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TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Tangerine Reg. 134]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.615 *Tangerine Regulation 134—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines, grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237-5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than February 16, 1953. Shipments of tangerines, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until February 16, 1953; the recommendation and supporting information for continued regulation subsequent to February 15 was promptly submitted to the Department after an open meeting of the Growers Administrative Commit-

tee on February 10; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date of this section.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., February 16, 1953, and ending at 12:01 a. m., e. s. t., March 2, 1953, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 2;

(ii) Any tangerines, grown in the State of Florida, which are of a size smaller than the size that will pack 246 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions $9\frac{1}{2} \times 9\frac{1}{2} \times 19\frac{1}{8}$ inches; capacity 1,726 cubic inches), or

(iii) Any tangerines, grown in the State of Florida, that grade U. S. No. 2 which are (a) of a size larger than the size that will pack 150 tangerines, or (b) of a size smaller than the size that will pack 210 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions $9\frac{1}{2} \times 9\frac{1}{2} \times 19\frac{1}{8}$ inches; capacity 1,726 cubic inches).

(2) As used in this section, "handler," "shp," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 1 Russet," "U. S. No. 2," and "standard pack" shall have the same meaning as when used in the revised United States Standards for Florida Tangerines (§ 51.417 of this title; 17 F. R. 8377).

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(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of February 1953.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-1540; Filed, Feb. 13, 1953; 8:45 a. m.]

[Grapefruit Reg. 170]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA
LIMITATION OF SHIPMENTS

§ 933.616 Grapefruit Regulation 170—

(a) Findings. (1) Pursuant to the

marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237, 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than February 16, 1953. Shipments of grapefruit, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until February 16, 1953; the recommendation and supporting information for continued regulation subsequent to February 15 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on February 10; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) Order. (1) During the period beginning at 12:01 a. m., e. s. t., February 16, 1953, and ending at 12:01 a. m., e. s. t., March 2, 1953, no handler shall ship:

(i) Any white seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet;

(ii) Any pink seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2;

(iii) Any seedless grapefruit, grown in "Regulation Area II," which do not grade at least U. S. No. 2 Russet;

(iv) Any white seedless grapefruit, grown in "Regulation Area I," which do not grade at least U. S. No. 2;

(v) Any pink seedless grapefruit, grown in "Regulation Area I," which do not grade at least U. S. No. 2 Russet;

(vi) Any seeded grapefruit, other than pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(vii) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(viii) Any white seedless grapefruit, grown in "Regulation Area I," that grade U. S. No. 2 or U. S. No. 2 Bright which are (a) of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box, or (b) of a size larger than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(ix) Any white seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or (x) Any pink seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 112 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section, "handler," "variety," "ship," "Regulation Area I," and "Regulation Area II" shall have the same meaning as when used in said amended marketing agreement and order and "U. S. No. 1 Russet," "U. S. No. 2," "U. S. No. 2 Russet," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Florida Grapefruit (§ 51.193 of this title; 17 F. R. 7408)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of February 1953.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 53-1541; Filed, Feb. 13, 1953;
8:45 a. m.]

[Lemon Reg. 471, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA
AND ARIZONA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State

of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and this amendment relieves restriction on the handling of lemons grown in the State of California or in the State of Arizona.

Order as amended. The provisions in paragraph (b) (1) (ii) of § 953.578 (Lemon Regulation 471, 18 F. R. 796) are hereby amended to read as follows:

(ii) District 2, 225 carloads.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of February 1953.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 53-1565; Filed, Feb. 13, 1953;
8:45 a. m.]

[Lemon Reg. 472]

PART 953—LEMONS GROWN IN CALIFORNIA
AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.579 *Lemon Regulation 472—*
(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making

procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on February 11, 1953; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. S. T., February 15, 1953, and ending at 12:01 a. m., P. S. T., February 22, 1953, is hereby fixed as follows:

(i) District 1. 25 carloads;

(ii) District 2: 250 carloads;

(iii) District 3: Unlimited movement.

(2) The prorated base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorated base schedule which is attached to Lemon Regulation 471 (18 F. R. 796) and made a part hereof by this reference.

(3) As used in this section, "handler," "handler," "carloads," "prorate base," "District 1," "District 2," and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of February 1953.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 53-1566; Filed, Feb. 13, 1953;
8:45 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6030]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LEONARDS AND LEE SURPLUS SALES CO. ET AL.

Subpart—*Advertising falsely or misleadingly*: § 3.70 *Fictitious or misleading guarantees*; § 3.85 *Government approval, connection, or standards: Government indorsement: Standards, specifications, or source*; § 3.90 *History of product or offering*; § 3.110 *Indorsements, approval or testimonials*; § 3.130 *Manufacture or preparation*; § 3.155 *Prices—Exaggerated as regular and customary*; § 3.235 *Source or origin—Government*; § 3.245 *Specifications or standards conformance*; § 3.285 *Value*. Subpart—*Claiming or using indorsements or testimonials falsely or misleadingly*: § 2.330 *Claiming or using indorsements or testimonials falsely or misleadingly*. Subpart—*Offering unfair improper and deceptive inducements to purchase or deal*: § 3.1980 *Guarantee, in general*. In connection with the offering for sale, sale or distribution of merchandise in commerce, representing (1) that articles of merchandise are surplus goods of any of the armed services of the United States, or of the Allied Powers, or of any other nation or group of nations, unless such is the fact; (2) that any article or articles of merchandise were purchased, or otherwise acquired, directly or indirectly, from the United States Government, or any branch thereof, or from the Allied Powers, or from any other nation or group of nations, unless such merchandise was in fact so acquired; (3) that any article of merchandise is standard or regulation merchandise of, or meets the specifications or requirements of, any of the armed services of the United States, or of the National Bureau of Standards or any other branch of the United States Government, or of the Allied Powers, or of any other nation or group of nations, unless such is the fact; (4) that any merchandise offered for sale or sold has a retail price in excess of the price at which such merchandise is usually and customarily sold; (5) that any merchandise is guaranteed unless the nature and extent of the guarantee and the manner and form in which the guarantor will perform thereunder are clearly and conspicuously disclosed; or, (6) that binoculars offered for sale were manufactured on Karl Zeiss tools, or on any other well known brand of tools, or are the choice of any of the armed services of the United States, unless such is the fact; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Leonards and Lee Surplus Sales Company et al., Chicago, Ill., Docket 6030, November 6, 1952]

In the Matter of Leonards and Lee Surplus Sales Company, a Corporation, and Nat M. Reznick, Sheldon Leibowitz and Marvin Leibowitz, Individually and as Officers of Said Corporation, and Nat M. Reznick, Sheldon Leibowitz and Marvin Leibowitz, Copartners, Doing Business as Normscope Surplus Sales

This proceeding was instituted by complaint which charged respondents with the use of unfair methods of competition in violation of the provisions of the Federal Trade Commission Act.

It was disposed of, as announced by the Commission's "Notice," dated November 10, 1952, through the consent settlement procedure provided in Rule V of the Commission's rules of practice as follows:

The consent settlement tendered by the parties in this proceeding, a copy of which is served herewith, was accepted by the Commission on November 6, 1952, and ordered entered of record as the Commission's findings as to the facts, conclusion, and order in disposition of this proceeding.

Said order to cease and desist, thus entered of record, following the findings as to the facts¹ and conclusion,¹ reads as follows:

It is ordered, That the respondents, Leonards and Lee Surplus Sales Company, a corporation, and its officers, and Nat M. Reznick, Sheldon Leibowitz and Marvin Leibowitz, individually and as officers of said corporation, and as copartners doing business as Normscope Surplus Sales, or under any other name, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing directly or by implication:

1. That articles of merchandise are surplus goods of any of the armed services of the United States, or of the Allied Powers, or of any other nation or group of nations, unless such is the fact;

2. That any article or articles of merchandise were purchased, or otherwise acquired, directly or indirectly, from the United States Government, or any branch thereof, or from the Allied Powers, or from any other nation or group of nations, unless such merchandise was in fact so acquired.

3. That any article of merchandise is standard or regulation merchandise of, or meets the specifications or requirements of, any of the armed services of the United States, or of the National Bureau of Standards or any other branch of the United States Government, or of the Allied Powers, or of any other nation or group of nations, unless such is the fact;

4. That any merchandise offered for sale or sold has a retail price in excess

of the price at which such merchandise is usually and customarily sold;

5. That any merchandise is guaranteed unless the nature and extent of the guarantee and the manner and form in which the guarantor will perform thereunder are clearly and conspicuously disclosed;

6. That binoculars offered for sale were manufactured on Karl Zeiss tools, or on any other well known brand of tools, or are the choice of any of the armed services of the United States, unless such is the fact.

It is further ordered, That 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.

Issued: November 10, 1952.

By direction of the Commission.

[SEAL] WM. P. GLENDENING, JR.,
Acting Secretary.

[F. R. Doc. 53-1492; Filed, Feb. 13, 1953; 8:50 a. m.]

[Docket 6916]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AMERICAN ASSN. OF ORTHODONTISTS AND T. WALLACE SORRELS

Subpart—*Aiding, assisting and abetting unfair or unlawful act or practice*: § 3.290 *Aiding, assisting and abetting unfair or unlawful act or practice*. Subpart—*Coercing and intimidating*: § 3.389 *Publishers of advertising mediums of competitors*. Subpart—*Combining or conspiring*: § 3.470 *To restrain and monopolize trade*. Subpart—*Cutting off competitors' or others' access to customers or market*: § 3.560 *Interfering generally with distributive outlets*; § 3.565 *Interfering with advertising mediums*. Subpart—*Cutting off competitors' or others' supplies or service*: § 3.613 *Advertising contacts*. I. In or in connection with the offering for sale, sale and distribution in commerce, of supplies, devices and appliances used by dentists in the practice of orthodontia, generally recognized as referring to the regulation of the teeth through the use in the oral cavity of certain supplies, devices and appliances, and on the part of respondent, The American Association of Orthodontists, its officers, etc., and T. Wallace Sorrels, entering into, cooperating in, carrying out or continuing any combination, agreement, understanding or planned common course of action between any two or more of said respondents, or between any one or more of said respondents and others not parties hereto, to (a) attempt to prevent or prevent those engaged in the manufacture and sale of supplies, devices and appliances, used by dentists and orthodontists in the practice of orthodontia from having access to media of advertising serving the dental profession; (b) attempt to prevent or pre-

¹ Filed as part of the original document.

vent dentists from having the benefit of advertising by those engaged in the manufacture and sale of supplies, devices and appliances needed by dentists in the practice of orthodontia; (c) attempt to coerce or coerce and compel by threats of boycott, acts of intimidation and other means, publishers and editors of trade publications in the dental field, or others, from soliciting or publishing advertisements from those engaged in the manufacture and sale of supplies, devices and appliances used by dentists in the practice of orthodontia; or (d) use The American Association of Orthodontists or any successor association, or group, as an instrumentality or medium for carrying on and making effective any of the aforesaid acts and practices; and, II, knowingly contributing, on the part of each of said members of said association, and on the part of respondent T. Wallace Sorrels, to the accomplishment of any of the aforesaid acts, practices or things; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, The American Association of Orthodontists et al., White Plains, N. Y., Docket 6016, November 6, 1952]

This proceeding was instituted by complaint which charged respondents with the use of unfair methods of competition in violation of the provisions of section 5 of the Federal Trade Commission Act.

It was disposed of, as announced by the Commission's "Notice," dated November 10, 1952, through the consent settlement procedure provided in Rule V of the Commission's rules of practice as follows:

The consent settlement tendered by the parties in this proceeding, a copy of which is served herewith, was accepted by the Commission on November 6, 1952, and ordered entered of record as the Commission's findings as to the facts, conclusion, and order in disposition of this proceeding.

Said order to cease and desist, thus entered of record, following the findings as to the facts¹ and conclusion,² reads as follows:

It is ordered, That the respondents, The American Association of Orthodontists, a corporation, its officers, directors and members, and T. Wallace Sorrels, directly or indirectly, in or in connection with the offering for sale, sale or distribution in commerce, between and among the several States of the United States, and in the District of Columbia, of supplies, devices and appliances used by dentists in the practice of orthodontia,² do forthwith cease and desist from entering into, cooperating in, carrying out or continuing any combination, agreement, understanding or planned common course of action between any two or more of said respondents, or between

any one or more of said respondents and others not parties hereto, to do or perform any of the following acts or things:

(a) Attempting to prevent or preventing those engaged in the manufacture and sale of supplies, devices and appliances used by dentists and orthodontists in the practice of orthodontia² from having access to media of advertising serving the dental profession.

(b) Attempting to prevent or preventing dentists from having the benefit of advertising by those engaged in the manufacture and sale of supplies, devices and appliances needed by dentists in the practice of orthodontia.²

(c) Attempting to coerce or coercing and compelling by threats of boycott, acts of intimidation and other means, publishers and editors of trade publications in the dental field, or others, from soliciting or publishing advertisements from those engaged in the manufacture and sale of supplies, devices and appliances used by dentists in the practice of orthodontia.²

(d) Using The American Association of Orthodontists or any successor association, or group, as an instrumentality or medium for carrying on and making effective any of the aforesaid acts and practices.

It is further ordered, That each of the respondents members of respondent The American Association of Orthodontists and T. Wallace Sorrels do forthwith cease and desist from knowingly contributing to the accomplishment of any of the acts, practices, or things prohibited in paragraphs (a) to (d), inclusive, of this order.

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.

Issued: November 10, 1952.

By direction of the Commission.

[SEAL] WM. P. GLENDENING, JR.,
Acting Secretary.

[F. R. Doc. 53-1493; Filed, Feb. 13, 1953; 8:51 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

BIOLOGICAL DRUGS THAT CONTAIN ANTIBIOTICS

By virtue of the authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. 357) the regulations for certification of antibiotic and antibiotic-containing drugs (21 CFR, 1951, Supp., 146) are amended as indicated below:

Part 146 is amended by adding the following new section:

§ 146.83 *Biological drugs that contain antibiotics*. Biological drugs that contain penicillin, streptomycin, dihydrostreptomycin, aureomycin, bacitracin, or chloramphenicol, and the purpose of the antibiotic is for use only as a preservative and the biological drug is conspicuously so labeled, shall be exempt from the requirements of sections 502 (1) and 507 of the act, if such drugs are licensed under the Public Health Service Act of July 1, 1944 (58 Stat. 682; 42 U. S. C. 201 et seq.) or under the Virus-Serum-Toxin Act of March 4, 1913 (37 Stat. 832; 21 U. S. C. 151 et seq.)

This order, which provides for exemption from certification of biological drugs that contain penicillin, streptomycin, dihydrostreptomycin, aureomycin, bacitracin, or chloramphenicol, if the antibiotic is used only as a preservative and the biological drug is conspicuously so labeled, provided such drugs are licensed under the Public Health Service Act of July 1, 1944, or under the Virus-Serum-Toxin Act of March 4, 1913, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industry will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay providing for the aforesaid amendment.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371)

Dated: February 11, 1953.

[SEAL] OVETA CULP HOBBY,
Administrator

[F. R. Doc. 53-1406; Filed, Feb. 13, 1953; 8:52 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes [T. D. 5984, Regs. 111]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

REMOVAL OF 5 PERCENT LIMITATION IN DEDUCTION OF MEDICAL EXPENSES FOR TAXPAYERS AGED 65 OR OVER

On December 2, 1952, notice of proposed rule making, regarding amendments to conform Regulations 111 (26 CFR Part 29) to section 307 of the Revenue Act of 1951, approved October 20, 1951, was published in the FEDERAL REGISTER (17 F. R. 10869). No objection to the rules proposed having been received, the amendments to Regulations 111 set forth below are hereby adopted.

PARAGRAPH 1. There is inserted immediately preceding § 29.23 (x)-1 the following:

SEC. 307. MEDICAL EXPENSES (REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951).

(a) *Amendment of section 23 (x)*. Section 23 (x) (relating to medical, dental, etc., expenses) is hereby amended to read as follows:

¹ Filed as part of the original document.

² It is generally recognized that the words "orthodontic" and "orthodontia" refer to the regulation of the teeth through the use in the oral cavity of certain supplies, devices and appliances.

(x) *Medical, dental, etc., expenses.* Expenses paid during the taxable year, not compensated for by insurance or otherwise, for medical care of the taxpayer, his spouse, or a dependent specified in section 25 (b) (3)—

(1) If neither the taxpayer nor his spouse has attained the age of 65 before the close of the taxable year, to the extent that such expenses exceed 5 per centum of the adjusted gross income; or

(2) If either the taxpayer or his spouse has attained the age of 65 before the close of the taxable year, (A) the amount of such expenses for the care of the taxpayer and his spouse, and (B) the amount by which such expenses for the care of such dependents exceed 5 per centum of the adjusted gross income.

The deduction under this subsection shall not be in excess of \$1,250 multiplied by the number of exemptions allowed under section 25 (b) for the taxable year (exclusive of exemptions allowed under section 25 (b) (1) (B) or (C)), with a maximum deduction of \$2,500, except that the maximum deduction shall be \$5,000 in the case of a joint return of husband and wife under section 51 (b). The term "medical care" as used in this subsection, shall include amounts paid for the diagnosis, cure, mitigation, treatment, or prevention of disease, or for the purpose of affecting any structure or function of the body (including amounts paid for accident or health insurance). The determination of whether an individual is married at any time during the taxable year shall be made in accordance with the provisions of section 51 (b) (5).

(b) *Effective date.* The amendment made by this section shall be applicable with respect to taxable years beginning after December 31, 1950.

PAR. 2. Section 29.23 (x)—1, as amended by Treasury Decision 5687, approved February 16, 1949, is further amended as follows:

(A) By striking therefrom paragraph (c) and inserting in lieu thereof the following:

(c) In the case of medical expenses for the care of a person who is the taxpayer's spouse or dependent, the deduction under section 23 (x) is allowable if the status of such person as "spouse" or "dependent" of the taxpayer exists either at the time the expenses were incurred or at the time the payment of the expenses was made. Thus, payments made in June 1942, by A, for medical services rendered B, his wife, in 1941 may be deducted by A for 1942 even though prior to payment for that year B died or secured a divorce; and payments made in July 1942, by C for medical services rendered D in 1941 may be deducted by C for 1942 even though C and D were not married until June 1942. However, with respect to taxable years beginning after December 31, 1950, the status of a person as the "spouse" of the taxpayer must exist as of the close of the taxable year of the taxpayer in which either the expenses were incurred or the payment was made, or, in the case of the death of the spouse in either such year, as of the time of such death. In determining whether such status exists a taxpayer who is legally separated from his spouse under a decree of separate maintenance is not considered as married.

(B) By inserting in the first sentence of paragraph (e) immediately following "after December 31, 1943," the following: "and before January 1, 1951,"

(C) By striking the last sentence of paragraph (e) and inserting in lieu thereof the following new paragraphs (f) and (g) and by redesignating present paragraphs (f) (g) and (h) as paragraphs (h) (i) and (j)

(f) For taxable years beginning after December 31, 1950, there is no 5 percent limitation on the deduction for medical expenses, not compensated for by insurance or otherwise, expended for the care of taxpayer or his spouse, where either the taxpayer or his spouse has attained the age of 65 before the close of the taxable year. In such cases the taxpayer may deduct (subject to the maximum deduction allowable as described in this section for taxable years beginning after December 31, 1947) (1) The amount of all payments for the medical care of the taxpayer and his spouse; and (2) the amount by which his payments for the medical care of his dependents exceeds 5 percent of his adjusted gross income. In determining the amount of medical expenses deductible under subparagraph (2) of this paragraph (see section 23 (x) (2) (B)) the amount deductible under subparagraph (1) of this paragraph (see section 23 (x) (2) (A)) shall not be included for the purpose of meeting the 5 percent limitation. (For computations illustrating this rule, see examples (6) and (7) at the end of this section.) In determining the age of an individual for the purposes of the unlimited deduction of medical payments for old age, the last day of the taxable year of the taxpayer is the controlling date. Thus, a taxpayer who has not attained the age of 65 at the end of the taxable year may not claim the unlimited deduction with respect to payments made for the medical care of himself or his spouse if the spouse dies before attaining the age of 65 even though such spouse would have attained the age of 65 before the close of the taxable year of the taxpayer.

(g) The deduction for medical expenses shall not be deemed to have been allowed for any taxable year for which the taxpayer claimed and was allowed the standard deduction under section 23 (aa)

(D) By inserting after example 5 the following:

Example (6). Taxpayer E, who attained the age of 65 years on February 22, 1951, makes his return on the basis of the calendar year. During the year 1951, E has adjusted gross income of \$8,000, and pays the following medical bills: (a) \$240 (3% of adjusted gross income) for the medical care of himself and his spouse, and (b) \$320 (4% of adjusted gross income) for the medical care of his dependent son. The allowable deduction under section 23 (x) is \$240. No deduction is allowable for the amount of \$320 paid for medical care of the dependent son since the amount of such payment (determined without regard to the payments for the care of the taxpayer and his spouse) does not exceed 5 percent of adjusted gross income.

