1 ton	1/2 ton
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and Virginia):		
1. Egg—Price classification A.....	\$13.10	\$8.80
2. Pea or dedusted screenings—top size not exceeding 3/4", bottom size smaller than 3/4", price classification A.....	10.95	5.75

Price schedule	Domestic delivered price	
	1 ton	1/2 ton
IV. High volatile bituminous coal from district No. 10 (Illinois):		
A. Southern subdistrict, price groups 1, 2 and 8 (deep machine mines):		
1. Lump and egg—Size groups 1, 2 and 3; all lump or egg coals—bottom size larger than 2"; washed or raw.....	\$8.00	\$4.25
2. Egg and nut—Size groups 4, 5, 6, and 8, including 4" x 2", 3" x 2", and 2" x 1 1/4".....	7.75	4.15
3. Prepared stoker—Size groups 21, 22, and 28; all stoker coals—bottom size larger than 28 mesh; top size not exceeding 2".....	7.55	4.03
4. Washed and dedusted screenings—Size groups 23, 24, 26 and 27; all washed, air cleaned and dry dedusted screenings; top size not exceeding 2" (common trade names: Universal, Commercial, and S. P. Stoker).....	7.15	3.83
B. Belleville subdistrict, price groups 16-22 including:		
1. Lump and egg—Size groups 1, 2, and 3; all lump or egg coals; bottom size larger than 2"; washed or raw:		
(a) Strip mines.....	7.25	3.88
(b) Deep machine mines.....	7.30	3.90
2. Washed nut and pea—Size groups 17-20, inclusive; washed or air cleaned nut and pea coals—bottom size larger than 1 millimeter; top size not exceeding 2".....		
(a) Strip mines.....	6.65	3.60
(b) Deep machine mines.....	6.70	3.63
C. Duquoin subdistrict, price group No. 10 (strip mines):		
1. Lump and egg—Size groups 1, 2, and 3; all lump or egg coals; bottom size larger than 2"; washed or raw.....	7.05	3.78
2. Nut coal—Size group No. 10, including 1 1/2" x 3/4".....	6.35	3.45
3. Nut coal—Size group No. 12, including 3/4" x 5/16".....	6.90	3.70
D. Central subdistrict, price groups 12 and 13 (deep machine mines):		
1. Lump—Size group 1; bottom size larger than 4".....	7.10	3.80
2. Egg—Size group 3, including 8" x 3".....	6.60	3.55
E. Fulton-Peoria subdistrict (strip mines):		
1. Lump and egg—Size groups 1, 2, and 3; all lump and egg coals—bottom size larger than 2", washed or raw; price groups 24, 25 and 26.....	6.25	3.88
2. Lump and egg—Size groups 1, 2 and 3; all lump and egg coals—bottom size larger than 2", washed or raw; price groups 27 and 28.....	6.45	3.48
V. High volatile bituminous coals from district No. 11 (Indiana):		
1. Lump and egg—Size groups 1, 2, and 3; all lump and egg coals—bottom size larger than 2", washed or raw; price groups 6, 14 and 16.....	8.53	4.52
2. Nut—Size group No. 5, including 3" x 2"; price group 6.....	7.98	4.27
3. Stoker—Size groups 9-12; raw nut or pea coals—bottom size larger than 10 mesh; top size not exceeding 2"; price group 6.....	7.83	4.17
VI. Anthracite:		
1. Egg, stove and nut.....	19.10	9.80

This Amendment No. 61 to Order No. G-16 supersedes Order Nos. G-23 and G-24 as to dealers covered hereby.

Issued this 26th day of September 1945.

This Amendment No. 61 to Order No. G-16 shall be effective immediately.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-20081; Filed, Oct. 30, 1945; 4:51 p. m.]

[Region VI Order G-16 Under RMFR 122, Amdt. 62]

SOLID FUELS IN PEORIA, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised

IV. High volatile bituminous coal from District No. 11 (Indiana):	
A. Linton Sullivan subdistrict:	
1. Block or lump—Size group No. 1 (larger than 4") price group No. 16.....	7.83
V. Coke byproduct.....	15.25

2. Paragraph (b) (5) is amended to read:

(5) *Sales to unequipped dealers at the yard.* The maximum price for sales at the equipped dealer's yard to unequipped dealers of the following specified kinds and sizes of solid fuels in lots of 2 tons or more shall be:

Fulton-Peoria subdistrict strip mines:	<i>Per ton</i>
No. 5 seam, lump and egg, size group Nos. 1, 2 and 3 (bottom size larger than 2"), washed or raw; price group Nos. 24, 25, and 26, Fulton County coal only.....	\$4.00

3. Paragraph (c), I, 1, is amended to read:

(c) *Price schedule for certain truckers and mines.* The following shall be the maximum price for the named coals when delivered by truck by persons other than equipped rail dealers from mines located in the counties of Tazewell, Peoria, Fulton, Illinois.

	<i>Domestic delivered cash price 2-ton lots per ton</i>
I. District No. 10—Fulton County coal (strip mines):	
1. No. 5 seam, lump and egg—Size group Nos. 1, 2 and 3 (bottom size larger than 2"); in truck group No. 6-A.....	\$5.20

4. Paragraph (c), II, B, is amended to read:

B. No. 5 seam in truck price group No. 6B (underground mines that load coal by mechanical means):	
(a) Size group Nos. 1, 2 and 3.....	\$5.00
(b) Size group Nos. 4 and 5.....	4.75
(c) Size group No. 6.....	4.65
(d) Size group No. 8.....	4.30
(e) Size group Nos. 9-12 inclusive.....	4.45

This Amendment No. 62 to Order No. G-16 supersedes Order Nos. G-23 and G-24 as to dealers covered hereby.

Issued this 26th day of September 1945.

This Amendment No. 62 to Order No. G-16 shall be effective immediately.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-20082; Filed, Oct. 30, 1945; 4:51 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 63]

SOLID FUELS IN DUBUQUE, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

Appendix No. 14 which covers the Dubuque, Iowa, area, is amended as follows:

1. Paragraphs (b), I, IV, V, VI and VIII are amended to read as follows:

	<i>Price schedule</i>	<i>Delivered per ton</i>
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):		
1. Lump—Egg and stove (all lump coal, bottom size 3 3/4"; all egg coal, top size larger than 3", bottom size no limit; all stove coal top size larger than 1 1/4" but not exceeding 3", bottom size smaller than 3") in price classifications A and B.....		\$14.15
IV. High volatile bituminous coal from district No. 10 (Illinois):		
A. Southern subdistrict—Price group Nos. 1, 2 and 8 (deep machine mines):		
1. Lump—Size group No. 1 (all lump coal, bottom size larger than 4" washed or raw).....		10.75
2. Egg—Size group No. 3 (all lump and egg coals, bottom size larger than 2" but not exceeding 3", washed or raw)....		10.55
3. Egg—Size group No. 5 (all egg coals, bottom size larger than 1 1/2" but not exceeding 2" and top size larger than 2" but not exceeding 4", washed or raw)....		10.20
4. Stoker—Size group Nos. 21, 22 and 28 (washed or air cleaned nut and pea coal, bottom size larger than 1 millimeter and top size not exceeding 2"; and dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding 3/8").....		8.70
5. Washed or dedusted screenings, size group Nos. 23, 24, 26 and 27 (washed, air cleaned or dry dedusted screenings top size not exceeding 2") (common trade names, Universal, Commercial and S. P. Stoker).....		8.20
B. Belleville and Duquoin subdistricts, price group Nos. 10 and 16-22 inclusive:		
1. Lump and egg—Size group Nos. 1, 2 and 8 (all lump and egg coals, bottom size larger than 2" washed or raw):		
a. Strip mines.....		9.05
b. Deep machine mines.....		9.10
2. Washed stoker—Size group Nos. 17-20 inclusive (all washed or air cleaned nut and pea coal bottom size larger than 10 mesh or 3/32" and top size not exceeding 2"):		
a. Strip mines.....		8.00
b. Deep machine mines.....		8.05
C. Fulton-Peoria subdistrict, price group Nos. 24, 25 and 26 (strip mines):		
1. Egg—size group Nos. 2 and 3 (all egg coals, bottom size larger than 2" but not exceeding 4" washed or raw).....		8.45
2. Egg and stove—Size group Nos. 4, 5, 6 and 8 (all egg and stove coals bottom size 2" and smaller washed or raw).....		8.50
D. Central subdistrict, price group Nos. 12 and 13 (deep machine mines):		
1. Lump and egg—Size group Nos. 1, 2 and 3 (all lump or egg coals, bottom size larger than 2" washed or raw).....		9.05
V. High volatile bituminous coal from district No. 11 (Indiana):		
1. Lump and egg—Size group Nos. 1, 2 and 3 (all lump and egg coals, bottom size larger than 2" washed or raw) price group Nos. 6 and 14.....		\$10.33
2. Lump and egg—Size group Nos. 1 and 2 (all lump and egg coals, bottom size larger than 3" washed or raw) price group Nos. 15 and 16.....		10.53
3. Lump—Size group No. 1 (all lump coal, bottom size larger than 4" washed or raw) price group Nos. 5 and 13.....		10.13
4. Egg—Size group Nos. 2 and 3 (all egg coal, bottom size larger than 2" but not larger than 4" washed or raw) price group Nos. 5 and 13.....		9.33
6. Egg—Size group No. 4 (all egg coal, bottom size larger than 1 1/2" but not exceeding 2" and top size larger than 2" washed or raw) price group Nos. 15 and 16.....		9.43
6. Stove—Size group No. 8 (all stove coal, bottom size larger than 3/4" and top size larger than 1 1/2" but not exceeding 2" washed or raw) price group Nos. 6 and 14.....		9.13
7. Raw or washed stoker—Size group Nos. 9-12 inclusive and 17-22 inclusive (raw nut and pea coal, bottom size larger than 10 mesh or 3/32" and top size not exceeding 2"; and nut and pea coal washed or air cleaned bottom size larger than 1 millimeter top size not exceeding 2") price group Nos. 6 and 14.....		9.13
VI. Briquettes—Berwind.....		14.70
VIII. Coke Byproduct—Stove and nut:		
1. A. B. C. or Chicago Solway or Koppers.....		17.00
2. Terre Haute.....		16.25
3. Racine.....		15.50
2. Paragraph II, 2, is amended to read as follows:		
		<i>Delivered per ton</i>
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia; northern Tennessee, and North Carolina):		
2. Egg—Size group No. 3 (all double screened egg coal top size larger than 3" but not exceeding 6" and bottom size larger than 3" but not exceeding 4") mine index No. 370 only.....		\$13.45
This Amendment No. 63 to Order No. G-16 supersedes Order Nos. G-23 and G-24 as to dealers covered hereby.		
Issued this 27th day of September 1945.		
This Amendment No. 63 to Order No. G-16 shall be effective immediately.		
R. E. WALTERS, <i>Regional Administrator.</i>		
[F. R. Doc. 45-20083; Filed, Oct. 30, 1945; 4:52 p. m.]		
[Region VI Order G-16 Under RMPR 122, Amdt. 64]		
SOLID FUELS IN GARY, IND., AREA		
An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:		

Appendix No. 21 which covers the Gary, Indiana, area, is amended as follows: Paragraphs (b), I, IV, V, VI and VII are amended to read:

	<i>1 ton delivered per-ton</i>
<i>Price schedule</i>	
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Lump and egg, size group Nos. 1 and 2 (all lump coal, bottom size 3/8"; also all egg coal top size larger than 3" bottom size no limit) price classification B.....	\$11.50
2. Stove, size group No. 3 (all stove coal top size larger than 1 1/4" but not exceeding 3"; bottom size smaller than 3") price classification A.....	11.45
3. Nut, size group No. 4 (all nut or dedusted screenings top size larger than 3/4" but not exceeding 1 1/4"; bottom size smaller than 1 1/4") price classification A.....	10.25
4. Pea or dedusted screenings size group No. 5 (top size not exceeding 3/4"; bottom size smaller than 3/4") price classification A.....	9.80
5. Screened mine run size group No. 6 (straight run of mine from which all or part of the screenings top size 3/8" or 3/4" have been removed) price classification A and B.....	10.20
6. Coal from the Bradshaw mine, Southern Coal Corporation, mine index No. 28 only:	
a. Lump, size group No. 1 (all lump coal bottom size 3/8").....	11.75
b. Egg, size group No. 2 (top size larger than 3", bottom size no limit).....	11.80
* * *	
IV. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict deep machine mines, price group Nos. 1, 2 and 8:	
1. Lump and egg, size group Nos. 1, 2 and 3 (all lump and egg coals bottom size larger than 2" washed or raw).....	8.85
2. Egg and stove, size group Nos. 4, 5, 6 and 8 (all egg and stove coals bottom size 2" and smaller washed or raw).....	8.75
3. Special stoker, size group Nos. 21, 22 and 28 (all washed or air-cleaned nut and pea coal bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding 3/8").....	8.30
4. Washed or dedusted screenings, size group Nos. 23, 24, 26 and 27 (all washed, air-cleaned or dry dedusted screenings top size not exceeding 2") (common trade names, Universal, Commercial and S. P. Stoker).....	7.70
V. High Volatile Bituminous Coal from District No. 11 (Indiana):	
1. Lump and egg, size group Nos. 1, 2 and 3 (all lump and egg coals bottom size larger than 2" washed or raw) price group Nos. 6 and 14.....	8.98
2. Egg and stove, size group Nos. 4, 5, 6 and 8 (all egg and stove coals bottom size 2" and smaller washed or raw) price group Nos. 9-12 inclusive.....	7.33
VI. Briquettes made from district No. 7 low volatile coal:	
1. Berwind.....	11.90
2. Glen Rogers.....	12.10
VII. Byproduct coke:	
1. Stove and nut.....	14.25

This Amendment No. 64 to Order No. G-16 supersedes Order Nos. G-23 and G-24 as to dealers covered hereby.

Issued this 27th day of September 1945.