Example (7). H and W make a joint return for the calendar year 1951 on which four exemptions are allowed (exclusive of exemptions under section 25 (b) (1) (B) or (C)), one for each taxpayer and two for their dependent minor children. W became 65 years of age on August 15, 1951. The adjusted gross income of H and W in 1951 is \$40,000 and they pay in such year the

following amounts for medical care: (a) \$1,600 for the medical care of H; (b) \$2,500 for the medical care of W; and (c) \$3,500 for the medical care of the children. The allowable deduction under section 23 (x) for medical expenses paid in 1951 is \$5,000 computed as follows:

Payment for medical care of H and W in 1951	\$4,000
Payment for medical care of children in 1951	\$3,500
Less 5 percent of \$40,000 (adjusted gross income)	2,000
	1,500
Maximum allowable deduction in 1951	5,000

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

[SEAL] JUSTIN F. WINKLE,
Acting Commissioner
of Internal Revenue.

Approved: February 10, 1953.

ELBERT P. TUTTLE,
Acting Secretary of the Treasury.

[F. R. Doc. 53-1509; Filed, Feb. 13, 1953; 8:53 a. m.]

[T. D. 5935; Regs. 111]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

MISCELLANEOUS AMENDMENTS

On November 11, 1952, notice of proposed rule making with respect to exchanges or distributions in obedience to orders of the Securities and Exchange Commission was published in the FEDERAL REGISTER (17 F. R. 10263) No objections to the proposed rules having been received, Regulations 111 (26 CFR Part 29) are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.373-1 the following:

SEC. 338. EXCHANGES AND DISTRIBUTIONS IN OBEDIENCE TO ORDERS OF SECURITIES AND EXCHANGE COMMISSION (REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951).

(a) *Definition of system group.* Section 373 (d) (1) (relating to the definition of the term "system group") is hereby amended to read as follows:

(1) At least 80 per centum of each class of the stock (other than (A) stock which is preferred as to both dividends and assets, and (B) stock which is limited and preferred as to dividends but which is not preferred as to assets but only if the total value of such stock is less than 1 per centum of the aggregate value of all classes of stock which are not preferred as to both dividends and assets) of each of the corporations (except the common parent corporation) is owned directly by one or more of the other corporations; and.

(b) *Effective date.* The amendment made by subsection (a) shall be applicable with respect to taxable years affected by an exchange or distribution made after December 31, 1947.

PAR. 2. Section 29.373-1 (d) is amended as follows:

(A) By amending the headnote thereof to read as follows:

(d) "System group"—(1) *Taxable years affected by an exchange or dis-*

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tribution made before January 1, 1948.

(B) By striking from the first sentence thereof "The term 'system group' is defined" and inserting in lieu thereof the following: "For taxable years affected by an exchange or distribution made before January 1, 1948, the term 'system group' is defined"

(C) By adding at the end thereof the following subparagraph (2)

(2) *Taxable years affected by an exchange or distribution made after December 31, 1947* For taxable years affected by an exchange or distribution made after December 31, 1947, the term "system group" is defined in section 373 (d) to mean one or more chains of corporations connected through stock ownership with a common parent corporation, if at least 90 percent of each class of stock (other than (i) stock which is preferred as to both dividends and assets, and (ii) stock which is limited and preferred as to dividends but which is not preferred as to assets but only if the total value of such stock is less than 1 percent of the aggregate value of all classes of stock which are not preferred, as to both dividends and assets) of each of the corporations (except the common parent corporation) is owned directly by one or more of the other corporations, and if the common parent corporation owns directly at least 90 percent of each class of stock (other than stock preferred as to both dividends and assets) of at least one of the other corporations; but no corporation is a member of a system group unless it is either a registered holding company or a majority-owned subsidiary company. While the type of stock which must, for the purpose of this definition, be at least 90 percent owned may be different from the voting stock which must be more than 50 percent owned for the purpose of the definition of a majority-owned subsidiary company under section 373 (c) as a general rule both types of ownership tests must be met under section 373 (d) since a corporation, in order to be a member of a system group, must also be a registered holding company or a majority-owned subsidiary company.

(53 Stat. 32; 26 U. S. C. 62)

[SEAL] JUSTIN F WINKLE,
Acting Commissioner
of Internal Revenue.

Approved: February 10, 1953.

ELBERT P TUTTLE,
Acting Secretary of the Treasury.

[F. R. Doc. 53-1501; Filed, Feb. 13, 1953;
8:53 a. m.]

[T. D. 5986; Regs. 130]

PART 40—EXCESS PROFITS TAX; TAXABLE
YEARS ENDING AFTER JUNE 30, 1950

EXCLUSION FROM EXCESS PROFITS NET IN-
COME DERIVED FROM FOREIGN SOURCES
OF CERTAIN INCOME

On December 16, 1952, notice of proposed rule making with respect to amendments of Regulations 130, § 40.433

(a)-2 (m), relating to the exclusion from excess profits net income of certain income derived from foreign sources, was published in the FEDERAL REGISTER (17 F. R. 11366) After consideration of such relevant suggestions as were presented by interested persons regarding the proposals, the amendments to Regulations 130 (26 CFR Part 40) set forth below are hereby adopted:

PARAGRAPH 1. Section 40.433 (a)-2, as amended by Treasury Decision 5973, approved January 16, 1953, is further amended by striking out all of paragraph (m) and substituting in lieu thereof the following:

(m) (1) Under section 433 (a) (1) (M) there shall be excluded income derived from sources within any foreign country to the extent that such income—

(i) But for monetary, exchange, or other restrictions imposed by such foreign country, or

(ii) But for the taxpayer's election to defer the reporting of such income under a method of accounting, approved by the Commissioner, applicable to income which could not be readily converted into United States dollars or into other money or property readily convertible into United States dollars,

would have been includible in the gross income of the taxpayer for any taxable year which preceded its first taxable year ended after June 30, 1950. If such income is includible in the gross income of the taxpayer for a taxable year succeeding the first taxable year ended after June 30, 1950, and, but for such restrictions or such election, would have been includible in the gross income of the taxpayer for its first taxable year ended after June 30, 1950, and if such first taxable year began prior to July 1, 1950, such income shall be excluded in an amount which is the same proportion of such income as the number of days prior to July 1, 1950, in such first taxable year is of the total number of days in such first taxable year. Deductions properly chargeable and allocable to the income excluded under section 433 (a) (1) (M) shall not be allowed.

(2) For the purpose of this paragraph:

(i) The term "blocked foreign income" means income derived from sources within any foreign country during any taxable year which would, but for the restrictions or the election described in subparagraph (1) of this paragraph, have been includible in the gross income of the taxpayer for such taxable year.

(ii) The term "unblocked foreign income" means income which was "blocked foreign income" during the taxable year in which it was derived from sources within any foreign country, but which becomes includible in the gross income of the taxpayer for any subsequent taxable year, whether as a result of the removal of such restrictions, or of such income becoming readily convertible into United States dollars or into other money or property readily convertible into United States dollars, or for other reasons.

(3) In cases where unblocked foreign income cannot be specifically identified as the blocked foreign income or portion thereof of a particular taxable year, the

determination whether unblocked foreign income from sources within any foreign country has become includible in the gross income of the taxpayer for a taxable year ending after June 30, 1950, and the determination of the taxable year in which any such unblocked foreign income would have been includible but for the restrictions or the election, shall be made in accordance with the following rules:

(i) The aggregate amount includible in gross income for the taxable year in respect of income derived from sources within such foreign country shall first be deemed attributable to the income derived from sources within such foreign country during such taxable year. To the extent that such unblocked foreign income is attributable to income so derived during the taxable year, such unblocked foreign income shall not be excluded under section 433 (a) (1) (M)

(ii) The amount of such unblocked foreign income in excess of the portion thereof attributable to income derived from sources within such foreign country during such taxable year under the rule stated in subdivision (i) of this subparagraph shall be deemed to be attributable to the earliest blocked foreign income derived from sources within such foreign country, which blocked foreign income has not been previously deemed unblocked in a prior taxable year. Such excess shall be excluded under section 433 (a) (1) (M) only to the extent of the aggregate of the blocked foreign income derived from sources within such foreign country in all taxable years beginning prior to July 1, 1950, but such aggregate shall be reduced by the proportion of the blocked foreign income derived from sources within such foreign country during the taxpayer's first taxable year ending after June 30, 1950, if such taxable year began prior to July 1, 1950, as the number of days after June 30, 1950, in such first taxable year is of the total number of days in such first taxable year.

In determining whether unblocked foreign income which becomes includible in the gross income of the taxpayer for a taxable year ending after June 30, 1950, can be specifically identified as attributable to the blocked foreign income or portion thereof derived from sources within such foreign country in a particular taxable year, effect shall be given to the previous application of the rules in subdivisions (i) and (ii) of this subparagraph to unblocked foreign income derived from sources within such foreign country which became includible in gross income of the taxpayer for a prior taxable year ending after June 30, 1950.

(53 Stat. 32, 467; 26 U. S. C. 62, 3791. Interprets or applies 64 Stat. 1142; 26 U. S. C. Sup. 433)

[SEAL] JUSTIN F WINKLE,
Acting Commissioner of
Internal Revenue.

Approved: February 10, 1953.

ELBERT P TUTTLE,
Acting Secretary of the Treasury.

[F. R. Doc. 53-1502; Filed, Feb. 13, 1953;
8:54 a. m.]

[T. D. 5983; Regs. 130]

PART 40—EXCESS PROFITS TAX; TAXABLE YEARS ENDING AFTER JUNE 30, 1950

EXCESS PROFITS CREDIT OF REGULATED PUBLIC UTILITIES ENTITLED TO BENEFITS OF SECTION 448 OF THE INTERNAL REVENUE CODE

On June 27, 1952, a notice of proposed rule making was published in the FEDERAL REGISTER (17 F. R. 5772) to conform Regulations 130 (26 CFR, Part 40) to sections 513 and 514 of the Revenue Act of 1951, approved October 20, 1951, and to express in greater detail the regulations under section 448 of the Internal Revenue Code, relating to the excess profits credit of regulated public utilities. After consideration of all relevant matter presented by interested persons regarding the rules proposed, the amendments to Regulations 130 set forth below are hereby adopted.

PARAGRAPH 1. There is inserted immediately preceding § 40.448-1 the following:

SEC. 513. EXCESS PROFITS CREDIT—REGULATED PUBLIC UTILITIES (REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951).

Section 448 (c) (3) (relating to regulated public utilities) is hereby amended to read as follows:

(3) 6 per centum in the case of a corporation engaged as a common carrier (A) in the furnishing or sale of transportation by railroad, if subject to the jurisdiction of the Interstate Commerce Commission, or (B) in the furnishing or sale of transportation of oil or other petroleum products (including shale oil) by pipe line, if subject to the jurisdiction of the Interstate Commerce Commission or if the rates for such furnishing or sale are subject to the jurisdiction of a public service or public utility commission or other similar body of the District of Columbia or of any State.

SEC. 514. CONSOLIDATED RETURNS OF REGULATED PUBLIC UTILITIES (REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951).

Section 448 (e) (relating to consolidated returns of regulated public utilities) is hereby amended by adding at the end thereof the following new sentence: "For purposes of filing a consolidated return with its railroad lessee corporation, a railroad lessor corporation described in section 434 (d) (without regard to the requirement of payment of the lessor's taxes by the lessee) shall be considered a corporation described in subsection (c) (3)."

SEC. 523. EFFECTIVE DATE OF TITLE V (REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951).

* * * the amendments made by this title (including sections 513 and 514) shall be applicable only with respect to taxable years ending after June 30, 1950.

PAR. 2. Section 40.448-1 is amended by adding at the end thereof the following: "For rules applicable to consolidated returns of affiliated corporations which include regulated public utilities, see § 29.141-1 of this chapter (Regulations 111) and see Part 24 of this chapter (Regulations 129) "

PAR. 3. Section 40.448-2 is amended as follows:

(A) By striking paragraph (a) (3) and inserting in lieu thereof the following:

(3) A corporation engaged as a common carrier (i) in the furnishing or sale of transportation by railroad, if subject to the jurisdiction of the Interstate Commerce Commission, or (ii) in the furnishing

ing or sale of transportation of oil or other petroleum products (including shale oil) by pipe line, if subject to the jurisdiction of the Interstate Commerce Commission or if the rates for such furnishing or sale are subject to the jurisdiction of a public service or public utility commission or other similar body of the District of Columbia or of any State.

(B) By redesignating paragraphs (b), (c) and (d) thereof as paragraphs (d), (e) and (f) respectively.

(C) By striking the last sentence of paragraph (a) and inserting in lieu thereof the following: "For the purpose of this section, the term 'a corporation engaged in the furnishing or sale' includes a corporation (i) whose operations are an integral part of 'the furnishing or sale' of a product or service described in section 448 (c) and this section by an interconnected and coordinated public utility system or systems and (ii) whose rates for furnishing products or services to the system or systems are established or approved by a regulatory body described in this paragraph under the same type of regulation applicable to the system or systems for the products or services described in section 448 (c) and this section."

(D) By adding paragraphs (b) and (c) to read as follows:

(b) *Rates.* (1) If a schedule of rates has been filed with any regulatory body described in paragraph (a) of this section having the power to disapprove such rates, then such rates shall be considered as established or approved rates for the purpose of paragraph (a) of this section even though such body has taken no action on the filed schedule.

(2) Rates fixed by contract between the public utility and the purchaser, except where the purchaser is the United States, a State, the District of Columbia, or an agency or political subdivision of the United States, a State, or the District of Columbia, shall not be considered as established or approved rates for the purpose of paragraph (a) of this section in those cases where they are not subject to direct control, or where no maximum rate for such contract rates has been established, by the United States, a State, the District of Columbia, or by any agency or political division thereof. But-see subparagraph (3) of this paragraph.

(3) If the taxpayer establishes to the satisfaction of the Commissioner that its revenue from regulated rates described in subparagraph (1) or (4) of paragraph (a) of this section and from unregulated rates are derived from its operation of a single interconnected and coordinated system or from its operation of more than one such system, and that an unregulated rate applicable in the operation of such system or systems has been and is substantially as favorable to users and consumers as a comparable regulated rate applicable in the operation of such system or systems, the revenue from such unregulated rate shall be considered, for the purpose of paragraph (a) of this section, as income derived from sources described in subparagraph (1) or (4) of paragraph (a) of this section. For the purpose of determining whether or not an unregulated rate has

been and is substantially as favorable to users and consumers as a comparable regulated rate, due consideration shall be given to the factors recognized by the regulatory body described in paragraph (a) of this section under whose jurisdiction the comparable regulated rate is established or approved.

(c) *By-products and residual products.* If by-products or residual products are a direct and necessary incident to the furnishing of products or services described in section 448 (c) and if the revenue from such by-products or residual products is applied in reduction of the cost of furnishing the products or services described in section 448 (c) or is otherwise reflected in the rates established or approved by the regulatory body for such products or services, then the revenue from such by-products or residual products shall be considered as derived from sources described in section 448 (c).

(E) By striking subparagraph (2) of paragraph (e) thereof (as redesignated by Item (B) above) and by substituting therefor the following:

(2) In the case of a corporation described in paragraph (a) (1) (i) or (ii) (2) or (4) of this section, if the corporate books of account are maintained in accordance with systems of accounts prescribed by an appropriate regulatory body (or, if not so prescribed, are maintained in accordance with the uniform systems of accounts prescribed by the Federal Power Commission or the National Association of Railway and Utility Commissioners), the adjusted invested capital for such taxable year shall be the sum of the average outstanding common and preferred capital stock, accounts for the taxable year and the average capital and earned surplus accounts for the taxable year, as properly recorded on the corporate books of account. The following rules shall apply for the purpose of this paragraph:

(i) The determination of the adjusted invested capital for any taxable year shall be made without regard to the profits or loss for such taxable year computed in accordance with such system of accounts and without regard to distributions out of the profits for such taxable year so computed. In determining whether a distribution is out of the profits for the taxable year, such profits shall be computed as of the close of such taxable year without diminution by reason of any distribution made during such taxable year or by reason of the income and excess profits tax for such taxable year and the determination shall be made without regard to the amount of the profits at the time the distribution was made.

(ii) The term "an appropriate regulatory body" as used in this section means a regulatory body described in section 448 (c) (1) and in paragraph (a) (1) of this section, under whose jurisdiction the corporation operates.

(iii) The average of any account (such as the common stock account or the capital surplus account) shall be the sum, divided by the number of days in the taxable year, of the amount of such account as of the beginning of each day of the taxable year.

(iv) If the adjusted invested capital for any taxable year is computed by the method prescribed by this paragraph, the taxpayer must attach a statement to its return for such taxable year setting forth all the facts which require the use of such method.

PAR. 4. Section 40.448-3 is amended as follows:

(A) By changing the cross reference in paragraph (a) thereof from "§ 40.448-2 (c)" to "§ 40.448-2 (e)" by changing the cross reference in paragraph (c) thereof from "§ 40.448-2 (d)" to "§ 40.448-2 (f)" and by changing the cross reference in paragraph (d) thereof from "§ 40.448-2 (b)" to "§ 40.448-2 (d)";

(B) By adding at the end of paragraph (a) thereof the following:

* * * In case the corporation is described in § 40.448-2 (a) (1) (2) (3) or (6) and is also described in § 40.448-2 (a) (4) or (5) the computation under the preceding sentence shall be as follows:

(1) A first amount shall be computed by applying a 6 percent rate to the sum of the items specified in the preceding sentence;

(2) A second amount shall be computed by applying a one percent rate to the sum of the items specified in the preceding sentence;

(3) There shall be added to the first amount so much of the second amount as the ratio of the gross income from the operations described in § 40.448-2 (a) (4) and (5) bears to the total gross income from the operations described in § 40.448-2 (a)

For the purpose of this paragraph gross income shall be computed without regard to dividends and capital gains and losses. (53 Stat. 32, 467; 26 U. S. C. 62, 3791)

[SEAL] JUSTIN F. WINKLE,
Acting Commissioner
of Internal Revenue.

Approved: February 10, 1953.

ELBERT P. TUTTLE,
Acting Secretary of the Treasury.
[F. R. Doc. 53-1499; Filed, Feb. 13, 1953;
8:53 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Overriding Regulation 3, Revision 1,
Amdt. 2]

GOR 3—EXEMPTIONS AND SUSPENSIONS OF CERTAIN RUBBER, CHEMICAL AND DRUG COMMODITY TRANSACTIONS

ADDITIONAL EXEMPTIONS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Amendment 2 Revision 1 of General Overriding Regulation 3 is hereby issued.

STATEMENT OF CONSIDERATIONS

The President of the United States has announced that he does not intend to

ask for a renewal of price control authority on April 30, 1953, when the present legislation expires. He has stated that in the meantime steps will be taken to eliminate controls in an orderly manner. The Office of Price Stabilization has been instructed to proceed accordingly.

This amendment to General Overriding Regulation 3, Revision 1, is one of the actions by which OPS is carrying out that instruction.

GOR 3, originally issued to provide for exemption of certain limited rubber, chemical and drug commodity transactions, was revised on January 28, 1953, to provide a single listing of rubber, chemical and drug commodity transactions as to which changing conditions justified suspension or removal of price ceilings. A similar general regulation has been issued for each of the major commodity areas. Since these regulations are generally familiar to the sellers affected, the actions removing controls will utilize the convenient pattern already thus provided, and will be in the form of amendments adding additional groups of items which are to be exempted from price control.

This amendment exempts from price control sales at all levels of distribution of rubber raw materials, commodities composed of rubber and certain services performed by or in connection with the rubber industry. Among such commodities exempted from control are such familiar consumer goods as automobile tires and tubes, rubber footwear, rubber coated fabrics, apparel, bathing caps, drug, medical, surgical and other sundries, matting, and flooring. Also exempted from price control are rubber raw materials including imported crude natural rubber and latex, synthetic rubber, reclaimed rubber and scrap rubber. Among the industrial commodities exempted hereby are such products as V-belts, belting, hose and tubing, sponge rubber products, thread, hard rubber products, friction tape, rubber automotive and machinery parts.

This amendment further provides that those rubber commodities for which price ceilings have previously been suspended are now exempt from price control.

This amendment also continues the requirements heretofore in effect under the applicable regulations respecting preservation of records as to past transactions.

In view of the special nature and basis of this amendment, consultation with industry representatives was impracticable and unnecessary.

AMENDATORY PROVISIONS

GOR 3, Revision 1, is amended in the following respects:

1. Section 20 is hereby amended by adding at the end thereof the following: "However any record relating to a commodity exempted from price control which you were required to have immediately prior to such exemption shall continue to be preserved, and made available for examination by the Office of Price Stabilization or any other authorized agency of the United States, in

the manner and for the period stipulated in the regulation requiring you to have such record."

2. Section 23 is hereby amended by adding a new paragraph to read as follows:

(b) All sales of rubber materials, services and rubber commodities:

(1) Rubber materials.

Natural Crude Rubber and natural rubber latices.

Synthetic rubber and latices, including but not limited to, GR-S, neoprene, butyl, nitril and thiolol types.

Reclaimed rubber ("Reclaimed rubber" means all kinds, grades, and qualities of the rubber material recovered from any vulcanized scrap rubber).

Scrap rubber.

Milled and calendered compounds.

Chlorinated and cyclized rubber.

(2) Rubber services.

Tire mileage—the rental and servicing of tires for taxi, bus, truck and other fleet operators.

Master-batching, custom reclaiming and custom master-batching services formerly covered by CFR 58, and milled and calendered compounding.

Job-coating of fabrics.

(3) Rubber commodities.

Tires and tubes. All sales, including those to private brand owners and U. S. Government agencies, of all types of new and used pneumatic tires and tubes for original equipment and replacement use, semi-pneumatic and solid industrial and agricultural tires.

Basic tire carcasses, recapped and retreaded tires.

Footwear, vulcanized as a unit.

Rubber and high styrene heels and soles.

Stationers' bands.

Erasers.

Drug, medical, surgical, dental, veterinary and mortuary rubber sundries.

Gloves, including dipped fabric gloves.

Bathing caps.

Thread, bare and covered.

Friction tape and rubber tape.

V-belts.

Flat rubber belting.

Chute and laundry lining.

Hose and tubing.

Linings and coverings for tanks, tank cars, pipe, pipe fittings, paper mill rolls, steel mill rolls, industrial rolls, propeller shafts and other industrial equipment.

Hard rubber products, including battery separators and molded goods.

Latex foam sponge products, formerly suspended under section 33.

Chemically blown sponge products.

Sponge rubber rug underlay of any type.

Rubberized fiber and hair cushioning.

Tile and flooring and accessories.

Mats and matting.

Hydraulic brake cups and boots.

Typewriter platens and rolls.

Graphic arts products including printers' and engravers' gums, offset blankets and newspaper blankets.

Camelback and tire and tube repair materials.

Fabrics coated with a continuous film of rubber, synthetic rubber, pyroxylin, cellulose ester, cellulose ether, synthetic resin, oxidizable oil or combinations thereof, including artificial leather made from non-woven fibrous products, oilcloth, bookcloth and window-shade cloth, as well as job coating and combined fabrics. Unsupported sheeting ("Unsupported sheeting" means a pliable unsupported continuous film of rubber, synthetic rubber, polyvinyl chloride resin or combinations thereof, having a gauge thickness of not less than

10 mills. For the purpose of this regulation, polyvinyl chloride resin means a polymer or copolymer, the main constituent of which is vinyl chloride in the amount of not less than 80 percent by weight).

Cements, liquid compounds and dispersions. Dipped goods, not elsewhere listed.

Apparel not normally sewed as part of the assembly operations.

Sheet, slab and cut stock.

Pressure sensitive tape.

Sheet packing, including compressed rubber and asbestos sheet.

Jar rings.

Life rafts, pontoons, buoys, and other flotation equipment.

Balloons, all types.

Air bags, utility bags, bellows, safety helmets and masks, sleeves, diaphragms and other hand made products vulcanized as a unit.

Bearings.

Brake linings.

Latex covered products such as baskets, buckets, dippers, funnels.

Molded, extruded and cut rubber goods not elsewhere listed.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective February 12, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 12, 1953.

[F. R. Doc. 53-1570; Filed, Feb. 12, 1953; 5:13 p. m.]

[General Overriding Regulation 7, Revision 1, Amdt. 20]

GOR 7—EXEMPTIONS AND SUSPENSIONS OF CERTAIN FOOD AND RESTAURANT COMMODITIES

FATS, OILS, SOAPS, CLEANSERS, DETERGENTS, POULTRY AND EGGS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to General Overriding Regulation 7, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

The President of the United States has announced that he does not intend to ask for a renewal of price control authority on April 30, 1953, when the present legislation expires. He has stated that in the meantime steps will be taken to eliminate controls in an orderly manner. The Office of Price Stabilization has been instructed to proceed accordingly.

This amendment to General Overriding Regulation 7, Revision 1 (GOR 7) is one of the actions by which OPS is carrying out that instruction.

GOR 7 was issued to provide a single listing of certain food and restaurant commodities as to which changing conditions justified suspension or removal of price ceilings. A similar general regulation has been issued for each of the major commodity areas. Since these regulations are generally familiar to the sellers affected, the actions removing controls will utilize the convenient pattern already thus provided, and will be in the form of amendments adding additional groups of items which are to be exempted from control.

This amendment exempts from price control, at all levels of distribution, the following additional items:

1. All fats and oils, including shortening, lard, salad oils, salad dressings and mayonnaise; but excluding margarine.

2. All poultry, game and eggs;

3. All soaps, cleansers and detergents.

In view of the special nature and basis of this amendment, consultation with industry representatives, including trade association representatives, was impracticable and unnecessary. In the judgment of the Director, this amendment complies with the applicable provisions of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

General Overriding Regulation 7, Revision 1, is amended in the following respects:

1. Paragraph (1) of section 2 is amended to read as follows:

(1) *Poultry and eggs.* Poultry, game and eggs, sold in the continental United States.

2. Section 2 is amended by adding new paragraphs (n) and (o) to read as follows:

(n) *Fats and oils.* Except for sales made in the territories and possessions, fats and oils, including shortening, lard, salad oils and dressings, and mayonnaise; but excluding margarine.

(o) *Cleansers.* Soaps, cleansers and synthetic detergents.

3. Paragraph (b) of section 4 is amended to read as follows:

(b) *Ceiling Price Regulations.* Ceiling Price Regulations 6, 10, 11, 23, 24, 25, 26, 65, 74, 78 as supplemented, 79, 85, 92, 101, 109, 129 and 134.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup., 2154)

Effective date. This amendment is effective February 12, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 12, 1953.

[F. R. Doc. 53-1571; Filed, Feb. 12, 1953; 5:13 p. m.]

[General Overriding Regulation 8, Amdt. 10]

GOR 8—PAPER, PAPERBOARD, CONVERTED PAPER AND PAPERBOARD PRODUCTS, ALLIED PRODUCTS AND SERVICES

GENERAL DECONTROL OF PULP, PAPER AND PAPERBOARD COMMODITIES AND SERVICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 10 to General Overriding Regulation 8 is hereby issued.

STATEMENT OF CONSIDERATIONS

The President of the United States has announced that he does not intend to ask for a renewal of price control authority on April 30, 1953, when the present legislation expires. He has stated that in the meantime steps will be taken to eliminate controls in an

orderly manner. The Office of Price Stabilization has been instructed to proceed accordingly.

This amendment to GOR 8 is one of the actions by which OPS is carrying out that instruction.

GOR 8 was issued to provide a single listing of certain commodities and related services of the Pulp, Paper and Paperboard Branch of the Forest Products Division as to which changing conditions justified suspension or removal of price ceilings. A similar general regulation has been issued for each of the major commodity areas. Since these regulations are generally familiar to the sellers affected, the actions removing controls will utilize the convenient pattern already thus provided, and will be in form of amendments adding additional groups of items which are to be exempted from price control.

This amendment exempts from price control all of the commodities and related services hitherto remaining subject to price control under the jurisdiction of the Pulp, Paper and Paperboard Branch, including those which had been previously only suspended from price control.

This amendment also expressly continues the requirements heretofore in effect under the applicable regulations respecting preservation of records as to past transactions.

In view of the special nature and basis of this amendment, consultation with industry representatives was impracticable and unnecessary.

AMENDATORY PROVISIONS

General Overriding Regulation 8 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. Sales of commodities and services exempted from price control. (a) All pulp, paper, paperboard and allied commodities and services covered by the Forest Products Division of the Office of Price Stabilization, and sold in the continental United States, such as, but not limited to, waste materials, pulpwood, matches, woodpulp, paper, paperboard and converted paper and converted paperboard, and printing are hereby exempted from price control.

(b) Any record, relating to a pulp, paper, paperboard or allied commodity or service exempted from price control, which you were required to have immediately prior to such exemption shall continue to be preserved and made available for examination by the Office of Price Stabilization or any other authorized agency of the United States, in the manner and for the period stipulated in the regulation requiring you to have such record.

2. Section 2 is hereby deleted.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective February 12, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 12, 1953.

[F. R. Doc. 53-1572; Filed, Feb. 12, 1953; 5:14 p. m.]

[General Overriding Regulation 9, Amdt. 40]

GOR 9—EXEMPTIONS OF CERTAIN INDUSTRIAL MATERIALS AND MANUFACTURED GOODS

CERTAIN FERROUS AND NONFERROUS METALS AND NONMETALLIC MINERALS, METAL SCRAP SECONDARY NONFERROUS METAL, IRON ORE, CERTAIN BUILDING MATERIALS AND CONSTRUCTION SERVICES, CASTINGS, FORGINGS AND MACHINERY AND EQUIPMENT RENTALS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 40 to General Overriding Regulation 9 is hereby issued.

STATEMENT OF CONSIDERATIONS

The President of the United States has announced that he does not intend to ask for a renewal of price control authority on April 30, 1953, when the present legislation expires. He has stated that in the meantime steps will be taken to eliminate controls in an orderly manner. The Office of Price Stabilization has been instructed to proceed accordingly.

This amendment to GOR 9 is one of the actions by which OPS is carrying out that instruction.

GOR 9 was issued to provide a single listing of industrial materials and manufactured goods as to which changing conditions justified suspension or removal of price ceilings. A similar general regulation has been issued for each of the major commodity areas. Since these regulations are generally familiar to the sellers affected, the actions removing controls will utilize the convenient pattern already thus provided, and will be in form of amendments adding additional groups of items which are to be exempted from price control.

This amendment exempts from price control certain ferrous and nonferrous metals and non-metallic minerals, metal scrap, secondary nonferrous metal, iron ore, certain building materials and construction services, castings, forgings and machinery and equipment rentals.

This amendment further provides that all industrial materials and manufactured goods for which price ceilings have previously been suspended are now exempt from price control.

This amendment also expressly continues the requirements heretofore in effect under the applicable regulations respecting preservation of records as to past transactions.

In view of the special nature and basis of this amendment, consultation with industry representatives was impracticable and unnecessary.

AMENDATORY PROVISIONS

1. Section 2 (a) of General Overriding Regulation 9 is amended by the addition of the following:

(40) *Certain non-ferrous metals and non-metallic minerals.* Sales of the following non-ferrous metals and non-metallic minerals:

Andalusite.
Antimony metal.
Antimony (needle).

Antimony residues.
Antimony sulphides (metals).
Aplite.
Asbestos textile products (cable, filters, cloth, tape, lapp, yarn, roving, wick, thread, listing, tubing, rope, cord).
Babbitt metal scrap.
Baddeleyite.
Barite (barytes or barium sulphate).
Barium metal.
Bismuth.
Boron carbide (abrasive grain).
Borosil.
Bortam.
Brucite (when used for magnesium metal).
Cadmium, metallic (primary, secondary anodes, special shapes, bars, sticks, other straight and flat forms).
Cadmium scrap.
Carollina stone.
Casting metal (lead base).
Celestite.
Cerium.
Chalk (bulk).
Clays (activated, ball, bleaching, china, paper, slip, stoneware):
Cornwall stone.
Corundum.
Diamond dust.
Diamonds (industrial).
Diatomite (diatomaceous earth).
Die cast scrap and die cast slab.
Drilling mud.
Emery.
Engraver's plates (zinc).
Feldspar.
Flint (except cigarette lighter).
Fluorspar (ceramic and metallurgical grades).
Frit.
Gallium.
Garnet.
Gasket metal (lead).
Germanium.
Gilsonite.
Gold ores and concentrates.
Gold semi-fabricated (except dental gold).
Graphite products (except for electrical uses).
Greensand.
Ground mica.
Halloysite.
Himemite.
Iridium metal (waste, and products except jewelry).
Kieselguhr.
Lead (antimonial).
Lead bars.
Lead (bullet, rod or wire).
Lead bullion.
Lead flashing sheet.
Lead (metallic).
Lead net or seine.
Lead ores and concentrates.
Lead ores-royalties.
Lead pipe and sheet (antimonial, chemical, tellurium, and tellurium antimonial).
Lead pipe (tin lined).
Lead powder.
Lead (primary).
Lead residues.
Lead scrap.
Lead (secondary, including caulking lead).
Lead shot (drop shot, buckshot, chilled).
Lead tape.
Lead wire.
Lithium compounds.
Lithium metal.
Lithium ores and concentrates.
Magnesium and magnesium alloy ingot.
Magnesium ingot (remelt).
Magnesium ingot (secondary).
Magnesium mill products (sheet, strip, rod, tubing, plate and shapes).
Magnesium rerolling slabs and powder.
Magnesium scrap.
Masurium.
Meerschbaum.
Mesothorium.
Monazite (rare earths).
Mullito.
Olivine.
Optical calcite (Iceland spar).
Osmium metal (waste and products except jewelry).
Perlite.
Pewter and pewter scrap.
Phosphate rock.
Falladium metal (waste and products except jewelry).
Platinum metal (waste and products except jewelry).
*Pumice.
Pumicite.
Quartz crystals.
Radium.
Roofing gradules.
Rottenstone.
Ruthenium metal (waste and products except jewelry).
Selenium.
Sepiolite.
Shale.
Silvaz alloy.
Silver scrap.
Silver (semi-fabricated alloys, wire sheet, blanks, circles, solders, brazing alloys, silverclad metals, silver inlays, etc.).
Slate flour.
Solder and babbitt metal containing silver.
Solder (pig, bar, wire).
Solder residues.
Strotlanite.
Thorium (rare earths).
Tin ores and concentrates.
Tin primary (pig and special shapes).
Tin residues.
Tin (sheet, pipe, bar, extruded products, pulverized, tape and anodes).
Trippol.
Type metal residues.
Type metals (electrotype, linotype, monotype, stereotype).
Vermiculite.
Volcanic ash.
Whiting (chalk).
Witherite.
Zinc anodes and special shapes.
Zinc base alloys (primary, secondary).
Zinc dross.
Zinc dust.
Zinc lithographers' plates.
Zinc metallic.
Zinc (milling, smelting, refining).
Zinc ores and concentrates.
Zinc ores-royalties.
Zinc (primary slab).
Zinc residues.
Zinc rolled products (sheet, strip, plate, etc.).
Zinc scrap.
Zircon.
Bentonite.
Quartzite.
Canister.
Wollastonite.
Porophyllite.
Indium.

(41) *Castings.* Sales of "castings" which includes any product produced from molten metal or alloy which is formed in a mold or die and on which no further operations are performed, except cleaning, snagging, rough grinding, inspecting, testing, rough drilling, or machining only for the purpose of inspecting or cleaning, including any such product upon which further operations are performed, but only if the product is designed solely to meet the buyer's specifications. It specifically includes cast rolling mill rolls whether or not such rolls are sold by the manufacturer of the rolling mill machinery.

(42) *Forgings.* Sales of "forgings" including any ferrous or non-ferrous metal product formed by the use of power-hammers, presses, upsetters or forging machines upon which no further opera-

tions are performed, except basic cleaning, trimming, sizing, coning, rough grinding, and rough drilling or machining only for the purpose of inspecting or cleaning. It also includes any such product which has been further finished by heat treating, welding, machining, plating or other similar operations to meet the buyer's specifications. It does not include forgings which are components, repair parts or subassemblies of a machine when sold by the manufacturer of that machine.

(43) *Collapsible tubes.* Sales of "collapsible tubes" including fabricated aluminum, tin, lead and tin-lead alloy collapsible tubes, and the service of converting tin, lead and tin-lead alloy into collapsible tubes.

(44) *Construction services.* Services including any transaction in which the seller furnishes labor service, or any combination of labor, materials and services under contract (express or implied) for building, highway, heavy railroad and miscellaneous construction. This includes the installation or incorporation of materials or equipment into a building, structure, or construction project, or on a right of way, either in new or additional construction, or otherwise; the removal of materials or equipment therefrom; or the repair, remodeling or alteration of an existing building or structure or construction project; the installation, modification and repair of production and processing facilities, whether or not connected with building construction and shop fabrication by the installer of materials to be installed by him in connection with any of the foregoing. This does not include transactions covered by CFR 156.

(45) *Paints, varnishes and lacquers.* Sales of paints, mixed and ready for use or in dry or paste form; varnishes, including spirit varnishes but not including shellac gum; lacquers and lacquer thinner; fillers, putty and caulking compounds; paint and varnish removers; "water-proofing" compounds, excepting metallic compounds, but including roof coating and roof cements; artists' oils and water colors; enamels; and top dressings.

(46) *Metal cap and crown closures.* Sales of metal caps used as screw, lug, vacuum and friction closures for commercial glass containers; metal home canning closures, including one-piece metal screw caps and two-piece closures consisting of a metal screw-band and a cap with flowed-on rubber seal; crown closures which are metallic caps produced by punch press operation, from one quarter pound steel tin plate or one-half pound black sheet steel, containing a gas tight cork liner; and all "extras" supplied by the manufacturer of the cap or closure, such as lithographing, printing, coloring, coating and packaging.

(47) *Window glass.* Sales of window glass; also referred to as "sheet glass" including common window glass, thin glass, and heavy or crystal sheet glass, both flat and bent; and any crating or packaging for the shipment thereof supplied by the manufacturer.

(48) *Glass containers.* Sales of empty glass containers manufactured for

use in the commercial packing, packaging, bottling or similar accommodation of products such as foods, drugs, household and industrial products, chemicals, toiletries and cosmetics, and alcoholic and non-alcoholic beverages; and empty glass containers manufactured for use in home canning; and glass prescription ware.

(49) *Prefabricated structures.* Sales of "prefabricated structures" when made predominately of wood or metal, designed as shelters for persons, animals or goods, and as shelters for commercial and industrial activities, but not including fabricated steel industrial erections or installations. The term "prefabricated structure" applies to parts and components fabricated in a factory in such form that construction or erection thereof into a pre-designed structure requires merely the assembling and uniting the standardized parts, and components at the construction site.

(50) *Metal scrap and secondary non-ferrous metals.* Sales of metal scrap and secondary nonferrous metals. "Secondary nonferrous metals" means any refined metal or alloy, other than iron and steel, in the production of which twenty-five percent or more of the metal used is nonferrous scrap.

(51) *Iron ore.* Sales of iron ore.

(52) *Rental of certain machinery and equipment.* All rental of machinery and equipment listed in Appendix A to CFR 30 or Appendix A to CFR 67.

2. Items (1) through (8) in section 2 (b) of GOR 9 are hereby added to the listing in section 2 (a), and redesignated as subparagraphs (53) through (60) respectively.

3. Section 2 (b) is hereby deleted.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. O. App. Supp. 2154)

Effective date. This amendment shall become effective February 12, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 12, 1953.

[F. R. Doc. 53-1573; Filed, Feb. 12, 1953; 5:14 p. m.]

[General Overriding Regulation 12,
Revision 1]

GOR 12—EXEMPTION OF CERTAIN FUEL
PRODUCTS

Pursuant to the Defense Production Act of 1950, as amended (Public Law 774, 81st Cong.), Executive Order 10161 (F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this General Overriding Regulation 12, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

The President of the United States has announced that he does not intend to ask for a renewal of price control authority on April 30, 1953, when the present legislation expires. He has stated that in the meantime steps will be taken to eliminate controls in an orderly manner. The Office of Price Stabilization has been instructed to proceed accordingly.

This revision of GOR 12 is one of the actions by which OPS is carrying out that instruction.

GOR 12 was issued to provide a single listing of certain fuels and related commodities as to which changing conditions justified removal of price ceilings. A similar general regulation has been issued for each of the major commodity areas. Since these regulations are generally familiar to these sellers affected, the actions removing controls will utilize the convenient pattern already thus provided, and will be in the form of amendments adding additional groups of items which are to be exempted from price control. In this instance, because of several changes which are being made in the body of the regulation aimed at simplification and standardization in relation to other general overriding regulations, the action takes the form of a revision of GOR 12.

This revised GOR 12 exempts from price control the following additional fuel products: All sales heretofore subject to CFR-13 (retail sales of petroleum products), all sales heretofore subject to CFR 17 except Number 2 heating oil (gasolines, naphthas, fuel oils and liquefied petroleum gases, natural gas, petroleum gas, casinghead gas and refinery gas) all sales subject to CFR-32 (crude oil) all sales heretofore subject to CFR-63 (lubricating oil, greases, waxes, and certain other petroleum products), and all sales heretofore subject to CFR-66 (asphalt and asphalt products)

This revised regulation also expressly continues the requirements heretofore in effect under the applicable ceiling price regulations respecting preservation of records as to past transactions.