This Amendment No. 64 to Order No. G-16 shall be effective immediately.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-20084; Filed, Oct. 30, 1945; 4:52 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 65]

SOLID FUELS IN HAMMOND, IND., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

Appendix No. 20 which covers the Hammond, Indiana, area, is amended as follows: Paragraphs (b), I, V, VI, VII, VIII and IX are amended to read:

	<i>1 ton delivered per ton</i>
<i>Price schedule</i>	
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Lump and egg, size group Nos. 1 and 2, all lump coal bottom size 3/8"; and all egg coal, top size larger than 3", bottom size no limit:	
(a) Price classification A, B, C.....	\$12.65
(b) Mine index No. 73 only.....	13.85
2. Lump—Size group No. 1, all lump coal bottom size 3/8"—Price classifications D, E, and F.....	12.45
3. Stove—Size group No. 3, all stove coal top size larger than 1 1/4" but not exceeding 3"; bottom size smaller than 3":	
(a) Price classification A.....	12.15
(b) Price classification D.....	11.75
(c) Mine index No. 73 only.....	12.35
4. Nut—Size group No. 4, all nut coal top size larger than 3/4" but not exceeding 1 1/4"; bottom size smaller than 1 1/4":	
(a) Price classification A.....	11.15
(b) Mine index No. 73 only.....	11.45
5. Pea—Size group No. 5, all pea coal top size not exceeding 3/4" bottom size smaller than 3/4"—Price classification A.....	10.80
6. Screened run of mine—Size group No. 6 (straight run of mine from which all or part of the 3/8" or 3/4" top size has been removed):	
(a) In price classifications A and B.....	10.85
(b) In price classification E.....	10.60
* * *	
V. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern sub-district (deep machine mines) price group Nos. 1, 2, and 8:	
1. Lump—Size group No. 1 (all lump coals, bottom size larger than 4" washed or raw).....	9.35
2. Egg—Size group No. 3 (all egg coals, bottom size larger than 2" but not exceeding 3" washed or raw).....	9.20

	<i>1 ton delivered per ton</i>
<i>Price schedule</i>	
V. High volatile bituminous coal from district No. 10 (Illinois)—Con.	
3. Special stoker—Size group Nos. 21, 22 and 23 (all washed or air cleaned nut and pea coal, bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding 3/8").....	\$8.70
4. Dedusted screenings—size group Nos. 26 and 27 (all dry dedusted screenings, top size not exceeding 2") (common trade names, Universal and Commercial Stoker).....	8.30
B. Southern subdistrict (strip mines) price group No. 7:	
1. Lump and egg—Size group Nos. 1, 2, and 3 (all lump and egg coals bottom size larger than 2" washed or raw).....	8.65
C. Belleville and Duquoin subdistricts price group Nos. 10 and 16-22, inclusive:	
1. Lump and egg—Size group Nos. 1, 2, and 3 (all lump and egg coals bottom size larger than 2" washed or raw):	
(a) From deep machine mines.....	8.15
(b) From strip mines.....	8.10
D. Central subdistrict (deep machine mines) price group Nos. 12 and 13:	
1. Lump and egg—Size groups Nos. 1, 2, and 3 (all lump and egg coals bottom size larger than 2" washed or raw).....	8.00
VI. High volatile bituminous coal from district No. 11 (Indiana):	
1. Lump and egg—Size group Nos. 1, 2, and 3 (all lump and egg coals, bottom size larger than 2" washed or raw):	
(a) Price group Nos. 16 and 16....	8.68
(b) Price group Nos. 7, 18 and 10 and mine index No. 115.....	8.33
(c) Price group Nos. 9-12 inclusive.....	8.03
2. Stoker—Size group Nos. 9-12 inclusive (all raw nut and pea coal bottom size larger than 10 mesh or 3/8" and top size not exceeding 2") price group Nos. 9-12, inc....	7.38
VII. Pennsylvania anthracite:	
1. Egg, stove and nut.....	18.20
VIII. Coke byproduct:	
1. Stove or nut, Solvay or Koppers.....	15.30
2. Pea, Solvay or Koppers.....	14.00
IX. Briquettes made from district No. 7 low volatile coals:	
1. Glen Rogers.....	13.70
2. Berwind.....	13.45
This Amendment No. 65 to Order No. G-16 supersedes Order Nos. G-23 and G-24 as to dealers covered hereby.	
Issued this 27th day of September 1945.	
This Amendment No. 65 to Order No. G-16 shall be effective immediately.	
R. E. WALTERS, <i>Regional Administrator.</i>	
[F. R. Doc. 45-20086; Filed, Oct. 30, 1945; 4:52 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 30, 1945.

REGION I

Providence Order 3-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Rhode Island. Filed 9:58 a. m.

Providence Order 4-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Rhode Island. Filed 9:58 a. m.

Wilmington Order 4-F, Amendment 53, covering fresh fruits and vegetables in the entire state of Delaware. Filed 9:31 a. m.

REGION II

Williamsport Order 4-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:59 a. m.

Williamsport Order 7-W, Amendment 3, covering dry groceries in certain counties in Pennsylvania. Filed 10:00 a. m.

Williamsport Order 26, Amendment 3, covering dry groceries in certain counties in Pennsylvania. Filed 9:59 a. m.

Williamsport Order 27, Amendment 2, covering dry groceries in certain counties in Pennsylvania. Filed 9:59 a. m.

Williamsport Order 28, Amendment 3, covering dry groceries in certain counties in Pennsylvania. Filed 9:59 a. m.

REGION III

Cleveland Order F-1, Amendment 62, covering fresh fruits and vegetables in Cuyahoga County, Ohio. Filed 10:00 a. m.

Cleveland Order 3-F, Amendment 62, covering fresh fruits and vegetables in the Mahoning and Trumbull Counties, Ohio. Filed 10:00 a. m.

Cleveland Order 4-F, Amendment 62, covering fresh fruits and vegetables in the Stark and Summit Counties, Ohio. Filed 10:01 a. m.

Grand Rapids Order 14-F, Amendment 93, (Appendix A), covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 9:30 a. m.

Grand Rapids Order 14-F (Appendix B), Amendment 93, covering fresh fruits and vegetables in certain cities in Michigan. Filed 9:30 a. m.

REGION IV

Birmingham Order 6-F, Amendment 2, covering fresh fruits and vegetables in the Birmingham Area. Filed 9:43 a. m.

Columbia Order 8-F, Amendment 2, covering fresh fruits and vegetables in the entire state of South Carolina. Filed 9:32 a. m.

Jacksonville Order 9-C, Amendment 2, covering poultry in certain areas in Florida. Filed 9:43 a. m.

Jacksonville Order 10-C, Amendment 2, covering poultry in certain counties in Florida. Filed 9:43 a. m.

Jacksonville Order 11-C, Amendment 2, covering poultry in certain counties in Florida. Filed 9:43 a. m.

Jacksonville Order 12-C, Amendment 2, covering poultry in certain counties in Florida. Filed 9:43 a. m.

Jacksonville Order 13-C, Amendment 2, covering poultry in certain counties in Florida. Filed 9:44 a. m.

Jacksonville Order 14-C, Amendment 2, covering poultry in certain counties in Florida. Filed 9:44 a. m.

Jacksonville Order 14-F, Amendment 2, covering fresh fruits and vegetables in Jacksonville, Florida. Filed 9:32 a. m.

Jacksonville Order 15-C Amendment 2, covering poultry in certain counties in Florida. Filed 9:44 a. m.

Jacksonville Order 16-C, Amendment 2, covering poultry in certain counties in Florida. Filed 9:44 a. m.

Miami Order 5-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Florida. Filed 9:44 a. m.

Miami Order 6-F, Amendment 1, covering fresh fruits and vegetables in the Tampa, Florida, Area. Filed 9:45 a. m.

Miami Order 7, Amendment 1, covering dry groceries in Monroe County, Florida. Filed 9:45 a. m.

Miami Order 8-F, Amendment 1, covering fresh fruits and vegetables in Monroe County, Florida. Filed 9:45 a. m.

Miami Order 2-O, Amendment 3, covering eggs in certain counties in Florida. Filed 9:42 a. m.

Miami Order 3-C, Amendment 2, covering poultry in certain counties in Florida. Filed 9:41 a. m.

Miami Order 3-O, Amendment 3, covering eggs in Broward, Collier and Dade Counties, Florida. Filed 9:42 a. m.

Miami Order 4-O, Amendment 3, covering eggs in Monroe County, Florida. Filed 9:42 a. m.

Miami Order 5-O, Amendment 3, covering eggs in certain counties in Florida. Filed 9:42 a. m.