In view of the special nature and basis of this revised regulation, consultation with industry representatives was impracticable and unnecessary.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Exemptions.
3. Exempt Products or Transactions (Solid Fuels).
4. Exempt Products or Transactions (Petroleum).

Authority: Sections 1 to 4 Issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.

SECTION 1. *What this regulation does.* This regulation exempts all sales of the products and related services hereinafter listed from any ceiling price regulation issued by the Director of Price Stabilization.

Sec. 2. *Exemptions.* No ceiling price regulation issued by the Director of Price Stabilization shall apply to the products or related services listed in Sections 3 and 4 of this regulation. However, any record relating to a commodity or service exempted from price control which you were required to have immediately prior to such exemption shall continue to be preserved, and made available for examination by the Office of Price Stabilization or any other authorized agency of the United States, in the manner and

for the period stipulated in the regulation requiring you to have such record.

Sec. 3. Exempt products or transactions (solid fuels) (a) Sales by producers or distributors of Pennsylvania anthracite when sold and delivered under the trade name, "Anthraflit," for use as a filter medium.

(b) Sales by producers or distributors of bituminous coal when sold and delivered as seacoal facing for use on a non-fuel basis in the preparation of molds for castings.

(c) Sales by producers or distributors of Pennsylvania anthracite when sold and delivered under the trade name "Philterkol," a specially prepared anthracite used as a medium in hot process filtration.

Sec. 4. Exempt products or transactions (petroleum) (a) All retail sales of petroleum products covered by CPR-13 and the supplements thereto, except number 2 heating oil.

(b) With the exception of Number 2 heating oil, all sales of gasolines, naphthas, fuel oils, and liquefied petroleum gases, natural gas, petroleum gas, casing-head gas and refinery gas covered by CPR-17.

(c) All sales of crude oil covered by CPR-32.

(d) All sales of lubricating oils, greases, waxes, and certain other petroleum products covered by CPR-63.

(e) All sales of asphalt and asphalt products covered by CPR-66.

Effective date. This General Overriding Regulation 12, Revision 1 shall become effective February 12, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 12, 1953.

[F. R. Doc. 53-1574; Filed, Feb. 12, 1953; 5:14 p. m.]

[Ceiling Price Regulation 34, Supplementary Regulation 41]

CPR 34—SERVICES

SR 41—WINDOW WASHING SERVICES IN CHICAGO, ILLINOIS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 41 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 41 to Ceiling Price Regulation 34 permits a uniform increase in ceiling prices for window washing services supplied within the limits of the City of Chicago, Illinois, by sellers located there.

A study of the operating costs and profit margins of a representative number of such sellers reveals that increased labor and material costs have impaired their pre-Korean earnings. Effective November 1, 1952, these suppliers granted their employees a six cent per hour wage increase, and six paid holidays whereas there were no paid holidays before, with the result that the earnings of these sup-

pliers will be further impaired. It has been well established that direct labor costs in this industry generally amount to from 60 to 80% of selling price. Very small wage increases, therefore, result in almost immediate financial hardship for these service businesses.

The amount granted herein has been determined to be the minimum necessary to maintain the financial stability of these suppliers of window washing services in order to assure a continued supply of these essential services.

Under the provisions of this supplementary regulation, the charges of these suppliers of window washing services may be increased by 8 percent. This uniform increase was determined in accordance with the standards for individual adjustment under section 20 of Ceiling Price Regulation 34.

In the future, suppliers of window washing services subject to this supplementary regulation may not obtain an adjustment of their ceiling prices for their window washing services under section 20 of Ceiling Price Regulation 34. In addition adjustments granted under that section are automatically revoked as of the effective date of this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization, the increases permitted by this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Applicability of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY. Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.

SECTION 1. Purpose. This supplementary regulation permits suppliers of window washing services located in the city of Chicago, Illinois, to increase their ceiling prices for window washing services, rendered within the limits of that city, by 8 percent.

Sec. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the provisions of this supplementary regulation, shall remain in effect.

Sec. 3. Adjustment of ceiling prices. If you are located within, and supply window washing services within, the limits of the City of Chicago, Illinois, you may increase your ceiling prices for such services by 8 percent.

Sec. 4. Applicability of section 20 of Ceiling Price Regulation 34. (a) A seller subject to this supplementary regulation may not, after the effective date of this supplementary regulation, apply for an adjustment of any of his ceiling prices, covered by this supplementary regulation, under section 20 of Ceiling Price Regulation 34, as amended.

(b) The adjustment of ceiling prices granted by section 3 of this supplementary regulation shall be the maximum adjustment permitted any such supplier of such services in lieu of, and irrespective of, any adjustment heretofore granted any such supplier in respect of such services under the provisions of Ceiling Price Regulation 34, as amended. Any order adjusting the ceiling prices of any such supplier's window washing services, rendered in the City of Chicago, Illinois, under section 20 of Ceiling Price Regulation 34, as amended, is hereby revoked as of the effective date of this supplementary regulation.

Sec. 5. Definitions. (a) "Window washing services" as used in this supplementary regulation, means the washing and cleaning of sash, casement, and plate glass windows, glass partitions, and glass doors.

Effective date. This supplementary regulation is effective February 13, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 13, 1953.

[F. R. Doc. 53-1601; Filed, Feb. 13, 1953; 11:15 a. m.]

[Ceiling Price Regulation 34, Supplementary Regulation 42]

CPR 34—SERVICES

SR 42—LINEN AND DIAPER SUPPLY SERVICES IN WHEELING, WEST VIRGINIA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 42 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 42 to Ceiling Price Regulation 34 permits an increase in the ceiling prices of linen and diaper supply services furnished by linen and diaper suppliers in Wheeling, West Virginia.

An analysis of the operating costs and profit margins of sellers who provide all of the linen and diaper supply services in the area reveals that they are suffering an impairment of their pre-Korean earnings as a result of increased costs of operation resulting from wage increases, replacement of worn out, and obsolete equipment, and higher costs of materials.

Under the provisions of this supplementary regulation, ceiling prices of linen and diaper suppliers in Wheeling, West Virginia, may be increased by 8 percent, such adjustment to be applied to the total amount of each invoice rendered to the customer and identified as the "OFS permitted price increase", or, at the option of the individual linen and

diaper supplier, the established flat price for each article may be increased 8 percent. The adjusted flat price must, within ten days after determination, be filed with the appropriate Office of Price Stabilization District Office as required by section 18 of Ceiling Price Regulation 34, as amended.

The uniform increase has been determined in accordance with the standards for individual adjustments under section 20 of Ceiling Price Regulation 34, as amended.

Linen and diaper suppliers subject to this supplementary regulation may not, after the effective date of this supplementary regulation, obtain an adjustment of their ceiling prices under section 20 of Ceiling Price Regulation 34, as amended. In addition, adjustments previously granted under that section are automatically revoked upon the effective date of this supplementary regulation.

In the formulation of this supplementary regulation, the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Application of section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5, issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR 1950 Supp.

SECTION 1. Purpose. This supplementary regulation permits linen and diaper suppliers located in Wheeling, West Virginia, to increase the ceiling prices of their linen and diaper supply services by 8 percent. This supplementary regulation shall not apply to any other services supplied by such linen and diaper suppliers.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, except as affected by the provisions of this supplementary regulation, shall remain in effect.

SEC. 3. Adjustment of ceiling prices. You may, to the extent you furnish linen and diaper supply services from locations in Wheeling, West Virginia, increase your ceiling prices by 8 percent for linen and diaper supply services thus supplied by either of the following methods:

(a) You may apply such adjustment to the total amount of each invoice rendered to the customer, provided you shall

clearly write or stamp beside the adjustment on each invoice the words "OFS permitted price increase" If you use this method of applying your price increase you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34, as amended.

(b) You may in lieu of the method provided in paragraph (a) of this section, increase by 8 percent the flat price of each linen and diaper supply service article. Within ten days after your prices are established under this paragraph you must prepare and file with your district office of the Office of Price Stabilization a supplemental statement as required by section 18 of Ceiling Price Regulation 34. You may not establish prices under paragraph (a) of this section once you have elected to establish prices under this paragraph.

(c) If the increase calculated in paragraphs (a) and (b) of this section results in a fraction of a cent, the ceiling price must be decreased to the next lower cent if the fractional cent is less than one-half cent, or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. (a) No seller of linen and diaper supply services subject to this supplementary regulation, may, after the effective date of this regulation, apply for an adjustment of any of his ceiling prices for linen and diaper supply services under section 20 of Ceiling Price Regulation 34, as amended. All orders establishing ceiling prices of any seller of linen and diaper supply services subject to this supplementary regulation issued under either section 20 (a) (b) or (c) of Ceiling Price Regulation 34, as amended, are hereby revoked, upon the effective date of this regulation.

SEC. 5. Definitions. (a) As used in this supplementary regulation the term:

(1) "Linen supply services" means the supplying to others, on a rental basis, of clean laundered linen or garments by the owner of these items. The term "linen" as used in this definition, is not confined to articles made of linen textiles, but includes articles consisting of any fabric which are commonly laundered as distinguished from being dry cleaned.

(2) "Diaper supply services" means the supplying to retail customers on a rental basis, of clean laundered diapers by the owner of these items.

Effective date. This supplementary regulation is effective February 13, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 13, 1953.

[F. R. Doc. 53-1602; Filed, Feb. 13, 1953; 11:15 a. m.]

[General Ceiling Price Regulation, Supplementary Regulation 133]

GCPR, SR 133—CEILING PRICE OF BERYLLIUM COPPER MASTER ALLOY

Pursuant to the Defense Production Act of 1950, as amended, Executive Or-

der 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 133 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation establishes a ceiling price for beryllium copper master alloy.

Beryllium copper master alloy is an important alloying material principally alloyed in materials used in the defense program. The beryllium used in this alloy is derived from beryl ore, ninety percent of which is imported from Brazil and South Africa. Since the beginning of the Korean hostilities, the price of this imported ore has increased over 100 percent. To secure the continued importation of this ore, its price has been exempted under the provisions of General Overriding Regulation 9. The producers of beryllium copper master alloy have had to absorb this continually increasing cost in the production of their product. It has been represented to this Agency that unless price relief is granted, the master alloy can no longer be produced. The price set forth in this regulation is considered the minimum sufficient to secure the continued production of beryllium copper master alloy.

The provisions of either Supplementary Regulation 125 to the General Ceiling Price Regulation or General Overriding Regulation 35 shall not apply to this material and only the adjustments allowed by this Supplementary Regulation may be taken. The provisions of these regulations, permit an adjustment in ceiling price for the primary copper content of the master alloy. This supplementary regulation establishes a ceiling price for the primary copper content of the master alloy which is not less than the price which would be received under the provisions of the above mentioned regulations.

In the formulation of this regulation, there has been consultation with industry representatives, including trade representatives, to the extent practicable and full consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Ceiling price.
3. Applicability of other regulations.

AUTHORITY: Sections 1 to 3 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. What this supplementary regulation does. This supplementary regulation establishes a ceiling price for beryllium copper master alloy. Beryllium copper master alloy is an alloy of copper and beryllium containing about four percent beryllium and 96 percent copper.

SEC. 2. Ceiling price. The ceiling price for beryllium copper master alloy is the sum of 37.72 cents multiplied by the number of pounds of beryllium contained in the quantity of alloy sold and 29.3

2 Item 91 of Schedule A of Rent Regulation 2 is amended to read as follows:

State and name of defense rental area	Class	County or counties in defense rental area under regulation	Maximum rent date	Effective date of regulation
Illinois (01) Champaign Vermilion	B C	In OHAMPAIGN COUNTY the villages of Ludlow and Hantoul do	Mar 1, 1942 Aug 1 1952	Sept 1 1942 Jan 8 1953

3 Item 267 of Schedule A of Rent Regulation 1 and Rent Regulation 2 is amended to read as follows:

State and name of defense rental area	Class	County or counties in defense rental area under regulation	Maximum rent date	Effective date of regulation
Pennsylvania (207) Pittsburgh	B	In ALLEGHENY COUNTY, the cities of Clairton, Duquesne, McKeesport and Pittsburgh, the townships of Aleppo, Baldwin, East Deer, Elizabeth, For ward Hamar, Harrison, Indiana, Leet, Neville, Rich land, Sewickley, South Fayette, South Versailles, Springdale, Stowe, West Deer, and Wilkins, the bor oughs of Asplawh, Baldwin, Blawnox, Brackenridge, Braddock, Braddock Hills, Brentwood, Bridgeville, Carnegie, Castle Shannon, Coraopolis, Dravosburg, East McKeesport, East Pittsburgh, Homestead, Leesdale, McDonald, McKees Rocks, Millvale, Mount Oliver, Munhall, North Braddock, Pitcairn, Port Vue, Rankin, Sharpsburg, Springdale, Swissvale, Taron tum, Trafford, Turtle Creek, Verona, Versailles, Wall West Elizabeth, West Homestead, West Millin, White Oak and Wilmerding, and all unincorporated localities in ALLEGHENY COUNTY, except those in the townships of Crescent, Franklin, Hampton, Moon, Mount Lebanon, North Fayette, Ohio, Penn and Shaler, and the boroughs of Bethel, Churchhill, Elizabeth, Ingram, Rosslyn Farms and Wilkinsburg; in ARMSTRONG COUNTY, the township of Phe, and the boroughs of Ford City, Kftaning, North Apollo and West Kftaning, and all unincorporated localities; in BEAVER COUNTY, the townships of Center, Hanover, Harmony and Fetter, and the boroughs of Aquilla and Monaca, and that part of BEAVER COUNTY north and east of the Ohio River (except the townships of Economy and Brighton and the bor oughs of Atholridge and Beaver), and all unincorpo rated localities in BEAVER COUNTY, except those in the township of Brighton and the borough of Beaver; in BUTLER COUNTY, the cities of Connellsville and Uniontown, the townships of Dunbar, Franklin, Galt, Hamery, Redstone and Washington, the bor oughs of Belle Vernon, Brownsville, Dawson, Dunbar, East Allegheny, Fayette City, Masontown, South Connellsville and Vanderbilt, and all unincorpo rated localities except those in the townships of Henry City, State and Wharton; in GREENE COUNTY, all unincorporated canties, if any, in the townships of Cumberland and Punkard, Jefferson, Menongahela, Morgan and Rankin; in LAWRENCE COUNTY, the boroughs of Bessemer, and Ellwood City, and all unincorporated localities ex cept those in the borough of New Wilmington; in WES T VIRGINIA COUNTY, the cities of Monaca, East Pike and Washington, the townships of Canton, East Pike, East North Strabane, Smith and South Strabane, the bor oughs of Alleport, Bealsville, Bentleyville, Bunker town, California, Canonsburg, Centerville, Charlester Coal Center, Cokeburg, Donora, Dunlay, Ellsworth, McDonald, New Eagle, North Charlot, Rescoe, Speers, Stockdale, West Brownsville and all unincor-	Mar 1 1942	July 1 1942

termination deprive any person of any rights received or accrued under said order as originally issued or as amended prior to the effective date of this termi nation

(Sec 704, 64 Stat 816 as amended 65 Stat 131 and Public Law 429, 82d Cong; 50 U S C App Sup 2154)

This termination is issued this 12th day of February 1953 and shall be effeo- tive on and after the 1st day of March 1953

J ED WARREN
Deputy Petroleum Administrator
FEBRUARY 12 1953

[F R Doc 58-1561; Filed Feb 12 1953; 4:11 P m.]

Chapter XX—Office of Rent Stabiliza- tion, Economic Stabilization Agency

[Rent Regulation 1 Amdt 122 to Schedule A]
[Rent Regulation 2 Amdt 119 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS
ILLINOIS AND PENNSYLVANIA

Effective February 14, 1953, Schedules A of Rent Regulation 1 and Rent Regu- lation 2 are amended as set forth below (Sec 204 61 Stat 197 as amended; 50 U S C App Sup 1894)

Issued this 11th day of February 1953
WILLIAM G BARR
Acting Director of Rent Stabilization

1 Item 91 of Schedule A of Rent Regu- lation 1 is amended to read as follows:

State and name of defense-rental area	Class	County or counties in defense rental area under regulation	Maximum rent date	Effective date of regulation
Illinois (01) Champaign- Vermilion.	B C	In CHAMPAIGN COUNTY, the villages of Ludlow and Hantoul; in VERMILION COUNTY, the city of Canton and the villages of Pocomac, Tilton and Westville In OHAMPAIGN COUNTY the villages of Ludlow and Hantoul.	Mar 1 1942 Aug 1, 1952	Sept 1 1942 Jan. 8 1953

cents multiplied by the number of pounds of copper contained in the quan- tity of alloy sold

Sec 3. *Applicability of other regula- tions* After you have recalculated your ceiling price in accordance with section 2, the provisions of Supplementary Reg- ulation 125 to the General Ceiling Price Regulation or General Overriding Regu- lation 35 may not be used to adjust this ceiling price Except to the extent ex- pressly modified or supplemented by this supplementary regulation all provisions of the General Ceiling Price Regulation shall be applicable to the sales of beryl- lium copper master alloy

Effective date This Supplementary Regulation is effective February 13 1953

JOSEPH H FREEHILL
Director of Price Stabilization

FEBRUARY 13 1953

[F R Doc 58-1603; Filed Feb 13 1953; 11:16 a m.]

Chapter IX—Petroleum Administra- tion for Defense, Department of the Interior

[PAD Order 2 as amended August 23 1952 Termination]

PAD ORDER 2—LIMITATION ON THE USE OF NATURAL GAS

TERMINATION
PAD Order No. 2 as amended is hereby terminated effective March 1 1953

This termination does not relieve any person of any obligation or liability in- curred under PAD Order No 2 as origi- nally issued or as amended nor does this

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
<i>Pennsylvania—Con.</i>				
(277) Pittsburgh	B	porated localities except those in the townships of East Finley, Morris, South Franklin, and West Finley; in WESTMORELAND COUNTY, the cities of Arnold, Jeanette, Monessen and New Kensington, the town of Oklahoma, the townships of East Huntingdon, Rostraver, Unity and Upper Burrell, the boroughs of East Vandergrift, Export, Irwin, Mount Pleasant, North Belle Vernon, North Irwin, Penn, Scottdale, South Greensburg, Trafford, Vandergrift and West Newton, and all unincorporated localities in WESTMORELAND COUNTY except the township of Sewickley.	Sept. 30, 1952	Oct. 8, 1952
	O	In LAWRENCE COUNTY, all incorporated municipalities except the city of New Castle and the boroughs of Bessemer, Ellwood City, and New Wilmington. LAWRENCE COUNTY, except the city of New Castle and the borough of New Wilmington; and in BEAVER COUNTY, that portion of the borough of Ellwood City located therein.	Aug. 1, 1952	Dec. 10, 1952
	A	In LAWRENCE COUNTY, the borough of New Wilmington.do.....	Do.
	O	That part of BEAVER COUNTY north and east of the Ohio River, except the townships of Brighton, Economy, and Harmony, and the boroughs of Ambridge, Baden, Beaver, and Conway, and that part of the borough of Ellwood City which lies in BEAVER COUNTY.	Oct. 1, 1950	Feb. 23, 1952
	C	In BEAVER COUNTY, the townships of Center and Potter, and the borough of Monaca.do.....	Apr. 1, 1952
	A	In BEAVER COUNTY, Brighton Township.do.....	Feb. 23, 1952

These amendments decontrol the following, based entirely on a resolution submitted under section 204 (j) (3) of the act:

The Township of Hampton in Allegheny County, Pennsylvania, a portion of the Pittsburgh Defense-Rental Area.

These amendments also decontrol:

(1) The Cities of Champaign and Urbana in Champaign County, Illinois, portions of the Champaign-Vermillion Defense-Rental Area, and all unincorporated localities in the Defense-Rental Area, the said Cities of Champaign and Urbana being the major portion of the Defense-Rental Area, based on resolutions submitted under section 204 (j) (3) of the act; and

(2) Any remaining incorporated localities in Champaign County, Illinois, under rent control immediately prior to the effective date of these amendments, except the Villages of Ludlow and Rantoul, on the initiative of the Director of Rent Stabilization.

[F. R. Doc. 53-1497; Filed, Feb. 13, 1953; 8:52 a. m.]

[Rent Regulation 3, Amdt. 118 to Schedule A]

[Rent Regulation 4, Amdt. 60 to Schedule A]

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS

ILLINOIS

Effective February 14, 1953, Rent Regulation 3 and Rent Regulation 4 are amended so that the item indicated below of Schedule A reads as set forth below. (Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 11th day of February 1953.

WILLIAM G. BARR,
Acting Director of Rent Stabilization.

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(91) Champaign-Vermillion.	Illinois	In CHAMPAIGN COUNTY, the villages of Ludlow and Rantoul.	Aug. 1, 1952	Jan. 8, 1953

These amendments decontrol the following:

(1) The Cities of Champaign and Urbana in Champaign County, Illinois, portions of the Champaign-Vermillion Defense-Rental Area, and all unincorporated localities in the Defense-Rental Area, the said Cities of Champaign and Urbana being the major portion of the Defense-Rental Area, based on

resolutions submitted under section 204 (j) (3) of the act; and

(2) Any remaining incorporated localities in Champaign County, Illinois, under rent control immediately prior to the effective date of these amendments, except the Villages of Ludlow and Rantoul, on the initiative of the Director of Rent Stabilization.

[F. R. Doc. 53-1498; Filed, Feb. 13, 1953; 8:53 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade
[6th Gen. Rev. of Export Regs., Amdt. 31¹]

PART 370—SCOPE OF EXPORT CONTROL BY DEPARTMENT OF COMMERCE

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 382—DENIAL OR SUSPENSION OF EXPORT PRIVILEGES

MISCELLANEOUS AMENDMENTS

1. Section 370.7 *Exportation of commodities subject to Atomic Energy Act*, is amended in the following particulars:

a. The parenthetical reference to "(11 CFR, Parts 40 and 50)" is amended to read as follows: "(10 CFR Parts 40 and 50)"

b. Paragraph (b) *Facilities for the production of fissionable material* of Note 1. *Definitions*, following § 370.7 is amended to read as follows:

(b) *Facilities for the production of fissionable material*. As defined in the Atomic Energy Act of 1946, the term "facilities for the production of fissionable material" is to be construed to mean (1) any equipment or device capable of such production and (2) any important component part especially designed for such equipment or devices as determined by the Commission. Such facilities are classified as either Class I or Class II facilities in the regulations cited and are listed therein as follows:

Class I facilities: Any facility (other than a Class II facility) capable of producing any fissionable material, such as (1) nuclear reactors or piles, (2) facilities capable of the separation of isotopes of uranium, and (3) electronuclear machines (e. g., cyclotrons, synchrocyclotrons and linear ion accelerators) capable of imparting energies in excess of 1 Mév each to positively charged nuclear particles or ions. (The term "electronuclear machines" does not include X-ray generators.)

Class II facilities: (1) Radiation detection instruments, and their major components, designed, or capable of being adapted, for detection or measurement of nuclear radiations, such as alpha and beta particles, gamma radiation, neutron and protons, including the following:

(i) Geiger Mueller, proportional, or parallel plate counter scalars.

(ii) Geiger Mueller or proportional counter rate meters.

(iii) Scalers (adaptable to radiation detection).

(iv) Geiger Mueller and proportional detectors, audio or mechanical.

(v) Integrating ionization chamber meters and ionization chamber rate meters.

(vi) Geiger Mueller, proportional, or parallel plate counter detector components.

(vii) Electrometer tube circuits and dynamic condenser electrometers (vibrating reed, vibrating diaphragm, etc.) capable of measuring currents of less than 1 microampere.

¹This amendment was published in Current Export Bulletin No. 633, dated February 5, 1953, and in the reprint pages dated February 5, 1953.

(viii) Counter pulse rate meters.
 (ix) Amplifiers designed for application in nuclear measurements, including linear amplifiers, preamplifiers and distributed (chain) amplifiers.

(x) Geiger Mueller quenching units.
 (xi) Geiger Mueller or proportional coincidence units.

(xii) Dosimeters and electrometers, pocket and survey types, including electroscopes incorporating radiation measurement scales.

(xiii) Chambers, pocket type, with electrometer charger-reader.

(xiv) Electrometer tubes designed to operate with grid currents of less than 0.1 micromicroampere.

(xv) Resistors, values above 1,000 megohms.

(xvi) Scintillation counters incorporating a photomultiplier tube.

(xvii) Photomultiplier tubes having photocathode sensitivity of 10 or more microamperes per lumen, and an average amplification greater than 10⁵

(2) Mass spectrometers and mass spectrographs, of all mass ranges, and their major components, including the following:

(i) Leak detectors, mass spectrometer, light gas type.

(ii) Mass spectrometers or mass spectrographs.

(iii) Iron sources, mass spectrometer or spectrograph type.

(iv) Acceleration and focusing tubes, mass spectrometer and spectrograph types.

(v) Ionization chambers, mass spectrometer detector types.

(vi) Micromicroammeters capable of measuring current of less than 1.0 micromicroampere.

(vii) Electrometer tubes designed to operate with grid currents of less than 0.1 micromicroampere.

(viii) Resistors, values above 1,000 megohms.

(3) Vacuum diffusion pumps 12 inches diameter and larger (diameter measured inside the barrel at the inlet jet).

(4) Electronuclear machines, and their basic component parts, capable, with or without modification, of sustaining potential differences in excess of 100,000 volts against the discharging action of positive ion currents in excess of 10⁷ amperes, such as belt-type electrostatic generators (Van der Graaf machines).

Exemptions: The listing above of electrometer-type electronic tubes and resistors does not constitute such items component parts of radiation detection equipment or mass spectrometers when they have been actually incorporated into (or packed as spares for shipment with) instruments (such as, but not limited to pH meters, spectrophotometers, moisture meters, and kilovoltmeters) not capable of detection or measurement of nuclear radiation or not capable of use as mass spectrometers.

c. NOTE 2: License applications following § 370.7 is amended to read as follows:
 2. License applications. Applications for license to export source materials and facilities for the production of fissionable material should be made directly to the United States Atomic Energy Commission in the manner prescribed in the regulations cited. Copies of the regulations, together with forms and instructions for making license applications, may be obtained from the following address:

U. S. Atomic Energy Commission,
 Attention: Licensing Controls Branch,
 Washington 25, D. C.

2. Section 373.51 Supplement 1, time schedules for submission of applications for licenses to export certain Positive List commodities is amended by deleting the following entries and related submission dates:

Dept. of Commerce Schedule B No.	Commodity	Submission dates—Fourth quarter, 1952
619950 830960	Commodities other than controlled materials: Other tin manufactures, n. e. c. Sulfuric acid, all grades	Sept. 1-Sept. 15, 1952. Oct. 1-Oct. 31, 1952.

3. Section 382.51 Table of compliance orders currently in effect denying export privileges paragraph (b) Table of compliance orders is amended in the following particulars:

a. The following entries are added:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Register citation
Brodsky, Isadore J., Ontario St. east of Richmond St., Philadelphia 34, Pa.	1-0-53	4-0-53-----	General and validated licenses, all commodities, any destination.	18 F. R. 333, 1-16-53.
Manufacture Nouvelle de Textiles (Manotex), 3 rue Olivier de Serres, Paris 15, France.	8-3-49	Duration....	General and validated licenses, all commodities, any destination. (Company related to Bernard Liebermann, which see.)	14 F. R. 4913, 8-0-49.
Philadelphia Hide Corp., Ontario St. east of Richmond St., Philadelphia 34, Pa.	1-0-53	4-0-53-----	General and validated licenses, all commodities, any destination.	18 F. R. 333, 1-16-53.

b. The following entries are deleted:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Register citation
Sklut, Morton, 236 Liberty St., Wilmington, Del.	12- 8-52	1-7-53-----	General and validated licenses, all commodities, any destination.	17 F. R. 11242, 12-12-52.
Sklut Hide & Fur Co., 236 Liberty St., Wilmington, Del.	12- 8-52	1-7-53-----	General and validated licenses, all commodities, any destination.	17 F. R. 11242, 12-12-52.
IPSA, A. G. fur Petroleum industrie, Rothkreuz, Switzerland.	9-24-51	Duration....	General and validated licenses, all commodities, any destination. (Company related to Albert von Tscharnar, which see.)	10 F. R. 10389, 10-3-51.

This amendment shall become effective as of February 5, 1953.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MAGY,
 Director Office of International Trade.

[F. R. Doc. 53-1426; Filed, Feb. 13, 1953; 8:45 a. m.]

[6th Gen. Rev. of Export Regs., Amtd. P. L. 29¹]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 Appendix A—Positive List of Commodities is amended in the following particulars:

1. The following commodities are added to the Positive List:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required	Commodity lists
839750	Metal salts of organic compounds, except paint and varnish driers (specify by name): Lead styphnate (lead trinitroresorcinate) ¹ -----	Lb.	SALT 64	25	RO	A
839900	Other industrial chemicals: Germanium compounds ¹ -----	-----	SALT	None	RO	A

¹ The commodities included in this Positive List entry are added to the commodities subject to the IC/DV procedure (§ 373.34 of this subchapter), effective Mar. 23, 1953, as indicated in the column headed "Commodity Lists."

This part of the amendment shall become effective as of 12:01 a. m., February 12, 1953.

² This amendment was published in Current Export Bulletin No. 693, dated February 5, 1953.

2 The following commodities are deleted from the Positive List:

Dept. of Com merce Schedule B No	Commodity
601600	Emulsion wax, chief value paraffin wax; Indolium; and slop wax.
601600	Paraffin wax; Penwax; Cabax wax; Diox O-Wax; and Volatrum wax.
617800	Oil lighting carbons (natural and artificial).
618100	Basin hardware.
618100	Hinges and butts.
618200	Brass and bronze.
618200	Other metals, except aluminum, copper, zinc, iron and steel.
618200	Bolts, screws, nuts, rivets, and washers n e e, not specially fabricated for particular machines or equipment (specify by name):
618200	Brass and bronze.
618200	Phosphor bronze and other copper base alloys.
618200	Aluminum, lead, and zinc.
618200	Copper, lead, and zinc.
618200	Other nonferrous metals.
618200	Nails, staples, spikes, and hooks:
618200	Wire nails, staples, and spikes (all nails, staples and spikes made from wire):
618200	Copper, brass and bronze except staples for office use
618200	Other nonferrous metals, except staples for office use and except aluminum and aluminum base alloy nails, staples, and spikes:
618200	Nails, staples, and spikes, except wire:
618200	Copper, brass and bronze
618200	Other nonferrous metals:
618200	Trucks, copper, brass and bronze, except thumblocks
618200	Trucks, other nonferrous metals, except thumblocks
618200	Builders' hardware, n e e, and specially fabricated parts n e e (specify by name):
618300	Copper base alloys, except brass and bronze
618300	Aluminum; copper; lead; and zinc.
618300	Other nonferrous metals (specify type of metal) (report iron and steel builders hardware n e e, in 618300)
618300	Hardware, n e e, copper base alloys (including brass and bronze) (specify by name):
618300	Brass or bronze in manufactures (formerly 618300)
618300	Fluted steel products:
618300	Shipping containers for oil, gas, and other liquids and solids (all metals) (report storage tanks in 618307 and 618371):
618300	Filled shipping containers:
618300	Milk cans, 3
618300	Unfilled shipping containers:
618300	Milk cans with a capacity of 5 or more gallons, fabricated of, or lined with, any corrosion resistant material as defined in the "General Notes to Appendix A";
618300	Types for printing (report type metal in 616100).
618300	Metal manufactures, n e e, and parts, n e e:
618300	Other metals, except precious (specify by name and type of metal):
618300	Other tin manufactures, n e e:
618300	Splintered.
618300	Fluorophosphorous (specify phosphorous content).
618300	Nonferrous metals and alloys in crude form, scrap, and semifabricated forms, n e e (specify by name):
618300	Crystalline silicon.
618300	Heat exchangers (except refrigeration type), and steam specialty heaters, and specially fabricated parts, n e e (specify by name):
618300	Cooling towers, and specially fabricated parts, n e e, for petroleum refinery installations.
618300	Cooling towers, and specially fabricated parts, n e e, for refrigeration or air conditioning installations, or chemical or pharmaceutical machinery installations.
618300	Lubrication equipment, n e e, and specially fabricated parts, and accessories, n e e:
618300	Grease cups, lubricators, nozzles and oil cups, bars and bronze
618300	Industrial manufacturing and service industries machinery, n e e, and specially fabricated parts, n e e (specify by name):
618300	Fertilizer manufacturing machinery, and specially fabricated parts, n e e.

1 By this amendment, the entry presently on the Positive List under Schedule B No 617800 is revised to read as follows: "Lighting carbons, except projector type."

2 By this amendment, the second entry presently on the Positive List under Schedule B No 618002 is revised to read as follows: "Other, except milk cans."

3 By this amendment, the second and third entries presently on the Positive List under Schedule B No 618002 are revised by the addition of the words "except milk cans."

4 By this amendment, the last entry presently on the Positive List under Schedule B No. 618000 is revised by adding the manufactures other than shot, slugs, and collapsible tubs to the exceptions listed therein.

5 By this amendment, the last entry presently on the Positive List under Schedule B No. 618000 is revised to read as follows: "Other metals and alloys in crude form scrap, and semifabricated forms, n e e except crystalline silicon"

Dept. of Com merce Schedule B No	Commodity
826100	Plastics and resin materials: Synthetic resins in all unfinished forms, except laminated (report laminated plastics in 826010 and 826090): Ester films (reaction products of rosin or modified resins with glycerine or other alcohols): Pentacyclopentyl acetate (rosin ester of pentacyclopentyl) (including Pentalyne) Acids and anhydrides:
830080	Inorganic acids and anhydrides, n e e (specify by name): Inorganic acids, n e e (specify by name): Organic chemicals not of coal tar origin, n e e (specify by name): Phthalic anhydride, n e e (specify by name): Aluminum compounds, n e e (specify by name): Potassium compounds, n e e (specify by name): Sodium compounds: Sodium fluoride.
830000	Other industrial chemicals: Rhodium chloride. Paints containing radium

This part of the amendment shall become effective as of 12:01 a m February 5, 1953

3 The following are changed from R to RO commodities:

Dept. of Com merce Schedule B No	Commodity
714200	Internal-combustion engines n e e, and parts n e e:
714200	Diesel and coal Diesel: Marine 200 brake horsepower and under (at normal speed), injection type (specify brake horsepower), injection type (specify brake horsepower), up to and including 200 brake horsepower (at normal speed), injection type (specify brake horsepower).
714600	Marine, over 200, up to and including 1,000 brake horsepower (at normal speed), injection type (specify brake horsepower)

This part of the amendment shall become effective as of 12:01 a m, February 12, 1953

4 The dollar value limit in the column headed "GLV dollar-value limit" set forth opposite the commodities listed below is amended to read as follows:

Dept. of Com merce Schedule B No	Commodity	GLV dollar value limit
714500	Internal-combustion engines, n e e, and parts, n e e:	None
716000	Diesel and coal Diesel: Marine, 200 brake horsepower and under (at normal speed), injection type (specify brake horsepower), n e e, specially fabricated for internal combustion locomotives (specify I P and I P A) or engines requiring parts	200

This part of the amendment shall become effective as of 12:01 a m, February 12, 1953

7 The following commodities are made subject to the dollar-limit (DL) restrictions (see § 374.2 (e) of this subchapter). Accordingly the letter 'B' is inserted in the column headed 'Commodity Lists' opposite those commodities:

Dept. of Commerce Schedule B No	Commodity
742900	Power-driven metalworking machine tools (nonportable), and parts: Plate planers, double housing and open side, 48 inches and over; and rotary planers double housing and open side 48 inches and over
	This part of the amendment shall become effective as of March 7 1953
	8 The following commodities are no longer subject to the dollar-limit (DL) restrictions (see § 374.2 (e) of this subchapter.) Accordingly the letter 'B' set forth in the column headed 'Commodity Lists' opposite those commodities is hereby deleted:

Dept. of Commerce Schedule B No	Commodity
730870	Earth and rock drilling machines, n. e. c. and parts, n. e. c.: Bits and reamers containing thimston carbide
740800	Power-driven metalworking machine tools (nonportable) and parts: Milling machines, n. e. c.
744308	Other metal grinding machines except bench type and pedestal grinders valued under \$250. Motor trucks and tank chassis including truck tractors (new), n. e. c. (g. v. or gross vehicle weight is the greatest weight of vehicle in load which the manufacturer authorizes and guarantees the vehicle to accommodate with safety under normal conditions of operation) (specify type of body, if mounted): Gasoline (new): 6,000 pounds gross vehicle weight and under: Commercial, front and rear axle drive, or multiple rear axle drive Military, front and rear axle drive, or multiple rear axle drive 6,001 to 10,000 pounds gross vehicle weight: Commercial, front and rear axle drive, or multiple rear axle drive Military, front and rear axle drive, or multiple rear axle drive 10,001 to 14,000 pounds gross vehicle weight: Commercial, front and rear axle drive, or multiple rear axle drive Military, front and rear axle drive, or multiple rear axle drive 14,001 to 16,000 pounds gross vehicle weight: Commercial, front and rear axle drive, or multiple rear axle drive Military, front and rear axle drive, or multiple rear axle drive 16,001 to 19,500 pounds gross vehicle weight: Commercial, front and rear axle drive, or multiple rear axle drive Military, front and rear axle drive, or multiple rear axle drive 19,501 pounds gross vehicle weight and over: Commercial, front and rear axle drive, or multiple rear axle drive Military, front and rear axle drive, or multiple rear axle drive Diesel and semi-diesel (new): 19,500 pounds gross vehicle weight and under: Commercial, front and rear axle drive, or multiple rear axle drive Military, front and rear axle drive, or multiple rear axle drive 19,501 pounds gross vehicle weight and over: Commercial, front and rear axle drive, or multiple rear axle drive Military, front and rear axle drive, or multiple rear axle drive Motor buses and bus chassis (new) (specify passenger capacity of body if mounted): Gasoline (new): Commercial, front and rear axle drive, or multiple rear axle drive Military, front and rear axle drive, or multiple rear axle drive Diesel and semi-diesel (new): Commercial, front and rear axle drive, or multiple rear axle drive Military, front and rear axle drive, or multiple rear axle drive Passenger cars and chassis (new): Commercial, front and rear axle drive, or multiple rear axle drive Military, front and rear axle drive, or multiple rear axle drive Special purpose vehicles, n. e. c.: Nonmilitary, front and rear axle drive only Military, front and rear axle drive only Motor trucks (new): Commercial and repair trucks (new): Commercial and rear axle drive, or multiple rear axle drive Military, front and rear axle drive, or multiple rear axle drive Special-purpose commercial vehicles, n. e. c. (new): Front and rear axle drive or multiple rear axle drive Special-purpose military vehicles, n. e. c. (new): Front and rear axle drive or multiple rear axle drive except armored vehicles.

5 The following revisions are made in commodity descriptions These revisions include changes in GLV dollar-value limits where indicated.

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required	Commodity lists
200998	Synthetic rubbers (report synthetic liquid latex in terms of total dry latex solids (NDLS) (report compounded or compounded in 200800): Polyisobutylene 1	Lb	RUBR 2	100	RO	A B
200998	Silicone 1	Lb	RUBR 2	500	RO	A B
610039	Welding rods and wires: Lead and lead base (specify by name and metal content) (report lead solder in 651200) 2	Lb	NONF	200	RO	
651200	Lead solder 3	Lb	NONF	200	RO	
775055	Chemical and pharmaceutical processing and manufacturing machines, n. e. c., and specially fabricated parts, n. e. c. (report spinning pumps in 763600; report furnaces under appropriate Schedule B No. according to type of furnace e. g., electric melting and refining furnaces for the production of chemical, 707410); High vacuum freeze drying equipment, and specially fabricated parts, n. e. c. (formerly 775055 and 775360) 4		GIEQ	None	RO	A
775380	Crushing, pulverizing and screening machines, n. e. c., and specially fabricated accessories and parts, n. e. c. (specify by name) (report construction and mining types in 720310-720410); Crushers and grinders and specially fabricated parts 5		GIEQ	100	R	

1 The above two entries are substituted for the second entry presently on the Positive List under Schedule B No. 200998. The effect of this revision is to remove from the Positive List all synthetic rubbers, n. e. c., included in the present entry except polyisobutylene and silicone and to increase the GLV dollar value limits for silicone from \$100 to \$500

2 The above revised entry is substituted for the seventh entry presently on the Positive List under Schedule B No. 610039

3 The above entry is added to the Positive List under Schedule B No. 651200. Lead solder was formerly included in the seventh entry on the Positive List under Schedule B No. 610039. This revision was inadvertently omitted from OEB 689 showing changes in the Positive List made to conform with revisions in Schedule B announced by the Bureau of the Census in P B B-3, issued Nov 21, 1952

4 By this amendment high vacuum freeze drying equipment, and specially fabricated parts, n. e. c., is retained as the nineteenth entry on the Positive List under Schedule B No. 775055 with a determination by the Bureau of the Census that all high vacuum freeze-drying equipment and specially fabricated parts, n. e. c. shall be reported under Schedule B No. 775055

5 The above entry is substituted for the two entries presently on the Positive List under Schedule B No. 775380. The effect of this revision is to combine the entries

This part of the amendment shall become effective as of 12:01 a. m. February 5 1953

6 The following commodities are made subject to the IC/DV procedure (see § 373.34 of this subchapter) Accordingly the letter 'A' is inserted in the column headed 'Commodity Lists' opposite those commodities:

Dept. of Commerce Schedule B No	Commodity
714500	Internal-combustion engines n. e. c. and parts n. e. c.: Diesel and semi-diesel: Marine, 20 brake horsepower and under (at normal speed) Injection type (specify brake horsepower)
714620	Marine over 20, up to and including 500 brake horsepower (at normal speed) Injection type (specify brake horsepower)
714640	Marine over 500, up to and including 1 000 brake horsepower (at normal speed) Injection type (specify brake horsepower)

This part of the amendment shall become effective as of March 23 1953

This part of the amendment shall become effective as of February 5, 1953.