Miami Order 7-O, Amendment 3, covering eggs in Broward, Collier and Dade Counties, Florida. Filed 9:42 a. m.

Miami Order 8, covering dry groceries in certain areas in Florida. Filed 9:41 a. m.

Nashville Order 43-O, covering eggs in the Nashville Area. Filed 9:55 a. m.

Nashville Order 44-O, covering eggs in the Nashville Area. Filed 9:55 a. m.

Nashville Order 45-O, covering eggs in the Nashville Area. Filed 9:55 a. m.

Nashville Order 46-O, covering eggs in the Nashville Area. Filed 9:55 a. m.

Roanoke Order 13-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Virginia. Filed 9:56 a. m.

Roanoke Order 12-F, Amendment 2, covering fresh fruits and vegetables. Filed 9:56 a. m.

Roanoke Order 18, Amendment 2, covering dry groceries. Filed 9:56 a. m.

Roanoke Order 19, Amendment 2, covering dry groceries. Filed 9:57 a. m.

Savannah Order 14-F, covering fresh fruit and vegetables in certain areas in Georgia. Filed 9:51 a. m.

Savannah Order 15-F, covering fresh fruits and vegetables in certain counties in Georgia. Filed 9:51 a. m.

REGION V

Dallas Order 2-C, Amendment 6, covering poultry. Filed 9:31 a. m.

Kansas City Order 5-F, Amendment 3, covering fresh fruits and vegetables in Buchanan County, Missouri. Filed 9:31 a. m.

Little Rock Order 10-F, Amendment 14, covering fresh fruits and vegetables in Garland County, Arkansas. Filed 10:01 a. m.

Little Rock Order 12-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Arkansas. Filed 10:01 a. m.

Oklahoma City Order 8-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Oklahoma. Filed 9:33 a. m.

Oklahoma City Order 8-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Oklahoma. Filed 9:34 a. m.

Wichita Order 9-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Kansas. Filed 9:54 a. m.

Wichita Order 10-F, Amendment 2, covering fresh fruits and vegetables in Reno County, Kans. Filed 9:54 a. m.

Wichita Order 11-F, Amendment 2, covering fresh fruits and vegetables in Shawnee County, Kans. Filed 9:54 a. m.

REGION VI

Omaha Order 3-C, covering poultry in the Nebraska Counties. Filed 9:45 a. m.

Peoria Order 7-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:45 a. m.

Peoria Order 8-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:46 a. m.

Peoria Order 9-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:46 a. m.

Peoria Order 10-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:46 a. m.

Peoria Order 11-F, Amendment 3, covering fresh fruits and vegetables in Winnebago, Illinois. Filed 9:46 a. m.

REGION VIII

Fresno Order 2-W, Amendment 1, covering dry groceries. Filed 9:51 a. m.

Los Angeles Order 1-C, Amendment 10, covering poultry in the Los Angeles, Orange and Inyo Counties. Filed 9:54 a. m.

Los Angeles Order 2-C, Amendment 10, covering poultry in the Riverside-San Bernardino Counties. Filed 9:43 a. m.

Los Angeles Order 3-C, Amendment 2, covering poultry in certain counties in California. Filed 9:48 a. m.

Los Angeles Order 2-F, Amendment 17, covering fresh fruits and vegetables in the Los Angeles Area. Filed 9:52 a. m.

Los Angeles Order 3-F, Amendment 13, covering fresh fruits and vegetables in the Los Angeles Area. Filed 9:52 a. m.

Los Angeles Order 4-F, Amendment 17, covering fresh fruits and vegetables in the Los Angeles Area. Filed 9:52 a. m.

Los Angeles Order 4-F, Amendment 18, covering fresh fruits and vegetables in the Los Angeles Area. Filed 9:52 a. m.

Los Angeles Order 5-F, Amendment 17, covering fresh fruits and vegetables in the Santa Barbara-Ventura and San Luis Obispo Areas. Filed 9:53 a. m.

Los Angeles Order 5-F, Amendment 18, covering fresh fruits and vegetables in the Santa Barbara-Ventura and San Luis Obispo Areas. Filed 9:53 a. m.

Los Angeles Order 6-F, Amendment 17, covering fresh fruits and vegetables in the Santa Barbara-Ventura and San Luis Obispo Areas. Filed 9:53 a. m.

Los Angeles Order 6-F, Amendment 18, covering fresh fruits and vegetables in the Long Beach-San Bernardino Areas. Filed 9:53 a. m.

Nevada Order 11-F, Amendment 7-A, covering fresh fruits and vegetables in the Reno and Sparks Areas. Filed 9:43 a. m.

Portland Order 32-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:43 a. m.

Portland Order 33-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:43 a. m.

Portland Order 34-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:43 a. m.

Portland Order 35-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:43 a. m.

Portland Order 36-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:43 a. m.

Portland Order 37-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:43 a. m.

Portland Order 38-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:43 a. m.

Portland Order 39-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:43 a. m.

Portland Order 40-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:43 a. m.

Portland Order 41-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:43 a. m.

Portland Order 42-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:43 a. m.

Portland Order 43-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:43 a. m.

Portland Order 44-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:43 a. m.

Portland Order 45-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:43 a. m.

areas in Oregon and Vancouver, Washington. Filed 9:50 a. m.

Seattle Order 16-F, Amendment 4, covering fresh fruits and vegetables in the Seattle, Tacoma and Bremerton, Washington, Area. Filed 9:50 a. m.

Seattle Order 16-F, Amendment 5, covering fresh fruits and vegetables in the Seattle, Tacoma, and Bremerton, Washington Areas. Filed 9:47 a. m.

Seattle Order 16-F, Amendment 6, covering fresh fruits and vegetables in Seattle, Tacoma and Bremerton, Washington Areas. Filed 9:46 a. m.

Seattle Order 17-F, Amendment 4, covering fresh fruits and vegetables in Bellingham and Everett, Washington. Filed 9:47 a. m.

Seattle Order 18-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Washington. Filed 9:47 a. m.

Seattle Order 19-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Washington. Filed 9:48 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. 45-20142; Filed, Oct. 31, 1945;
4:21 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 68-41]

NORTHERN STATES POWER CO.

ORDER AND NOTICE OF ORAL ARGUMENT

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of October, A. D. 1945.

In the matter of H. M. Foster, chairman, V. E. Mikkelson, secretary-treasurer, of Preferred Stockholders' Committee, 6% and 7% preferred stock, Northern States Power Company, a Delaware corporation, File No. 68-41.

H. M. Foster, Chairman, and V. E. Mikkelson, Secretary-Treasurer, of a Committee representing certain 6% and 7% preferred stockholders of Northern States Power Company (Delaware), a registered holding company, having heretofore filed a declaration and amendments thereto regarding the solicitation of authorizations for further representation of the 6% and 7% preferred stockholders of said company in all actions and proceedings relating to such preferred stock in any court or before any governmental agency or body, and also requesting the Commission to issue an order requiring Northern States Power Company (Delaware) to furnish a list of preferred stockholders, or to make such a list available, to said Committee for use in connection with its proposed solicitation;

A public hearing having been held after appropriate notice; Northern States Power Company (Delaware) and its subsidiary, Northern States Power Company (Minnesota), having participated in the proceedings herein and having requested leave to make oral argument and to file briefs;

It appearing to the Commission, after reviewing the record in these proceed-

ings, that said declaration of the Committee, insofar as it relates to the solicitation of authorizations, should be permitted to become effective providing the form of authorization contained in the soliciting material submitted in connection with the said declaration is amended to eliminate therefrom the provision for authorizations with respect to elections;

It further appearing to the Commission that, prior to the entry of any order with respect to the request by the Committee that the Commission direct Northern States Power Company (Delaware) to furnish or make available a list of stockholders, it is appropriate to hear oral argument and to permit the filing of briefs on the question as to whether or not it is necessary or appropriate in the public interest or for the protection of investors or consumers for the Commission to require, pursuant to section 15 (g) of the Public Utility Holding Company Act of 1935, that said company submit a list of its stockholders for examination by the aforesaid Committee or its duly appointed attorney;

It is ordered, That said declaration, insofar as it relates to the solicitation of authorizations, be permitted to become effective without further order, upon the filing of an amendment to the said declaration and the solicitation material submitted in connection therewith, eliminating from the form of authorization the provision contained therein for authorizations with respect to elections.

It is further ordered, That oral argument be held on the 9th day of November, 1945, at 10:30 a. m., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania on the question as to whether or not it is necessary or appropriate in the public interest or for the protection of investors or consumers for the Commission to require that Northern States Power Company (Delaware) submit a list of its stockholders for examination by the applicants or by their duly appointed attorney.

It is further ordered, That any participant desiring to do so may file a brief in the proceedings on or before the date upon which oral argument has been scheduled to be held.

It is further ordered, That the Secretary of the Commission shall serve copies of this order and notice of oral argument by mailing a copy thereof by registered mail to H. M. Foster, Chairman, and V. E. Mikkelson, Secretary-Treasurer, of Preferred Stockholders' Committee, 6% and 7% preferred stock, Northern States Power Company (Delaware), to Northern States Power Company (Delaware) and to Northern States Power Company (Minnesota) and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20135; Filed, Oct. 31, 1945;
2:12 p. m.]

[File No. 52-19]

PORTLAND ELECTRIC POWER CO.

NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 24th day of October 1945.

Order rescinding order and permitting withdrawal of amended plan; notice of filing and notice of and order for hearing on amended plans filed pursuant to section 11 (f) of the act and notice of and order reconvening hearings.

I. Thos. W. Delzell and R. L. Clark, Independent Trustees of Portland Electric Power Company ("PEPCO"), a registered holding company, now in reorganization under Chapter X of the Federal Bankruptcy Act, as amended, in the District Court of the United States for the District of Oregon, having, on September 3, 1942, filed an application for approval of a plan of reorganization for PEPCO, pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935, and thereafter Guaranty Trust Company of New York ("Guaranty"), as Indenture Trustee under the Indenture securing the 6% Collateral Trust Income Bonds of PEPCO, a committee representing certain bondholders and a committee representing certain prior preference stockholders having thereafter filed separate plans of reorganization for PEPCO; and Hearings having been held on said plans after appropriate notice, and the Commission having, on July 1, 1944, issued its findings, opinion and order denying approval to said plans and having in its findings and opinion made suggestions as to the form of plan which the Commission might find to be fair and equitable and otherwise in conformity with the applicable statutory standards (Holding Company Act Release No. 5132); and

Guaranty having on August 28, 1944 and October 20, 1944 filed amended plans of reorganization for PEPCO purporting to conform to the Commission's findings and opinion of July 1, 1944; and The amended plan filed on October 20, 1944 having contained, among other things, certain provisions relating to litigation between PEPCO and its subsidiary, Portland General Electric Company ("PGE") and The Chase National Bank of the City of New York; and

Hearings having been held on said amended plan filed on August 28, 1944 and opportunity for hearing and for the filing of briefs and objections with respect to the amended plan filed on October 20, 1944 having been given; and

The Commission having on December 7, 1944 issued its findings, opinion and order approving the amended plan filed by Guaranty on October 20, 1944 for submission to the District Court of the United States for the District of Oregon subject to certain reservations of jurisdiction (Holding Company Act Release No. 5470); and

Subsequent to said order of the Commission dated December 7, 1944, the District Court of the United States for the District of Oregon having approved the terms of a proposed settlement of litigation between PEPCO and PGE and The

Chase National Bank of the City of New York and Harris Trust & Savings Bank; and

Guaranty having filed a request for rescission of the Commission's order herein of December 7, 1944, and for withdrawal of its second amended plan filed herein on October 20, 1944; and

It appearing to the Commission that it is appropriate that its order herein of December 7, 1944 be rescinded and that the second amended plan of Guaranty filed herein on October 20, 1944 be withdrawn;

It is ordered, That the order of the Commission herein dated December 7, 1944, be, and the same is hereby, rescinded as of this date.

It is further ordered, That the second amended plan of Guaranty Trust Company of New York filed herein on October 20, 1944 be, and the same is hereby, permitted to be withdrawn, without prejudice, however, to the availability and competency of the evidence adduced

in connection with such plan, insofar as it may be relevant and material to the issues now before the Commission.

II. Notice is hereby given that Thos. W. Delzell and R. L. Clark, Independent Trustees of PEPCO, have now filed amended plans of reorganization pursuant to section 11 (f) of the act designated as Amended Plan of Reorganization, First Alternative Amended Plan of Reorganization and Second Alternative Amended Plan of Reorganization.

Notice is further given that Guaranty Trust Company of New York, Indenture Trustee, has also filed a revised plan of reorganization for PEPCO.

All interested persons are referred to said plans, which are on file in the office of the Commission. A brief description of PEPCO and a summarization of the filings follow:

PEPCO was incorporated under the laws of the State of Oregon in 1906. The following corporate chart indicates the companies in the PEPCO system:

Company	Kind of business
Portland Electric Power Co.	Holding company.
Portland General Electric Co.	Holding company and electric utility.
Seattle Gas Co.	Gas utility.
Portland Traction Co.	Traction company.
Cazadero Real Estate Co.	Operation of non-utility properties.
Little White Salmon Land Co. ¹	Development of water rights.
Portland Electric Co. ²	Mortgagor.

¹Inactive.

It is stated that as of June 30, 1945 the capital liabilities of PEPCO were as follows:

Security	Principal amount or par or stated value	Accrued interest or dividends	Total
\$16,157,600 6% collateral trust income bonds	\$16,157,600	\$10,012,432	\$27,070,032
56,824 shares, 7% cumulative prior preference stock, \$100 par	5,682,400	24,972,100	10,174,500
61,963 shares, 6% cumulative first preferred stock, \$100 par	6,196,500	24,729,188	10,925,688
30,353.2 shares, 7.2% cumulative first preferred stock, \$100 par	3,035,320	2,778,628	5,813,948
32,512 shares, \$6 cumulative first preferred stock, no par	3,251,200	2,476,012	5,727,212
3,586 shares, \$6 non-cumulative second preferred stock, \$1 par.	35,860		35,860
988 shares, common stock, \$1 par.	988		988

¹ Of the \$16,157,600 bonds, \$15,597,000 are 1934 bonds which are entitled to interest from March 1, 1934 and \$560,600 are 1937 bonds which are entitled to interest from September 20, 1937. There is excluded from the principal amount of said bonds an aggregate of \$193,000 of 1934 bonds held by PEPCO, PGE and Cazadero, and \$20,000 of 1937 bonds held by Cazadero, which bonds are to be cancelled and not participate in the plan.

² Dividends are in arrears on the prior preference stock from January 1, 1933 and on the first preferred stock from November 1, 1932.

³ Excluding shares held by Cazadero to be cancelled and not to participate in the plan as follows: 1 share of 6% first preferred, 20 2/3 shares of 7.2% first preferred and 4 shares of \$6 first preferred.