Shipments of any commodities removed from general license to Country Group R or to Country Group O destinations or whose GLV dollar-value limits are reduced as a result of changes set forth in Parts 1, 3, and 4 of this amendment which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., February 12, 1953, may be exported under the previous general license provisions up to and including March 7, 1953. Any such shipment not laden aboard the exporting carrier on or before March 7, 1953, requires a validated license for export.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director

Office of International Trade.

[F. R. Doc. 53-1425; Filed, Feb. 13, 1953; 8:45 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 1—ESTABLISHMENT AND ORGANIZATION OF THE POST OFFICE DEPARTMENT

PART 34—CLASSIFICATION AND RATES OF POSTAGE

MISCELLANEOUS AMENDMENTS

a. In § 1.26 *Post route maps* amend the table of maps in paragraph (c) to read as follows:

POST ROUTE MAPS

Title	Scale (miles to the inch)	Sheet size (to nearest inch) width and length	Price of map
Alabama	8	34 x 49	1.00
Alaska	40	51 x 34	1.00
Arizona	12	32 x 40	1.00
Arkansas	9	35 x 40	1.00
California-Nevada (1 map)	12	51 x 67	3.80
Colorado	10	51 x 37	1.00
Connecticut (see Massachusetts)			
Delaware (see Maryland)			
District of Columbia (see Maryland)			
Florida	10	35 x 49	1.00
Georgia	8	37 x 45	1.00
Guam (see Hawaii)			
Hawaii-Samoa Islands-Guam (1 map)	9	44 x 30	1.00
Idaho	12	34 x 46	1.00
Illinois	8	35 x 51	1.00
Indiana	7	30 x 44	1.00
Iowa	7	52 x 35	1.00
Kansas	10	52 x 30	1.00
Kentucky	7	35 x 48	1.00
Louisiana	9	39 x 34	1.00
Maine	6.5	36 x 51	1.00
Maryland-Delaware-District of Columbia (1 map)	5	51 x 35	1.00
Massachusetts-Rhode Island-Connecticut (1 map)	5	44 x 36	1.00
Michigan	9	36 x 52	1.00
Minnesota	10	36 x 45	1.00
Mississippi	8	33 x 45	1.00
Missouri	9	47 x 36	1.00
Montana	12	52 x 33	1.00
Nebraska	10	52 x 29	1.00
Nevada (see California)			
New Hampshire-Vermont (1 map)	5	34 x 43	1.00
New Jersey	4	31 x 48	1.00
New Mexico	12	33 x 39	1.00
New York	6.5	55 x 51	3.80

POST ROUTE MAPS—Continued

Title	Scale (miles to the inch)	Sheet size (to nearest inch) width and length	Price of map
North Carolina	8	50 x 35	1.00
North Dakota	10	43 x 31	1.00
Ohio	7	50 x 46	1.00
Oklahoma	10	50 x 41	1.00
Oregon	10	43 x 34	1.00
Pennsylvania	5	71 x 41	3.80
Puerto Rico-Virgin Islands (1 map)	5	49 x 22	1.00
Rhode Island (see Massachusetts)			
Samoa Islands (see Hawaii)			
South Carolina	8	41 x 53	1.00
South Dakota	10	43 x 52	1.00
Tennessee	8	33 x 57	1.00
Texas	12	68 x 52	3.80
Utah	10	31 x 42	1.00
Vermont (see New Hampshire)			
Virginia	7	51 x 33	1.00
Virgin Islands (see Puerto Rico)			
Washington	9	45 x 34	1.00
West Virginia	6	49 x 34	1.00
Wisconsin	9	36 x 42	1.00
Wyoming	12	42 x 39	1.00

b. Amend § 1.32 *Prices* to read as follows:

§ 1.32 *Prices*. Rural delivery maps: County maps, 55 cents per copy; local maps, 45 cents per copy.

NOTE: All maps are folded for mailing unless unfolded maps are requested. (R. S. 161, 396; secs. 304, 309, 42 Stat. 24, 25, 65 Stat. 40; 5 U. S. C. 22, 369, 39 U. S. C. 805)

c. In § 34.88 *Postage rates for air parcel post* amend paragraph (b) (4) by adding the following note:

NOTE: See § 34.95 (a) (5) for the reduction in the limit of size to 30 inches in length and girth combined and the limit of weight to 2 pounds for air parcel post addressed for delivery to military addresses overseas. These limitations are applicable to air parcel post, other than official, addressed to A. P. O.'s in care of the postmasters at New York, San Francisco, Seattle, and New Orleans; and to Navy and Marine Corps units, including ships, addressed in care of the Fleet Post Offices at New York and San Francisco. (R. S. 161, 396; secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] C. R. Hook, Jr.,
Acting Postmaster General.

[F. R. Doc. 53-1470; Filed, Feb. 13, 1953; 8:46 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

JAPAN

In § 127.286 *Japan* (18 F. R. 78), amend subdivision (ii) (b) of paragraph (b) (4) by inserting the following sentence immediately preceding the last sentence: "In addition, it is understood that, as a concession, food and clothing are exempt from duty up to a value of about \$10.00."

(R. S. 161, 396, 398; secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] C. R. Hook, Jr.,
Acting Postmaster General.

[F. R. Doc. 53-1469; Filed, Feb. 13, 1953; 8:46 a. m.]

TITLE 46—SHIPPING

Chapter II—Federal Maritime Board, Maritime Administration, Department of Commerce

Subchapter C—Regulations Affecting Subsidized Vessels and Operators

[Gen. Order 27, Revised]

PART 281—INFORMATION AND PROCEDURE REQUIRED UNDER OPERATING-DIFFERENTIAL SUBSIDY AGREEMENTS

Effective January 1, 1953, §§ 281.2 and 281.3 (U. S. M. C. General Order 27, as amended, 3 F. R. 2144, 5 F. R. 3644, 4319) are hereby rescinded and §§ 281.2 to 281.6, inclusive, are added to Part 281 as follows:

§ 281.2 *Definitions*. As used in §§ 281.2 to 281.6, except as otherwise indicated by the context:

(a) The term "period of idleness" means any period between voyages during which the vessel is not being worked;

(b) The term "lay-up period" means that part of the period of idleness occurring in a continental United States port in excess of ten days, continuing until the commencement of the next voyage or until the vessel shall be temporarily or permanently withdrawn from subsidized service pursuant to the determination by the Maritime Administrator;

(c) The term "Administrator" means Maritime Administrator;

(d) The term "Coast Director" means the Coast Director of the Maritime Administration having jurisdiction over the port or ports involved;

(e) The word "operator" means an operator receiving operating-differential subsidy for the voyage involved under Title VI of the Merchant Marine Act, 1936, as amended.

§ 281.3 *Method of commencing and terminating voyages and of determining lay-up periods*—(a) *Voyage commencement*. Voyages shall commence as of 12:01 a. m. of the day that loading of cargo, stores, or fuel begins, or as of 12:01 a. m. of the day following the termination of the prior voyage or, in the event that a period of idleness in excess of ten days follows a voyage termination, as of 12:01 a. m. of the day on which such lay-up period ends.

(b) *Voyage terminations*. Voyages shall terminate at the last United States port of call at midnight of the day of the completion of the paying off of the crew from foreign articles, or upon the completion of the final discharge of cargo or ballast at the last United States port of discharge, or upon the completion of voyage repairs, whichever event occurs last: *Provided, however* that if a vessel sails outward on a new voyage prior to midnight of the same day, the inward voyage shall terminate as of midnight of that day, and the outward voyage shall commence as of 12:01 a. m. of the succeeding day and that where a portion of any particular voyage overlaps a portion of the next succeeding voyage and the quantity of inward cargo remaining aboard at the port at which major cargo activities for the outward voyage are begun does not, in the opinion of the

operator, justify extension of the inward voyage beyond that port, the operator shall immediately request the Coast Director for permission to treat the inward voyage as having terminated at midnight of the day specified in such request and shall advise the Coast Director what cargo has been and is still to be discharged and loaded at each port of the inward voyage; and that where, in the opinion of the operator, voyages as a general practice should terminate at the home or terminal port, rather than at the last inward port of discharge, application for such termination may be made to the Coast Director, and in such cases the voyage termination date shall be as approved by the Coast Director. The Coast Director shall advise the operator promptly if he disapproves the operator's request, and, in the event of such disapproval, the Coast Director's decision as to such termination shall prevail: *Provided*, That all terminations shall be as of midnight of the day specified.

(c) *Periods of idleness.* In the event that a period of idleness, in excess of ten days, should immediately follow the termination of a voyage, the first ten days of such period of idleness shall be included in the preceding voyage and the date of termination thereof adjusted accordingly. If a vessel which has been idle commences loading cargo, stores, or

fuel prior to the eleventh day of such idleness, the commencement of the new voyage shall be antedated to coincide with the termination of the preceding voyage.

(d) *Lay-up period.* A separate accounting period shall be created to cover each lay-up period.

§ 281.4 *Treatment of subsidy during period of idleness and lay-up period.* During a lay-up period, subsidy shall be payable only for such subsidizable items of expense as are determined by the Administrator, after presentation by the operator of the facts relating to such lay-up period, to be necessary for the maintenance, preservation, repair, or husbanding of the vessel during and under the circumstances of such lay-up: *Provided, however* That nothing herein shall limit any other rights of the United States with respect to the payment or non-payment of subsidy and that no subsidy shall be paid for any item of expense allocable to any period of idleness or lay-up period occurring during the transfer back to subsidized operations in the case of a vessel which has been temporarily withdrawn from subsidized operations and subsequently reinstated therein.

§ 281.5 *Right of Administrator to recover subsidy for any period of idleness.*

The Administrator may, prior to payment of subsidy for any voucher period which includes a period of idleness, require the operator to establish to the satisfaction of the Administrator that such period of idleness could not have been prevented in whole or in part through the most efficient and economical operation. The Administrator may recover any payment of subsidy for any item of expense allocable to such period of idleness which in the opinion of the Administrator could have been avoided by efficient and economical operation.

§ 281.6 *Interpretation.* All questions of interpretation arising under the sections of this part shall be submitted to the Administrator for determination, whose decision thereon shall be final.

(Sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114. Interpret or apply sec. 606, 49 Stat. 2004, as amended; 46 U. S. C. 1176)

Dated: February 10, 1953.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.
A. W. GATOV
Maritime Administrator

[F. R. Doc. 53-1548; Filed, Feb. 13, 1953; 8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 924]

[Docket No. AO-225-A3]

HANDLING OF MILK IN DETROIT, MICHIGAN, MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) notice is hereby given of a public hearing to be held in the Park-Shelton Hotel, Woodward and Kirby Streets, Detroit, Michigan, beginning at 10:00 a. m., e. s. t., February 20, 1953, for the purpose of receiving evidence with respect to emergency and other economic conditions which relate to the proposed amendment hereinafter set forth, or appropriate modifications thereof. This proposed amendment has not received the approval of the Secretary of Agriculture.

An amendment to the order, as amended, for the Detroit, Michigan, marketing area has been proposed on behalf of the Michigan Producers Dairy Company as follows:

Delete § 924.52 and substitute therefor the following:

§ 924.52 *Class II milk price.* (a) The minimum price per hundredweight to be paid by each handler f. o. b. his plant as described in § 924.6 for milk of 3.5 percent butterfat content received from producers or from a cooperative association during the month, which is classified as Class II utilization, shall be the price per hundredweight as described in § 924.50 (c) *Provided*, There shall be credited to each handler with respect to butterfat used in the manufacture of butter and skim milk used in the manufacture of non-fat dry milk solids in the handler's plant, or transferred to and so used in a plant not operated by a handler, (1) an amount per pound of butterfat equal to the excess of the Class II price determined under this paragraph over the price determined pursuant to § 924.50 (b) less 9.3 cents, such excess to be multiplied by 0.18, and, (2) an amount per hundredweight of skim milk equal to such excess multiplied by 0.36.

Copies of this notice of hearing and of the order, as amended, now in effect may be obtained from the Market Administrator, 5701 Second Boulevard, Detroit 2, Michigan, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Issued at Washington, D. C., this 12th day of February 1953.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator

[F. R. Doc. 53-1543; Filed, Feb. 13, 1953; 8:57 a. m.]

[7 CFR Part 975]

[Docket No. AO-179-A-10]

HANDLING OF MILK IN CLEVELAND, OHIO, MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Hotel Hollenden, 610 Superior, N. E., Cleveland, Ohio, beginning at 10:00 a. m., e. s. t., February 19, 1953, for the purpose of receiving evidence with respect to emergency and other economic conditions which relate to the proposed amendment hereinafter set forth or appropriate modification thereof, to the tentative marketing agreement as heretofore approved by the Secretary of Agriculture and to the order, as amended,

regulating the handling of milk in the Cleveland, Ohio, marketing area (7 CFR, 975.0 et seq.) The amendment proposed has not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to economic conditions which relate to the proposed amendment, submitted jointly by the Milk Market Survey Committee and the Milk Producers' Federation of Cleveland:

Amend § 975.63 (b) by replacing the period at the end of the section with a colon and add the following: "Provided,

That during the months of April, May and June 1953, a specified allowance on Class III milk shall be established on all whole milk and/or skim milk which is transported by truck or rail from a handler's receiving plant to a manufacturing plant for manufacturing purposes; said specified transportation allowance to be commensurate with average transportation costs incident to the average costs involved in transporting milk from presently established receiving plants in the Cleveland milkshed to the nearest available milk manufacturing plants."

Copies of this notice of hearing and of the order, as amended, now in effect may be obtained from the Market Administrator, 2163 East Second St., Cleveland 15, Ohio, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Issued at Washington, D. C., this 12th day of February 1953.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 53-1547; Filed, Feb. 13, 1953; 8:56 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order 2715]

SECRETARIAL FUNCTIONS RELATING TO WATER AND POWER DEVELOPMENT

FEBRUARY 10, 1953.

SECTION 1. Effective immediately, Fred G. Aandahl is authorized to discharge the duties and perform the functions of the Secretary in the development of water and power, and to exercise Secretarial direction of and supervision over the Bureau of Reclamation; Bonneville Power Administration, Southwestern Power Administration, and Southeastern Power Administration.

Sec. 2. Orders Nos. 2668 and 2691 are hereby revoked.

(5 U. S. C., 1946 ed., sec. 22a; Reorg. Plan No. 3 of 1950, 5 U. S. C., 1946 ed., Supp. V, sec. 133z-16)

DOUGLAS MCKAY,
Secretary of the Interior

[F. R. Doc. 53-1468; Filed, Feb. 13, 1953; 8:45 a. m.]

DEPARTMENT OF COMMERCE

Maritime Administration

AMERICAN PRESIDENT LINES, LTD.

NOTICE OF APPLICATION

Notice is hereby given of the application of American President Lines, Ltd., seeking the written permission of the Maritime Administrator under section 805 (a), Merchant Marine Act, 1936, 46 U. S. C. 1223, for Mr. Ralph K. Davies, an officer and director of American President Lines, Ltd., or of a holding or affiliated company thereof, to own, operate or charter a vessel or vessels in the domestic intercoastal or coastwise trade, or to own any pecuniary interest, directly or indirectly, in Independent Tankships, Inc., a concern which appears to own, operate, or charter a vessel or vessels in the domestic intercoastal or coastwise trade.

Under the provisions of section 805 (a) the Maritime Administrator may not grant any such application if the Administrator finds it will result in un-

fair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service, or that it will be prejudicial to the objects and policy of the act.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 805 (a) should notify the Maritime Administrator on or before February 20, 1953, and should file petitions for leave to intervene in accordance with § 201.81 of the Federal Maritime Board/Maritime Administration's rules of procedure (12 F. R. 6076)

In the absence of receipt of any such request for hearing and petition for leave to intervene, the Maritime Administrator will take such action with respect to the application as may be deemed appropriate.

Dated: February 10, 1953.

By order of the Maritime Administrator.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 53-1523; Filed, Feb. 13, 1953; 8:55 a. m.]

PACIFIC FAR EAST LINE, INC.

NOTICE OF APPLICATION

Notice is hereby given of the application of Pacific Far East Line, Inc., seeking the written permission of the Maritime Administrator under section 805 (a), Merchant Marine Act, 1936, 46 U. S. C. 1223, for Joshua Hendy Corporation, appearing to be a holding company, subsidiary, affiliate, or associate of Pacific Far East Line, Inc., to own, operate or charter the tank vessel SS Joshua Hendy in the domestic intercoastal or coastwise trade. Permission is also sought for T. E. Cuffe, S. D. Bechtel, K. K. Bechtel, John A. McCone and Joseph M. Tescher, officers and/or directors of Pacific Far East Line, Inc., to own, operate, or charter the SS Joshua Hendy in the domestic intercoastal or coastwise trade, or to own a pecuniary interest in the Joshua Hendy Corporation.

Under the provisions of Section 805 (a), the Maritime Administrator may

not grant any such application if the Administrator finds it will result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service, or that it will be prejudicial to the objects and policy of the Act.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to Section 805 (a) should notify the Maritime Administrator on or before February 20, 1953, and should file petitions for leave to intervene in accordance with § 201.81 of the Federal Maritime Board/Maritime Administration's rules of procedure (12 F. R. 6076).

In the absence of receipt of any such request for hearing and petition for leave to intervene, the Maritime Administrator will take such action with respect to the application as may be deemed appropriate.

Dated: February 10, 1953.

By order of the Maritime Administrator.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 53-1524; Filed, Feb. 13, 1953; 8:56 a. m.]

Office of International Trade

[Case No. 146]

UNIVERSAL TRANSPORT CORP.

ORDER DENYING LICENSE PRIVILEGES

In the matter of Universal Transport Corporation, 15 Moore Street, New York 4, New York, respondent; Case No. 146.

This proceeding was commenced March 31, 1952, on the basis of a charging letter issued by the Director, Investigation Staff, and duly served on Universal Transport Corporation, hereinafter referred to as Universal. In the same letter, several other persons and firms, to whom reference is hereinafter made, were charged with numerous violations, only one of which was related to the charge against Universal. Upon motion of Universal, the proceeding was severed for the purpose of the hearing of the charge against it and, since the hearing,

the others have proposed that a consent order be issued against them. For that reason, the proceeding against Universal is now being severed completely and this order disposes of only the charge against it.

Universal was charged with obtaining export control documents for ineligible persons and participating in an exportation for such persons while they were under suspension from export privileges pursuant to an order theretofore issued against them.

Universal appeared herein, was represented by its attorney, demanded an oral hearing, and such hearing has been held by the Compliance Commissioner. At the hearing, evidence in support of the charge was presented, Universal was represented by counsel, it submitted oral and documentary evidence in opposition, and the case was finally submitted to the Compliance Commissioner, who has filed his report and recommendation, together with the transcript of the hearing and all documents there submitted. These, together with the charging letter, constitute the record herein.

After careful consideration of the evidence, the entire record, and the report, I hereby make the following findings of fact:

1. Universal Transport Corporation is a freight forwarder engaged in business at 15 Moore Street, in the City of New York, New York.

2. At all times hereinafter mentioned one Manfred Joel was an employee of Universal and the sole employee engaged in and who performed the acts hereinafter set forth as having been performed on its behalf.

3. On February 23, 1950, the Office of International Trade issued an order suspending Jack Koopman, Irving Wolfson, Compania Norte Americana, Berwin Trading Company, Inc., Jack Koopman Company, Inc., and all persons, firms, corporations, and business associations then or thereafter related to them in the conduct of export trade from validated export license privileges for a period of three months from that day and also revoking all export licenses in their names or held by them.

4. Universal is not and was not then or thereafter related to any of the firms or persons named in the order, nor was Joel.

5. The order was published in the FEDERAL REGISTER of February 28, 1950.

6. Since June 1, 1949, and at the time of the making and issuance of said order, Koopman and Wolfson controlled and operated a firm known as Royal Industrial Company and any export licenses issued to it or held by it were in fact issued to and held by Koopman and Wolfson.

7. Such a license was a license issued February 21, 1950, authorizing the exportation by Royal Industrial Company of 35,000 pounds of aluminum to Manila, Philippine Islands, and, by the terms of the order of February 23, 1950, said license was revoked and should have been surrendered to the Office of International Trade.

8. Koopman and Wolfson did not surrender said license but proceeded to ex-

port under purported authority thereof about 6000 pounds of aluminum sheets in violation of the said order of suspension.