Trustees' amended plan. The amended plan of reorganization for PEPCO filed by the Trustees contains the following provisions:

1. It is proposed that PEPCO will continue in existence and will issue approximately 1,000,000 shares of new common stock, all without par value, in lieu of all of its existing prior preference stock and first preferred stock, and all accumulated and unpaid dividends thereon, and of all of its second preferred and common stock. The new common stock will be authorized by an amendment to the company's Articles of Incorporation and the holders of the new common stock will have the right of cumulative voting at all elections of directors.

2. PGE will issue approximately 763,000 shares, all without par value, of additional common stock, to correspond to the number of shares to be issued by PEPCO, without however, any increase in its total capital stock liability, all of

which stock will be held by PEPCO until such time as PGE merges with PEPCO as hereinafter provided.

3. PGE will, as of the effective date of this plan and prior to the distribution of the securities provided for herein, (a) transfer to PEPCO \$93,000 principal amount of 1934 bonds, as a dividend; (b) pay to PEPCO a further dividend in cash of not less than \$725,000, subject to reduction by any amount of regular dividend paid by PGE to PEPCO in the year 1945.

4. PGE will, prior to the consummation of this plan, sell its 13,000 shares of second preferred stock and 1,300 shares of common stock of Seattle Gas Company.

5. PEPCO will, subsequent to the effective date of the plan, acquire the assets of PGE by dissolution or liquidation of PGE with PEPCO, and PEPCO will assume the liabilities of PGE. Said trans-

fer of assets or consolidation to be effected as of January 1, 1943, or with the approval of the Court may be accomplished sooner.

6. PEPCO will endeavor to dispose of its interurban railway properties, and if this is not accomplished prior to the merger with PGE, then PEPCO will convey this property, together with the Center Street Shops and Carhouses, if necessary, to a new corporation, the capital stock of which will be distributed to PEPCO stockholders as a liquidating dividend.

7. Portland Traction Company ("Traction") will issue approximately 500,000 shares of new common stock, all without par value, in lieu of its 131,131 shares of presently outstanding common stock.

8. Traction will, as of the effective date of the plan, pay a special dividend of not less than \$875,000 in cash to PEPCO, which dividend will be in addition to any regular dividend which Traction may pay or may have paid prior to the effective date of the plan, after which the securities of Traction will be distributed as hereinafter provided.

9. Cazadero Real Estate Company ("Cazadero"), will upon the effective date of the plan, (a) pay PEPCO \$172,000 in reduction of its indebtedness; (b) transfer to PEPCO \$54,600 principal amount of PEPCO's bonds held by it and PEPCO will reduce Cazadero's indebtedness by said amount, plus accrued interest thereon; (c) transfer to PEPCO 25 2/3 shares of preferred stock of PEPCO held by it for the sum of \$1,032.35, the book cost to Cazadero and PEPCO will credit Cazadero in a like amount.

10. PEPCO will forgive \$235,000 of its non-current accounts receivable from Cazadero as a capital contribution.

11. PEPCO will hold the outstanding shares of common stock of Cazadero until such time as it is liquidated and dissolved.

12. The assets, if any, of the Little White Salmon Land Company will be transferred to PEPCO and the said Little White Salmon Land Company will be dissolved.

13. The treatment proposed to be accorded the present security holders of PEPCO is as follows:

(a) The holders of the 1934 bonds will receive in full satisfaction for each \$1,000 bond and accrued interest thereon:

- \$200 in cash.
- 40.33 shares of PEPCO new common stock.
- 20.16 shares of Traction new common stock.

(b) The holders of the 1937 bonds will receive in full satisfaction for each \$1,000 bond and accrued interest thereon:

- \$200 in cash.
- 34.69 shares of PEPCO new common stock.
- 17.30 shares of Traction new common stock.

and the holders of the 1937 bonds for each \$500 and \$100 bond will receive a proportionate amount of cash and said securities.

(c) The holders of Prior Preference Stock will receive in full satisfaction for each share of such stock and all accrued unpaid dividends thereon:

- 4.20 shares of PEPCO new common stock.
- 2.10 shares of Traction new common stock.

(d) The holders of First Preferred Stock will receive in full satisfaction for each share of such stock and all accrued and unpaid dividends thereon:

0.90 shares of PEPCO new common stock.
0.45 shares of Traction new common stock.

(e) The plan gives no recognition to the holders of Second Preferred Stock and Common Stock, and provides for the cancellation of such stocks.

(f) It is stated that, if prior to the consummation of the plan, the claim of any holder of bonds or of Prior Preference Stock or First Preferred Stock is subordinated, or if the amount of claim is reduced, by order of the Court, the distribution that otherwise would have been made to such holder will be disposed of in accordance with an order of the Court.

(g) No certificate for fractions of a share of either PEPCO's or Traction's common stock will be issued to holders of bonds or preferred stocks, but in lieu thereof scrip certificates will be issued by PEPCO and Traction, respectively, which shall be calculated to the nearest $\frac{1}{10}$ of a share. Such scrip certificates will entitle the holder to exchange the same, together with other scrip, for full share certificates, and will be non-dividend paying and non-voting, and on such other terms and conditions as may be approved by the Court.

(h) All bonds held by PGE and Cazadero will be transferred to PEPCO and upon the consummation of the plan, PEPCO will cancel all bonds held by it.

(i) The plan states that if the Court determines the values of PEPCO's and Traction's new common stock respectively, to be materially different from the values set forth above, then the allocation to the foregoing security holders will be adjusted accordingly.

14. The plan states that the assets of PEPCO are insufficient to make any provision for holders of Second Preferred Stock or Common Stock of PEPCO; that such holders have no equity in the assets and are not affected by the plan; that the plan gives adequate protection for the realization by the holders of Prior Preference Stock and First Preferred Stock of the values of their respective equities; and that accordingly, if the plan by order of the Court is submitted to any class of stockholders for acceptance, and if the plan is not accepted by the requisite number of such holders, pursuant to section 179 of the Bankruptcy Act, the plan may nevertheless be confirmed by the Court.

15. All creditors of PEPCO, other than bondholders, will be paid in full.

16. All expenses in connection with the plan and its consummation and all costs of administration and other allowances, in such amounts as shall be approved by the Court, will be paid from cash in hands of the Trustees of PEPCO reserved for that purpose.

17. Consummation of the plan will be under the supervision of the Court, which may construe the plan and may cure any defect, supply any omission or reconcile any inconsistency.

Trustees' first alternative amended plan. The provisions of the first alter-

native plan differ from the provisions of the amended plan in that it is proposed that PEPCO will sell and Traction will acquire, as of the effective date of the plan, the Interurban Railway Properties and Center Street Shops for a cash consideration of \$1,250,000. In addition, Traction will issue approximately 600,000 shares of new common stock, all without par value, in lieu of its 131,131 shares of presently outstanding common stock, without, however, any increase in its total stock liability.

The treatment proposed to be accorded the present security holders of PEPCO is as follows:

(a) The holders of the 1934 bonds will receive in full satisfaction for each \$1,000 bond and accrued interest thereon:

\$220.00 in cash.
40.60 shares of PEPCO new common stock.
24.40 shares of Traction new common stock.

(b) The holders of the 1937 bonds will receive in full satisfaction for each \$1,000 bond and accrued interest thereon:

\$220.00 in cash.
34.80 shares of PEPCO new common stock.
20.80 shares of Traction new common stock.

and the holders of the 1937 bonds for each \$500 and \$100 bond will receive a proportionate amount of cash and said securities.

(c) The holders of Prior Preference Stock will receive in full satisfaction for each share of such stock and all accrued and unpaid dividends thereon:

4.25 shares of PEPCO new common stock.
2.60 shares of Traction new common stock.

(d) The holders of the First Preferred Stock will receive in full satisfaction for each share of such stock and all accrued and unpaid dividends thereon:

0.84 shares of PEPCO new common stock.
0.50 shares of Traction new common stock.

Trustees' second alternative amended plan. The provisions of the second alternative plan differ from the provisions of the amended plan in that Traction will issue approximately 469,000 shares of additional common stock, all without par value, without, however, any increase in its total capital stock liability. Also, PEPCO will sell and Traction will acquire, as of the effective date of the plan, the Interurban Railway Properties and Center Street Shops for a cash consideration of \$1,250,000. In addition, Cazadero will transfer to PEPCO in further reduction of its indebtedness any remaining cash which it may have, and then all of its remaining assets (estimated to have a liquidating value of \$185,000) will be transferred to PGE as a capital contribution from PEPCO. Cazadero will thereupon be dissolved. It is further proposed that upon consummation of the above transactions, PEPCO will be dissolved.

The treatment proposed to be accorded the present security holders is as follows:

(a) The holders of the 1934 bonds will receive in full satisfaction for each \$1,000 bond and accrued interest thereon:

\$220 in cash.
41.50 shares of PGE common stock.
25.00 shares of Traction common stock.

(b) The holders of the 1937 bonds will receive in full satisfaction for each \$1,000 bond and accrued interest thereon:

\$220 in cash,
35.50 shares of PGE common stock.
21.30 shares of Traction common stock,

and the holders of 1937 bonds for each \$500 and \$100 bond, respectively, will receive a proportionate amount of cash and said securities.

(c) The holders of Prior Preference Stock will receive in full satisfaction for each share of such stock and all accrued and unpaid dividends thereon:

5.33 shares of PGE common stock.
3.20 shares of Traction common stock.

(d) The holders of First Preferred Stock will receive in full satisfaction for each share of such stock and all accrued and unpaid dividends thereon:

0.23 shares of PGE common stock.
0.125 shares of Traction common stock.

Guaranty's revised plan. Guaranty's revised plan provides for the distribution of PEPCO's assets to its security holders, the dissolution of PEPCO and certain other transactions, all of which are set forth below:

1. The Certificate of Incorporation of Traction will be amended so as to provide for the reclassification of its presently outstanding shares of common stock into the number of shares necessary to carry out the provisions of the plan, without any increase in its total capital stock liability.

2. PEPCO will transfer to Traction, as a contribution, the Interurban Railway properties. Traction will assume all of the obligations of PEPCO and the Independent Trustees. Such transfer is to be made as of such date as the Court may direct.

3. The Certificate of Incorporation of PGE will be amended so as to provide for the reclassification of its presently outstanding common stock into the number of shares necessary to carry out the provisions of the plan without any increase in its total capital stock liability.

4. PEPCO will transfer to PGE, as a contribution, all of its assets for which no express provision is made in the plan with respect to payment, distribution or transfer thereof, after reserving an amount sufficient to pay administration expenses and other allowances.

5. Scrip for fractional shares will be non-dividend paying and non-voting and will be on such other terms and conditions as may be approved by the Court and the Commission.

6. The plan provides that the following treatment be accorded the present security holders of PEPCO:

(a) Holders of 1934 bonds will receive in full satisfaction for each \$1,000 bond and accrued interest thereon:

\$75 in cash.
56 shares of PGE new common stock.
37 shares of Traction new common stock.

(b) Holders of 1937 bonds will receive in full satisfaction for each \$1,000 bond and accrued interest thereon, and a proportionate amount with respect to a principal amount of less than \$1,000:

\$65 in cash.
49 shares of PGE new common stock.
32 shares of Traction new common stock.

(c) Holders of prior preference stock will receive in full satisfaction for each share of such stock and all accrued and unpaid dividends thereon:

3 shares of PGE new common stock.
2 shares of Traction new common stock.

(d) The plan gives no recognition to the holders of first preferred stock, second preferred stock and common stock and provides for the cancellation of such stocks.

(e) The plan states that, if prior to the consummation of the plan, the claim of any holder of bonds or prior preference stock is subordinated, by order of court, to the claim of other security holders, the cash and securities that would be distributed to such holder will be disposed of as the Court may direct.

(f) Bonds held by PEPCO and its subsidiaries, PGE and Cazadero, will, upon consummation of the plan, be cancelled, and the holders of such bonds will not participate.

7. All allowed claims of creditors against PEPCO and the Trustees will be paid in full in cash.

8. All costs and expenses of administration, including reorganization expenses, which may be approved by the Court, will be paid in cash by the Trustees or by PEPCO, as the Court may direct.

9. Consummation of the plan will be under the supervision of the Court and the form of all documents to be executed or issued in connection with the plan will be approved by the Court and Commission. Also, the Court may construe the plan and may cure any defect, supply any omission or reconcile any inconsistency.

10. It is stated that if the plan is not accepted by the requisite number of holders of bonds and by the holders of preferred stock, adequate protection for the realization of the values of their respective claims and equities will be provided in the order confirming the plan.

11. The plan provides that members of the board of directors of PGE and Traction, respectively, as of the effective date of the plan, will remain in office until they or their successors are elected at a regular or special meeting of stockholders to be held subsequent to not less than 60 days nor more than 180 days following the first issuance under the plan of certificates for the respective shares of such corporation. Any stock of PGE and Traction held by any exchange agent will not be voted at any regular or special meeting of stockholders. Each director will be entitled to hold for qualification purposes one or more shares of stock of the corporation of which he is director.

Guaranty requests that the order of the Commission approving the above revised plan of reorganization contain the recitals and other provisions necessary to bring the transactions within the provisions of sections 371 and 1308 (f) of the Internal Revenue Code, as amended.

III. It appearing to the Commission that it is appropriate in the public in-

terest and in the interests of investors and consumers that a hearing be held with respect to the amended plans submitted by the Trustees and with respect to the revised plan filed by Guaranty or any other plan which may be proposed by any person having a bona fide interest in the reorganization (and with respect to any amendments thereof), in accordance with the provisions of section 11 (f) of the act;

It is ordered, That the above entitled proceedings be reconvened and a hearing on such plans, as proposed, or as modified, under the applicable provisions of said act and rules of the Commission thereunder, be held on November 26, 1945 at 10:00 a. m., e. s. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, before William W. Swift, the Trial Examiner heretofore designated, in such room as may be designated on such day by the hearing room clerk in Room 318. At such hearing cause shall be shown why any of the amended plans should be approved.

It is further ordered, That, without limiting the scope of the issues presented by said amended plans, particular attention be directed at such hearing to the following matters and questions:

(1) Whether any of the proposed amended plans herein, as submitted, or as hereafter modified, should be approved as fair and equitable and feasible.

(2) To what extent, if at all, any of the amended plans should be modified or amended to render it fair and equitable and feasible.

(3) Whether, and to what extent, approval of any plan, or of the steps to be taken in consummation thereof, should be conditioned upon future orders of the Commission.

(4) Whether, in the event that the Commission shall not approve any of the proposed amended plans, as filed or as modified, the Commission shall itself propose a plan for the purposes of section 11 (f) of the act and if so, the nature and content of the plan so to be proposed.