9. They engaged Universal as the freight forwarder and Universal received Wolfson's handwritten instructions for that purpose.

10. At the time of the issuance of said order and for some time prior thereto, Joel knew that Royal Industrial Company was under the control of Koopman and Wolfson and was used by them in the export trade.

11. Joel also knew on February 28, 1950, that such suspension order had been issued.

12. Having such knowledge, on that day and on the days immediately following, Joel effected the exportation of said aluminum sheets on behalf of Koopman and Wolfson in violation of said suspension order (a) by transmitting on February 28, 1950, with a letter so dated, to Southern Pacific Railroad, an export declaration and the export license for said sheets and requesting said railroad to deliver to Universal through bills of lading showing Royal as the shipper and exchangeable against ocean carrier bills of lading; (b) obtaining on that day from the Republic of the Philippines a set of consular invoices therefor; (c) arranging on that day for the receipt by Pacific Far East Line, Inc., of the said sheets aboard the SS Tradewind on arrival at San Francisco; (d) delivering line copies of the bill of lading for said sheets to Pacific Far East Line, Inc., on March 1, 1950, together with a copy of the letter written by him on behalf of Universal on February 28, 1950, to Southern Pacific Railroad; (e) on learning that the sheets could not arrive in San Francisco in time for loading on the SS Tradewind, demanding assurance on March 2, 1950, from Pacific Far East Line, Inc., that "on board" bill of lading dated March 9, 1950, would be furnished if the sheets were shipped on a later boat, the SS Pacific Bear; (f) thereafter approving such shipment on the SS Pacific Bear and on March 7, 1950, arranging with the Philippine Consulate General for the change of the name of boat on the Consular Invoice from SS Tradewind to SS Pacific Bear.

13. The export declaration which Joel had sent to Southern Pacific Railroad on February 28, 1950, was thereupon, and as a result of such action, authenticated by the United States Customs Service, at San Francisco, California, on March 7, 1950, and on the same day the export license which had been issued to Royal was filed in the same office and the aluminum sheets loaded on the SS Pacific Bear were charged against said license.

14. The said aluminum sheets were thereupon exported from the United States.

From the foregoing, I have concluded that the charge has been proven and that Universal by and through the actions of Joel obtained export control documents for Koopman and Wolfson who were ineligible to receive them and that it participated in the violation of the order of February 23, 1950, contrary to 15 CFR §§ 381.1 (b) (4) and 384.2 (a)

(1) (iv) 14 F. R. 3032 and 3036, respectively.

The Compliance Commissioner, in his report, has carefully considered Joel's acts and his position in Universal and has pointed out that the prime responsibility for the violation found herein is that of Joel rather than that of the corporation. He points out that the respondent is a freight forwarder acting mainly for others, states that the principal officers of the corporation are acutely aware of the seriousness of any contravention of export control law and that effective enforcement of the act in this particular case may best be achieved by a conditional denial of export privileges for a specified period to be effective immediately upon the finding of any future violation on its part or on the part of any of its officers or employees. He has so recommended in the expectation that now and in the future the respondent's management of its affairs will assure strict compliance by all its employees, particularly Joel, with all the requirements of the law and the regulations. His recommendation is found by me to be fair and reasonable, under the particular facts of this case, is calculated to achieve effective enforcement of the law, and should be adopted.

Now, therefore, it is ordered as follows:

I. Respondent, its agents, servants, and employees are hereby denied and declared ineligible to exercise the privileges of obtaining or using export licenses, including validated and general export licenses, for the exportation of any commodity from the United States to any foreign destination, for a period of two (2) weeks, which denial shall be held in abeyance subject to and in accordance with the provisions of Part IV hereof. Such denial of export privileges is deemed to include and prohibit participation by it and them, directly or indirectly, in any manner or capacity, (a) as a party, or as a representative of a party, to any exportation under validated or general export licenses; and (b) in the financing, forwarding, transporting, or other servicing of exports from the United States pursuant to any validated or general export licenses.

II. Such denial of export privileges, on becoming effective, shall extend not only to respondent Universal Transport Corporation but also to any person, firm, corporation, or business organization with which it may be now or hereafter related by ownership or control in the conduct of trade involving exports from the United States under validated and general export licenses, or services connected therewith.

III. No person, firm, corporation, or other business organization shall knowingly apply for or obtain any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation from the United States, under validated and general export licenses, to or for the respondent, or any person, firm, corporation, or other business organization within the scope of Part II hereof during such time as Part I hereof may be in effect, without prior disclosure of such facts to, and

specific authorization from, the Office of International Trade.

IV. Parts I, II, and III hereof shall be suspended and held in abeyance upon condition that Universal Transport Corporation adhere strictly to all requirements of export control laws and regulations. In the event, however, that at any time during two (2) years from the date hereof, it or any officer or employee engaged in any export activity on its behalf shall knowingly violate any provision of export control laws or regulations, the Office of International Trade or such agency as may then be performing the functions now performed by it, at such time as it determines that such violation has occurred, may vacate summarily the portion hereof providing for the suspension and holding in abeyance of Parts I, II, and III hereof. The order of vacatur shall set forth the precise time when Parts I, II, and III hereof shall become effective and the issuance thereof shall not be a bar to nor shall the agency then having jurisdiction be thereby precluded from instituting any other and further action which it may deem appropriate and necessary by reason of the violation giving rise thereto.

Dated: February 10, 1953.

JOHN C. BORTON,
Assistant Director
for Export Supply.

[F. R. Doc. 53-1478; Filed, Feb. 13, 1953;
8:48 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-269]

ACCIDENT OCCURRING NEAR FISH HAVEN,
IDAHO

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States registry N 1648M, which occurred 8 miles west of Fish Haven, Idaho, on January 7, 1953.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly Section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on February 20, 1953, at 9:00 a. m. (local time) in the Gunter Hotel, Houston at St. Marys Street, San Antonio, Texas.

Dated at Washington, D. C., February 9, 1953.

[SEAL] ROBERT W. CHRISP,
Presiding Officer

[F. R. Doc. 53-1521; Filed, Feb. 13, 1953;
8:55 a. m.]

[Docket No. 1789 et al.]

CAPITAL AIRLINES, INC., REOPENED
MILWAUKEE-CHICAGO-NEW YORK RE-
STRICTION CASE (CLEVELAND-NEW YORK
NONSTOP SERVICE)

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the applications of Capital Airlines, Inc., for certificates of public convenience and necessity or

amendment of the certificate for route No. 14.

Notice is hereby given that the above-entitled proceeding now assigned for hearing on February 18, 1953, is postponed to February 24, 1953, at 10:00 a. m., e. s. t., in Room 5859, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner William F. Cusick.

Dated at Washington, D. C., February 11, 1953.

By the Civil Aeronautics Board.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 53-1522; Filed, Feb. 13, 1953;
8:55 a. m.]

DEPARTMENT OF THE TREASURY

Office of the Secretary

TWO PERCENT TREASURY BONDS OF
1953-55

NOTICE OF CALL FOR REDEMPTION

1. Public notice is hereby given that all outstanding 2 percent Treasury Bonds of 1953-55, dated October 7, 1940, due June 15, 1955, are hereby called for redemption on June 15, 1953, on which date interest on such bonds will cease.

2. Holders of these bonds may, in advance of the redemption date, be offered the privilege of exchanging all or any part of their called bonds for other interest-bearing obligations of the United States, in which event public notice will hereafter be given and an official circular governing the exchange offering will be issued.

3. Full information regarding the presentation and surrender of the bonds for cash redemption under this call will be found in Department Circular No. 666, dated July 21, 1941.

[SEAL] G. M. HUMPHREY,
Secretary of the Treasury.

FEBRUARY 13, 1953.

[F. R. Doc. 53-1555; Filed, Feb. 13, 1953;
8:45 a. m.]

**ECONOMIC STABILIZATION
AGENCY**

Office of Price Stabilization

[Ceiling Price Regulation 32, Supplementary
Regulation 2, Section 3, Special Order 51]

RACHAL FIELD, BROOKS COUNTY, TEXAS

CRUDE CONDENSATE CEILING PRICES AD-
JUSTED ON AN IN-LINE BASIS

Statement of considerations. This special order adjusts the ceiling price for the sale of crude condensate produced from Rachal Field, Brooks County, Texas.

The Office of Price Stabilization has been requested to eliminate the differential heretofore imposed upon crude condensate produced from Rachal Field, Brooks County, Texas. During the base period, due to a lack of competitive factors and inadequate transportation facilities, the crude condensate produced from this field was not segregated and

consequently sold at a lower price than that paid for crude condensate of comparable quality produced in the same area. This condition has now been eliminated and this differential should no longer be imposed.

From the information available to this office, it appears that the requested price of \$2.80 per barrel flat does not exceed the ceiling price of comparable crude condensate produced in this same area.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 3 of Supplementary Regulation 2 to Ceiling Price Regulation 32, it is ordered.

1. That the ceiling price at the lease receiving tank for crude condensate produced from the Rachal Field, Brooks County, Texas shall be: \$2.80 per barrel flat.

2. All provisions of Ceiling Price Regulation 32, except as inconsistent with the provisions of this order, shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified or revoked by the Director of Price Stabilization at any time.

Effective date. This special order shall become effective on February 11, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 10, 1953.

[F. R. Doc. 53-1461; Filed, Feb. 10, 1953;
4:46 p. m.]

[Ceiling Price Regulation 32, Supplementary
Regulation 2, Section 3, Special Order 49]

CERTAIN FIELDS IN LOUISIANA

CRUDE CONDENSATE CEILING PRICES
ADJUSTED ON AN IN-LINE BASIS

Statement of considerations. This special order adjusts the ceiling price for the sale of crude condensate produced from the following listed Louisiana fields:

Fields and Parishes

- La Placo: St. James.
- Barataria: Jefferson.
- Abbeville: Vermillion.
- Avery Island: Iberia.
- Egan: Acadia.
- North Elton: Evangeline.
- South Elton: Jefferson.
- Hayes: Calcasieu and Jefferson.
- Iowa: Calcasieu and Jefferson.
- Jeanerette: St. Mary.
- Jennings: Acadia.
- South Jennings: Jefferson.
- Lewisburg: Acadia and St. Landry.
- West Mermentau: Acadia.
- Welsh: Jefferson.

The Office of Price Stabilization has been requested to eliminate the differentials heretofore imposed on crude condensate produced from certain South Louisiana fields listed above. During the base period, due to a lack of competitive factors, curtailed production, and inadequate low cost transportation, the crude condensate produced from these fields sold at a lower price than that paid for crude condensate of comparable quality produced in the same general producing area. This condition has now been elim-

inated and this differential should no longer be imposed.

From the information available to this office, it appears that the requested ceiling price of \$2.85 per barrel flat does not exceed the ceiling price of comparable crude condensate produced in this same area.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 3 of Supplementary Regulation 2 to Ceiling Price Regulation 32, *It is ordered.*

1. That the ceiling price at the lease receiving tank for crude condensate produced from the above listed Louisiana fields shall be: \$2.85 per barrel flat.

2. All provisions of Ceiling Price Regulation 32, except as inconsistent with the provisions of this order, shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified or revoked by the Director of Price Stabilization at any time.

Effective date. This special order shall become effective on February 11, 1953.

JOSEPH H. FREEHILL,

Director of Price Stabilization.

FEBRUARY 10, 1953.

[F. R. Doc. 53-1459; Filed, Feb. 10, 1953; 4:46 p. m.]

[Ceiling Price Regulation 32, Supplementary Regulation 2, Section 3, Special Order 50]

LOGANSFORT FIELD (PETTIT AND TRAVIS PEAK FORMATIONS) DE SOTO PARISH, LOUISIANA

CRUDE CONDENSATE CEILING PRICE ADJUSTED ON AN IN-LINE BASIS

Statement of considerations. This special order adjusts the ceiling price for the purchase of crude condensate produced from Logansport Field (Pettit and Travis Peak Formation) De Soto Parish, Louisiana.

The Office of Price Stabilization has been requested to eliminate the differential heretofore imposed upon crude condensate produced from the Logansport Field (Pettit and Travis Peak Formations) De Soto Parish, Louisiana. During the base period, due to curtailed production, a lack of competitive factors and inadequate low cost transportation facilities, the crude condensate produced from this field was not segregated and consequently sold at a lower price than that paid for crude condensate of comparable quality produced in the same area. This condition has now been eliminated and this differential should no longer be imposed.

From information available to this office, it appears that a ceiling price of \$2.80 per barrel flat does not exceed the ceiling price of comparable condensate produced in this same area.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 3 of Supplementary Regulation 2

to Ceiling Price Regulation 32; *it is ordered.*

1. That the ceiling price at the lease receiving tank for crude condensate produced from the Logansport Field (Pettit and Travis Peak Formations) De Soto Parish, Louisiana, shall be \$2.80 per barrel flat.

2. All provisions of Ceiling Price Regulation 32, except as inconsistent with the provisions of this order, shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified or revoked by the Director of Price Stabilization at any time.

Effective date. This special order shall become effective on February 11, 1953.

JOSEPH H. FREEHILL,

Director of Price Stabilization.

FEBRUARY 10, 1953.

[F. R. Doc. 53-1460; Filed, Feb. 10, 1953; 4:46 p. m.]

[Region II, Redelegation of Authority 2, Revision 1, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION II, NEW YORK, N. Y.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES; AUTHORITY TO ACT UNDER SECTION 26B OF CPR 15 AND 24B OF CPR 16

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. II, pursuant to Delegation of Authority No. 8, Revision 1, Amendment 1 (18 F. R. 336) this Amendment 1 to Redelegation of Authority No. 2, Revision 1, is hereby issued.

Redelegation of Authority No. 2, Revision 1, Amendment 1 is amended in the following respects:

A new item 2 is inserted after item 1 to read as follows:

2. Authority to act under section 26b of CPR 15 and under section 24b of CPR 16. Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization of Region II to take appropriate action under section 26b of CPR 15 and under section 24b of CPR 16.

This Amendment 1 to Redelegation of Authority 2, Revision 1, shall be effective February 11, 1953.

JAMES G. LYONS,

Regional Director Region II.

FEBRUARY 11, 1953.

[F. R. Doc. 53-1507; Filed, Feb. 11, 1953; 4:39 p. m.]

[Region V, Redelegation of Authority 25, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION V ATLANTA, GA.

REDELEGATION OF AUTHORITY TO TAKE CERTAIN ACTIONS UNDER CPR 25, REVISED

By virtue of the authority vested in me as Director of the Regional Office of Price

Stabilization, No. V, Atlanta, Georgia, pursuant to Delegation of Authority 42, Amendment 1, (18 F.R. 269) this Amendment 1 to Redelegation of Authority No. 25 is hereby issued.

Redelegation of Authority No. 25 is amended as follows:

Section 1 is amended to read as follows:

1. Authority is hereby redelegated to the Directors of the Columbia, South Carolina; Jackson, Mississippi; Jacksonville, Florida; Montgomery, Alabama and Nashville, Tennessee District Offices of Price Stabilization to act under sections 4 (d) 5 (c) (3) 12, 21 (c) 22, 30 (f) and (g) 32 (b) 33 and 35 of CPR 25. All actions in respect to sections 33 and 35 of CPR 25, taken by such offices previous to this authority, are hereby confirmed and validated.

This Amendment 1 of Redelegation of Authority No. 25 shall take effect as of January 21, 1953.

CHARLES B. CLEMENT,
Director of Regional Office V

FEBRUARY 11, 1953.

[F. R. Doc. 53-1508; Filed, Feb. 11, 1953; 4:39 p. m.]

[Region V, Redelegation of Authority 55, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION V ATLANTA, GA.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES; AUTHORITY TO ACT UNDER SECTION 26B OF CPR 15 AND 24B OF CPR 16

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. V Atlanta, Georgia, pursuant to Delegation of Authority 8, Revision 1, Amendment 1 (18 F. R. 336) this Amendment 1 of Redelegation of Authority No. 55 is hereby issued.

Redelegation of Authority No. 55 is amended in the following respects:

(1) A new item or section 2 is inserted after item or section 1 to read as follows:

2. Authority is hereby redelegated to the Directors of the Columbia, South Carolina, Jackson, Mississippi; Jacksonville, Florida, Montgomery, Alabama and Nashville, Tennessee District Offices of Price Stabilization to take appropriate action under section 26b of CPR 15 and under section 24b of CPR 16.

(2) The present item or section 2 is redesignated as item or section 3.

This Amendment 1 of Redelegation of Authority No. 55 shall take effect as of January 21, 1953.

CHARLES B. CLEMENT,
Director of Regional Office V

FEBRUARY 11, 1953.

[F. R. Doc. 53-1509; Filed, Feb. 11, 1953; 4:39 p. m.]

[Region VI, Redefinition of Authority, 1, Revision 1, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION VI, CLEVELAND, OHIO

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES; AUTHORITY TO ACT UNDER SECTION 26B OF CPR 15 AND 24B OF CPR 16

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VI, pursuant to Delegation of Authority No. 8; Revision 1, Amendment 1 (18 F. R. 336) this Amendment 1 to Redefinition of Authority No. 1, Revision 1 (17 F. R. 11418) is hereby issued.

Redefinition of Authority No. 1, Revision 1, is amended in the following respects:

A new item 2 is inserted after item 1 to read as follows:

2. Authority to act under section 26b of CPR 15 and section 24b of CPR 16. Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Detroit, Michigan and Louisville, Kentucky to take appropriate action under section 26b of CPR 15 and under section 24b of CPR 16.

This amendment shall take effect as of January 30, 1953.

SYDNEY A. HESSE,
Regional Director Region VI.

FEBRUARY 11, 1953.

[F. R. Doc. 53-1510; Filed, Feb. 11, 1953; 4:39 p. m.]

[Region VII, Redefinition of Authority 14, Amdt. 1].

DIRECTORS OF DISTRICT OFFICES, REGION VII, CHICAGO, ILL.

REDELEGATION OF AUTHORITY TO TAKE CERTAIN ACTIONS UNDER CPR 25, REVISED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VII, pursuant to Delegation of Authority No. 42, Amendment 1 (18 F. R. 269) this Redefinition of Authority No. 14, Amendment 1, is hereby issued.

Redefinition of Authority No. 14 is amended to read as follows:

1. Authority to act under sections 4 (d), 5 (c) (3), 12, 21 (c) 22, 30 (f) and (g) 32 (b) 33 and 35 of CPR 25. Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Indianapolis, Indiana, and Milwaukee, Wisconsin, to act under sections 4 (d) 5 (c) (3) 12, 21 (c) 22, 30 (f) and (g) 32 (b) 33 and 35 of CPR 25. All actions in respect to sections 33 and 35 of CPR 25, taken by field offices previous to this authority, are hereby confirmed and validated.

This Amendment 1 to Redefinition of Authority No. 14 shall take effect on February 11, 1953.

B. EMMET HARTNETT,
Director of Regional Office VII.

FEBRUARY 11, 1953.

[F. R. Doc. 53-1511; Filed, Feb. 11, 1953; 4:40 p. m.]

[Region VIII, Redefinition of Authority 4, Revised, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION VIII, MINNEAPOLIS, MINN.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES; AUTHORITY TO ACT UNDER SECTION 26B OF CPR 15 AND 24B OF CPR 16

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VIII, pursuant to Amendment 1 to Delegation of Authority No. 8, Revision 1, Amendment 1, dated January 14, 1953 (18 F. R. 336), this Amendment 1 to Redefinition of Authority No. 4, Revised (17 F. R. 11419) is hereby issued.

Redefinition of Authority No. 4, Revision 1, is amended by adding a new paragraph 2 to read as follows:

2. Authority to act under section 26b of CPR 15 and 24b of CPR 16. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Eighth Region, to take appropriate action under section 26b of CPR 15 and under section 24b of CPR 16.

This Amendment 1 to Redefinition of Authority No. 4, Revised, shall take effect as of January 19, 1953.

JOSEPH ROBBIE, JR.,
Regional Director, Region VIII.

FEBRUARY 11, 1953.

[F. R. Doc. 53-1512; Filed, Feb. 11, 1953; 4:40 p. m.]

[Region IX, Redefinition of Authority 21, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION IX, KANSAS CITY, MO.

REDELEGATION OF AUTHORITY TO TAKE CERTAIN ACTIONS UNDER CPR 25, REVISED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IX, pursuant to the provisions of Delegation of Authority No. 42, Amendment 1, dated January 12, 1953 (18 F. R. 269), this Amendment 1 to Redefinition of Authority No. 21 (17 F. R. 458) is hereby issued.

Redefinition of Authority No. 21 is amended to read as follows:

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to act under sections 4 (d) 5 (c) (3), 12, 21 (c) 22, 30 (f) and (g), 32 (b) 33 and 35 of Ceiling Price Regulation 25.

2. All actions in respect to sections 33 and 35 of Ceiling Price Regulation 25, taken by District Offices, Region IX, previous to this authority, are hereby confirmed and validated.