(5) Whether the various transactions set forth in connection with the proposed amended plans meet the requirements of applicable sections of the Public Utility Holding Company Act of 1935, particularly sections 7, 10, 11 and 12 thereof and the Rules and Regulations thereunder, and of the Federal Bankruptcy Act, as amended.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on Thos. W. Delzell and R. L. Clark, Independent Trustees of Portland Electric Power Company, the subsidiaries of Portland Electric Power Company, Guaranty Trust Company of New York, Indenture Trustees, the parties who have heretofore entered their appearance herein, or their respective counsel of record, and on the Public Utilities Commissioner of the State of Oregon and the Department of Public Utilities of the State of Washington; and that notice be given to all other persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That any person, who has not heretofore entered his ap-

pearance herein, desiring to be heard or otherwise wishing to participate in these proceedings shall file with the Commission, on or before November 23, 1945, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Thos. W. Delzell and R. L. Clark, Independent Trustees of Portland Electric Power Company, shall give additional notice of said hearing to all known bondholders and stockholders of record of Portland Electric Power Company by causing a copy of this notice and order to be mailed to them at their respective addresses not less than twenty days prior to the date of said hearing.

It is further ordered, That jurisdiction be, and hereby is, reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings, to consolidate with these proceedings other filings or matters pertaining to the plans and to take such other action as may appear conducive to the orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-20133; Filed, Oct. 31, 1945;
2:12 p. m.]

[File Nos. 70-1134, 70-1135, 59-12]

AMERICAN POWER & LIGHT CO. ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of October, A. D., 1945.

In the matter of American Power & Light Company, Texas Utilities Company, File No. 70-1134; American Power & Light Company, Texas Utilities Company and Electric Power & Light Corporation, File No. 70-1135; Electric Bond and Share Company, American Power & Light Company, National Power & Light Company, et al., respondents, File No. 59-12.

American Power & Light Company ("American"), and Electric Power & Light Corporation ("Electric"), registered holding company subsidiaries of Electric Bond and Share Company, also a registered holding company, and American's subsidiary, Texas Utilities Company ("Texas Utilities"), having filed joint declarations and applications and amendments thereto pursuant to the Public Utility Holding Company Act of 1935 and having designated sections 6 (a), 7, 9 (a), 10, 12 (d), and 12 (f) and Rules U-43, U-44 and U-45 thereunder as being applicable to the following transactions:

1. American proposes to transfer to Texas Utilities, a new Texas Corporation organized by American, the common stocks of Texas Power & Light Company ("Texas Power") and Texas Electric

Service Company ("Texas Electric") held by American consisting of 2,500,000 shares (all) of the common stock of Texas Power, 1,704,950 shares (all but 50) of the common stock of Texas Electric, together with options to purchase the said 50 shares of common stock of Texas Electric, and \$17,400,000 in cash in exchange for 2,000,000 shares of the no par common stock of Texas Utilities.

2. Texas Utilities proposes, pursuant to a purchase and sale agreement entered into between American and Electric prior to the organization of Texas Utilities, to purchase 248,433 shares (91%) of the no par value common stock of Dallas Power & Light Company ("Dallas") owned by Electric, for a cash purchase price of \$17,350,000 (\$69.84 per share). Texas Utilities will offer to purchase, at an equivalent price per share, the shares of common stock of Dallas held by others than Electric.

American having unconditionally agreed and stipulated, among other things, that if the Commission enters an order or orders granting the applications and permitting the declarations to become effective, American will within one year from the date of said order or orders (unless the Commission extends such time) sever its relations with Texas Utilities and with Texas Power and Texas Electric and Dallas, which are to be subsidiaries of Texas Utilities, and irrevocably and finally dispose of all its interest, direct or indirect, therein, either by distribution among American's stockholders or by sale, or otherwise, in a manner found by the Commission to be appropriate; and

Texas Utilities having joined in such stipulation and agreement and having undertaken to perform any acts on its part which may be necessary or appropriate to carry out the terms thereof; and

American, Electric, and Texas Utilities having requested that the Commission enter an order in accordance with the requirements of Section 1808 (f) of the Internal Revenue Code and Supplement R thereto, to the effect that the delivery by American of the shares of common stock of Texas Power, and Texas Electric and the payment of \$17,400,000 to Texas Utilities in exchange for the shares of the common stock of Texas Utilities and the issuance and exchange of such shares of common stock by Texas Utilities, and the sale and transfer by Electric to Texas Utilities of the shares of the common stock of Dallas for \$17,350,000 in cash are necessary or appropriate to the integration or simplification of the holding company systems of which Electric and American are members and are necessary or appropriate to effectu-

ate the provisions of section 11 (b) of the act; and

A public hearing having been held after appropriate notice and the Commission having considered the facts and made and filed its opinion herein;

It is ordered, That the joint declarations and applications of American and Texas Utilities and of American and Electric, as amended, be, and they are hereby, granted and permitted to become effective, respectively, forthwith subject to the terms and conditions of the above-mentioned stipulation which is set forth in full in our findings and opinion herein.

In addition to the said stipulation, this order is subject to the terms and conditions prescribed by Rule U-24 and the following further conditions:

(1) That at the time American divests itself of its interests in Texas Utilities, pursuant to the aforementioned stipulation and our order herein, it shall forthwith effect a complete severance of control of Texas Utilities and its subsidiaries, including the termination of all interlocking officerships and directorships between Texas Utilities (and its subsidiaries) and American and other companies in the Electric Bond and Share system and any other relationships, contracts or other arrangements which may aid in the retention of controlling influence.

(2) That the charter of Texas Utilities be amended forthwith to provide for cumulative voting rights for the common stock.

(3) That Texas Utilities undertake to make the necessary adjustments in the carrying value of its investments in Texas Power and Texas Electric to reflect such adjustments as may be required in the accounts of Texas Power and Texas Electric after the filing and review by the Commission of the original cost studies which are being prepared by these companies with respect to their properties.

It is further ordered, That jurisdiction be, and hereby is, specifically reserved with respect to the steps which may be necessary to ensure compliance with condition (1) set forth above and to ensure compliance by American and Texas Utilities with the aforementioned stipulation. Jurisdiction is also reserved with respect to the fees and expenses incurred and to be incurred in connection with the proposed transactions.

It is further ordered, That the delivery by American of 2,500,000 shares of the common stock of Texas Power and 1,704,950 shares of the common stock of Texas Electric and options to purchase 50 shares of such common stock and the payment of \$17,400,000 in exchange for 2,000,000 shares of the common stock of

Texas Utilities and the issuance and exchange of such 2,000,000 shares by Texas Utilities, and the sale and transfer by Electric and the purchase by Texas Utilities of 248,433 shares of the common stock of Dallas for \$17,350,000 are necessary or appropriate to the integration or simplification of the holding company systems of which Electric and American are members and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-20137; Filed, Oct. 31, 1945;
3:12 p. m.]

WAR PRODUCTION BOARD.

[Certificate 93, Revocation]

TRANSPORTATION AND STORAGE OF SPECIFIED MATERIALS

THE ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated July 10, 1943, with respect to Haulage Request TR-2 of the War Production Board relating to the transportation and storage of certain specified materials, and also Amendment 1 thereto dated October 4, 1943, Amendment 2 thereto dated January 29, 1944, and Amendment 3 thereto dated April 21, 1944, such withdrawal to become and be effective December 31, 1945.

Dated: October 24, 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-20170; Filed, Nov. 1, 1945;
10:49 a. m.]

[Certificate 150, Revocation]

FOREIGN PETROLEUM OPERATIONS

THE ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated October 7, 1943, concerning Petroleum Directive 70 of the Petroleum Administration for War, and also Amendment 1 thereto dated May 24, 1944, such withdrawal to become and be effective December 31, 1945.

Dated: October 23, 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-20171; Filed, Nov. 1, 1945;
10:49 a. m.]