This Amendment 1 to Redefinition of Authority No. 21 shall take effect as of January 20, 1953.

M. A. BROOKS,
Regional Director, Region IX.

FEBRUARY 11, 1953:

[F. R. Doc. 53-1514; Filed, Feb. 11, 1953; 4:40 p. m.]

[Region IX, Redefinition of Authority 22, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION IX, KANSAS CITY, MO.

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENT FILED BY MANUFACTURERS HAVING YEARLY SALES VOLUME OF \$1,000,000 OR LESS UNDER GOR 10

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IX, pursuant to the provisions of Delegation of Authority No. 43, Revision 1, dated December 11, 1952, (17 F. R. 11251) this Revision 1 of Redefinition of Authority No. 22, (17 F. R. 458) is hereby issued.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to process and act upon applications for adjustments, filed by a manufacturer under General Overriding Regulation 10: (a) Whose total net sales amounted to \$1,000,000 or less for his last complete fiscal year; and

(b) Whose sales of commodities covered by this application are confined largely to the OPS Region in which his principal place of business is located; or

(c) Whose application has been specifically referred for action by the National Office.

This Revision 1 of Redefinition of Authority No. 22 shall take effect as of January 20, 1953.

M. A. BROOKS,
Regional Director, Region IX.

FEBRUARY 11, 1953.

[F. R. Doc. 53-1515; Filed, Feb. 11, 1953; 4:40 p. m.]

[Region IX, Redefinition of Authority 45, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION IX, KANSAS CITY, MO.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR CEILING PRICES OF NEW COMMODITIES BY MANUFACTURERS HAVING ANNUAL SALES OF LESS THAN \$1,000,000 UNDER CPR 161

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IX, pursuant to the provisions of Delegation of Authority No. 75, Amendment 1, dated December 24, 1952 (17 F. R. 11764) this Amendment 1 to Redefinition of Authority No. 45 (17 F. R. 10424) is hereby issued.

Redefinition of Authority No. 45 is amended to read as follows:

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to process in the respects indicated herein ceiling price reports or applications for new commodities filed under Ceiling Price Regulation 161, by manufacturers whose gross sales for their last complete fiscal year of commodities manufactured by them were less than \$1,000,000, or by new manufacturers who do not expect their gross sales to exceed \$1,000,000 during their first complete fiscal year.

(a) To approve, or disapprove proposed ceiling prices for new commodities under sections 3, 4 and 5 of Ceiling Price Regulation 161,

(b) To issue letter orders as provided in section 6 of Ceiling Price Regulation 161, establishing ceiling prices of new commodities for which a ceiling price cannot be calculated under sections 3, 4 and 5 of Ceiling Price Regulation 161,

(c) To issue letter orders disapproving or reducing ceiling prices reported or proposed as provided in section 9 of Ceiling Price Regulation 161,

(d) To request additional information, as provided in section 15 of Ceiling Price Regulation 161, where applicants submit proposed ceiling prices for new commodities under sections 3, 4, 5 and 6 of Ceiling Price Regulation 161.

This Amendment 1 to Redefinition of Authority No. 45 shall take effect as of January 20, 1953.

M. A. BROOKS,
Regional Director Region IX.

FEBRUARY 11, 1953.

[F. R. Doc. 53-1516; Filed, Feb. 11, 1953;
4:41 p. m.]

[Region IX, Redefinition of Authority 48,
Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION
IX, KANSAS CITY, MO.

REDELEGATION OF AUTHORITY TO ACT UNDER
SECTIONS 6 AND 7 OF THE GCPR

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IX, pursuant to the provisions of Delegation of Authority No. 76, Revision 1, dated December 11, 1952 (17 F. R. 11252) this Revision 1 of Redefinition of Authority No. 48 (17 F. R. 10797) is hereby issued.

1. Authority to act under sections 6 and 7 of the General Ceiling Price Regulation. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX.

(a) To act under sections 6 and 7 of the General Ceiling Price Regulation, in respect to all matters referred to therein pertaining to applications and reports submitted by manufacturers, wholesalers, retailers, and suppliers of services except as follows:

1. Firms which expect to sell a substantial amount of the commodities covered by their report or application to persons located outside the OPS Region in which their principal place of business is located, or

2. Manufacturers whose total gross sales of manufactured commodities amounted to \$1,000,000 or more for their last complete fiscal year, or a new manufacturer whose total gross sales of manufactured commodities are expected to reach \$1,000,000 or more for their first complete fiscal year.

3. Firms who make a report or application for a group of retail sellers which have uniform ceiling prices in accordance with the provisions of section 12 of the General Ceiling Price Regulation.

(b) To act on any application or re-

port under sections 6 and 7 of the General Ceiling Price Regulation, as amended, specifically referred for action by the National Office.

This Revision 1 of Redefinition of Authority No. 48 shall take effect as of January 20, 1953.

M. A. BROOKS,
Regional Director Region IX.

FEBRUARY 11, 1953.

[F. R. Doc. 53-1517; Filed, Feb. 11, 1953;
4:41 p. m.]

[Region IX, Redefinition of Authority 55]

DIRECTORS OF DISTRICT OFFICES, REGION
IX, KANSAS CITY, MO.

REDELEGATION OF AUTHORITY TO ACT UNDER
SECTION 3 (C) OF SUPPLEMENTARY REGU-
LATION 3, AS AMENDED, TO CPR 34, AS
AMENDED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IX, pursuant to the provisions of Delegation of Authority No. 87, dated December 23, 1952 (17 F. R. 11764) this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to process the applications filed under section 3 (c) of Supplementary Regulation 3, as amended, to Ceiling Price Regulation 34, as amended, by sellers of automotive repair service; to issue letter orders permitting such sellers to substitute approved editions of, or supplements to flat rate manuals or labor time schedules in place of altered flat rate manuals or labor time schedules; and to modify the established customers' hourly rates of such sellers.

This redelegation of authority shall take effect as of January 20, 1953.

M. A. BROOKS,
Regional Director Region IX.

FEBRUARY 11, 1953.

[F. R. Doc. 53-1513; Filed, Feb. 11, 1953;
4:40 p. m.]

[Region X, Redefinition of Authority 2,
Revision 1, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION
X, DALLAS, TEX.

REDELEGATION OF AUTHORITY TO ACT ON
APPLICATIONS PERTAINING TO CERTAIN
FOOD AND RESTAURANT COMMODITIES;
AUTHORITY TO ACT UNDER SECTION 26B
OF CPR 15 AND 24B OF CPR 16

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, Dallas, Texas, pursuant to Delegation of Authority No. 8, Revision 1, Amendment 1, (18 F. R. 336) this Amendment 1 to Redefinition of Authority No. 2, Revision 1, is hereby issued.

Redefinition of Authority No. 2, Revision 1, is amended by adding paragraph 2 to read as follows:

2. Authority to act under section 26b of CPR 15 and 24b of CPR 16. Author-

ity is hereby redelegated to the Directors of the District Offices, Office of Price Stabilization, Region X, to take appropriate action under section 26b of CPR 15 and under section 24b of CPR 16.

This Amendment 1 to Redefinition of Authority No. 2, Revision 1, shall take effect as of January 26, 1953.

B. FRANK WHITE,
Director of Regional Office X.

FEBRUARY 11, 1953.

[F. R. Doc. 53-1518; Filed, Feb. 11, 1953;
4:41 p. m.]

[Region XI, Redefinition of Authority 25;
Amdt. 1]

DIRECTORS OF ALL DISTRICT OFFICES,
REGION XI

REDELEGATION OF AUTHORITY TO ACT UNDER
CPR 25, AMENDMENT 1, REVISED CEILING
PRICES OF BEEF ITEMS SOLD AT RETAIL

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XI, pursuant to Delegation of Authority No. 42, Amendment 1, (18 F. R. 269) this Amendment 1 to Redefinition of Authority 25 is hereby issued.

Section 1 of Redefinition of Authority No. 25 is amended to read as follows:

1. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region XI to act under sections 4 (d), 5 (c) (3), 12, 21 (c) 22, 30 (f) and (g) 32 (b) 33 and 35 of Ceiling Price Regulation 25.

All actions in respect to sections 33 and 35 of CPR 25, taken by District Offices previous to this authority, are hereby confirmed and validated.

This Amendment 1 to Redefinition of Authority 25 shall take effect as of January 23, 1953.

DELBERT M. DRAPER,
Regional Director Region XI.

FEBRUARY 11, 1953.

[F. R. Doc. 53-1519; Filed, Feb. 11, 1953;
4:41 p. m.]

[Region XIII, Redefinition of Authority No.
2, Revision 3]

DIRECTORS OF DISTRICT OFFICES, REGION
XIII, SEATTLE, WASH.

REDELEGATION OF AUTHORITY TO ACT ON
APPLICATIONS PERTAINING TO CERTAIN
FOOD AND RESTAURANT COMMODITIES; AU-
THORITY TO ACT UNDER SECTION 26B OF
CPR 15 AND 24B OF CPR 16

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority 8, Revision 1, as amended (18 F. R. 336) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, and Spokane District Offices of Price Stabilization, respectively to take appropriate action under sections 15 (c), 23, 26, 26a, 27, 27a, 27b, 27c, 28, 28b, and 28c of

CPR 14; sections 21a, 26, 26a, 27, and 30 (b) of CPR 15; and sections 22 (b), 24, 24a, and 26 (b) of CPR 16.

2. Authority is hereby redelegated to the Directors of the Boise, Portland, and Spokane District Offices of Price Stabilization, respectively, to take appropriate action under section 26b of CPR 15 and under section 24b of CPR 16.

This redelegation of authority shall become effective as of January 28, 1953.

MURIEL MAWER,
Acting Regional Director, Region XIII.

FEBRUARY 11, 1953.

[F. R. Doc. 53-1520; Filed, Feb. 11, 1953;
4:42 p. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6460]

PUBLIC SERVICE CO. OF COLORADO
ORDER POSTPONING HEARING

FEBRUARY 5, 1953.

The Commission having considered the motion filed January 30, 1953, by Public Service Company of Colorado, requesting that the date of hearing upon order to show cause be vacated and that prior to such hearing the Commission hear and determine the Company's proposal of adjustment, filed the same date, orders:

(A) The proposal of adjustment be and it is hereby rejected.

(B) The hearing heretofore set for February 9, 1953, is hereby postponed pending the further order of the Commission.

Date of issuance: February 10, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-1494; Filed, Feb. 13, 1953;
8:51 a. m.]

[Docket No. E-6473]

IOWA PUBLIC SERVICE CO., AND KANSAS
CITY POWER & LIGHT CO.

NOTICE OF APPLICATION

FEBRUARY 9, 1953.

Take notice that on January 28, 1953, applications were filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Iowa Public Service Company (hereinafter called "Iowa") and Kansas City Power & Light Company (hereinafter called "Kansas City") seeking an order authorizing the sale by Kansas City and the purchase by Iowa of approximately 55 miles of 161,000 volt 3 phase transmission line to be located between the Fort Dodge substation of the Iowa-Illinois Gas and Electric Company easterly to a point approximately 6 miles north of Iowa Falls. Iowa is a corporation organized under the laws of the State of Iowa and doing business in the States of South Dakota, Nebraska and Iowa, with its principal business office at Sioux City, Iowa. Kansas City is a corporation organized under the laws of the State of

Missouri and doing business in the States of Kansas, Iowa and Missouri, with its principal business office at Kansas City, Missouri. The transmission line proposed to be sold, the application states, will be constructed at a cost of approximately \$990,000 and is proposed for sale at said cost; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 28th day of February 1953, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-1490; Filed, Feb. 13, 1953;
8:50 a. m.]

[Docket No. E-6474]

FLORIDA POWER CORP.

NOTICE OF APPLICATION

FEBRUARY 10, 1953.

Take notice that on February 9, 1953, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Florida Power Corporation, a corporation organized under the laws of the State of Florida and doing business in the States of Florida and Georgia, with its principal business office at St. Petersburg, Florida, seeking an order authorizing the issuance of promissory notes payable on or before December 31, 1953. Promissory notes will be issued to, and participation will be had by, the banks named below in the amounts set forth as follows:

	<i>Participation</i>
Guaranty Trust Co. of New York	\$4, 075, 000
The Hanover Bank	2, 750, 000
The Chase National Bank of the City of New York	2, 250, 000
Chemical Bank & Trust Co.	1, 500, 000
Irving Trust Co.	500, 000
Florida National Bank at St. Petersburg	410, 000
Union Trust Co., St. Petersburg	150, 000
First National Bank, Orlando	125, 000
First National Bank in St. Petersburg	100, 000
The Bank of Clearwater	40, 000
Total	12, 500, 000

all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 2d day of March 1953, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-1491; Filed, Feb. 13, 1953;
8:50 a. m.]

[Docket Nos. G-1012, G-1319, G-1554, G-1558-G-1569, G-1568, G-1576, G-1584, G-1655, G-1921, G-1922, G-1969, G-2077, G-2103]

ALGONQUIN GAS TRANSMISSION CO. ET AL.

ORDER CONSOLIDATING PROCEEDINGS AND
FIXING DATE OF HEARING

FEBRUARY 5, 1953.

In the matters of Algonquin Gas Transmission Company, Docket No. G-1319; Northeastern Gas Transmission Company, Docket No. G-1568; Texas Eastern Transmission Corporation, Docket No. G-1012; Portland Gas Light Company, Docket No. G-1554; Biddeford and Saco Gas Company, Docket No. G-1558; Gas Service, Incorporated, Docket No. G-1559; Allied New Hampshire Gas Company, Docket No. G-1560; Greenfield Gas Light Company, Docket No. G-1576; Gardner Gas Fuel and Light Company, Docket No. G-1584; Athol Gas Company, Docket No. G-1655; Blackstone Valley Gas and Electric Company, Docket No. G-2077; Tennessee Gas Transmission Company and Niagara Gas Transmission Limited, Docket No. G-1921; Tennessee Gas Transmission Company, Docket No. G-1922; Tennessee Gas Transmission Company, Docket No. G-1969; Tennessee Gas Transmission Company, Docket No. G-2103.

The Commission by order issued October 31, 1952, in Docket No. G-1319 et al, consolidated and set for hearing the following applications: (1) Algonquin Gas Transmission Company's (Algonquin) application for a certificate of public convenience and necessity authorizing the construction and operation of a natural-gas pipe-line system to serve certain New England markets in reopened Docket No. G-1319; (2) Northeastern Gas Transmission Company's (Northeastern) application for a certificate of public convenience and necessity authorizing the construction and operation of a natural-gas pipe-line system to serve the same New England markets which Algonquin in its above-mentioned application sought to serve and in addition other specified New England markets, in reopened Docket No. G-1568; (3) Texas Eastern Transmission Corporation's (Texas Eastern) application for a certificate of public convenience and necessity authorizing the construction and operation of natural-gas pipe-line facilities for the sale and delivery of natural gas to Algonquin at a point near Lambertville, New Jersey, in reopened Docket No. G-1012; and (4) the following applications of gas distributing companies in New England filed pursuant to section 7 (a) of the Natural Gas Act each for an order directing Northeastern to establish physical connection with, and to sell and deliver natural gas to, each applicant:

Portland Gas Light Company, Docket No. G-1554.

Biddeford and Saco Gas Company, Docket No. G-1553.

Gas Service, Incorporated, Docket No. G-1559.

Allied New Hampshire Gas Company, Docket No. G-1560.

Greenfield Gas Light Company, Docket No. G-1576.

Gardner Gas Fuel and Light Company, Docket No. G-1584.
Athol Gas Company, Docket No. G-1655.
Blackstone Valley Gas and Electric Company, Docket No. G-2077.

The above-mentioned Commission order set the consolidated applications for hearing on November 24, 1952; notice by the Secretary of the Commission filed November 10, 1952, in Docket No. G-1319, et al., set the hearing for November 25, 1952. Pursuant to the Secretary's notice the hearing was begun on November 25, 1952. Such hearing is presently being held before a Presiding Examiner of the Commission.

A joint application for authorization to export natural gas, Docket No. G-1921, was filed by Tennessee Gas Transmission Company (Tennessee) and Niagara Gas Transmission Limited (Niagara) pursuant to section 3 of the Natural Gas Act, on March 18, 1952, and an amendment to that application was filed by Tennessee and Niagara on June 2, 1952. The application sought authorization to export natural gas to Canada, the gas to be purchased by Niagara from producers in southwestern United States and transported by Tennessee for the account of Niagara from southwestern United States to a point of interconnection with the proposed facilities of Niagara on the international boundary north of Niagara Falls.

Tennessee filed an application for Presidential Permit in Docket No. G-1922 on March 18, 1952, in compliance with Executive Order No. 8202 and §§ 153.10 and 153.11 of the Commission's rules of practice and procedure (18 CFR 153.10 and 153.11). The requested recommendation for a Presidential Permit in this application is correlative to Tennessee's and Niagara's application described above in Docket No. G-1921.

On June 2, 1952, Tennessee filed an application, pursuant to section 7 of the Natural Gas Act, in Docket No. G-1969 for a certificate of public convenience and necessity authorizing the construction and operation of natural-gas pipeline facilities necessary to effectuate the transportation for which authorization was sought in the above-described application in Docket No. G-1921.

By Commission order issued April 2, 1952, Docket Nos. G-1921 and G-1922 were consolidated with Docket No. G-996, et al., and the consolidated dockets set for hearing June 16, 1952.

On June 17, 1952, during such consolidated hearing, counsel for Northwest Natural Gas Company, applicant in Docket No. G-996, filed a written motion to sever Docket Nos. G-1921 and G-1922; on June 20, 1952, a similar motion was filed by counsel for applicants in Docket Nos. G-1921 and G-1922.

By order issued July 2, 1952, the Commission severed Docket Nos. G-1921 and G-1922 from the consolidated Docket Nos. G-996, et al. By the same order, the Commission consolidated Docket Nos. G-1921 and G-1922 with Docket No. G-1969 for purposes of hearing, and set the hearing for a time and place to be fixed by further order of the Commission.

By Commission order issued July 17, 1952, such consolidated hearing was set for August 6, 1952; later an order issued July 29, 1952, postponing such consolidated hearing to September 15, 1952.

On September 9, 1952, the Commission issued an order further postponing such consolidated hearing until a date to be fixed by order of the Commission. In the order issued September 9, 1952, the Commission first set out the following paragraph from its order in a prior proceeding involving an application by Tennessee, Docket No. G-1573:

It appears to be reasonable and in the public interest that for the purposes of these reopened proceedings Tennessee's incremental study of its deliverability estimates should be accepted. However, we consider it reasonable to require Tennessee, in any future proceedings on applications for certificates of public convenience and necessity involving material increase in its total system deliverability capacity, to present evidence showing a complete system deliverability study on a year-by-year basis. Tennessee has been so notified by the Commission and such notice constitutes a part of the record herein.

The Commission then stated that it had by letter requested Tennessee to submit on or before September 5, 1952, such a deliverability study along with other pertinent data. Likewise, Niagara was requested to submit certain pertinent data on or before September 1, 1952. The order stated, finally, that all of the required information had not been furnished. Nor has such information since been furnished pursuant to that letter. However, as a part of its filing in Docket No. G-2108 Tennessee has included as a proposed exhibit a Deliverability Study showing the daily volumes of gas it estimates can and are proposed to be obtained each year from each source of supply.

On January 12, 1953, Tennessee filed an application, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity authorizing an increase from a maximum of 220,000 Mcf per day established in the Commission's order of June 19, 1952, in Docket No. G-1573 to 433,000 Mcf per day of the maximum authorized daily deliveries of natural gas to Northeastern, which is a wholly-owned subsidiary of Tennessee. Tennessee proposes to make the additional deliveries to Northeastern through its presently-certificated facilities. The additional quantity of natural gas proposed to be delivered to Northeastern is for the purpose of enabling Northeastern to serve those customers sought to be served in Northeastern's above-mentioned application in Docket No. G-1568.

The Commission finds:

(1) Good cause exists and it is in the public interest to consolidate all the proceedings listed in the heading hereof for purpose of hearing.

(2) Good cause exists and it is in the public interest that the hearing in Docket Nos. G-1921, G-1922, G-1969 and G-2108 commence following the termination of all direct and cross and other examination of witnesses appearing on

behalf of applicants in the hearing presently being held in Docket No. G-1319 and those other dockets heretofore consolidated by order of the Commission issued October 31, 1952, in Docket No. G-1319, et al.

(3) Good cause exists and the public interest requires that Docket No. G-2108 be consolidated with the above-docketed proceedings pursuant to § 157.11 of the Commission's rules of practice and procedure.

(4) It is reasonable and in the public interest and good cause exists for fixing the date of hearing for these consolidated applications less than 15 days after publication of this order in the FEDERAL REGISTER.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 3, 7, and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, the proceedings in Docket Nos. G-1319, G-1568, G-1012, G-1554, G-1558, G-1559, G-1560, G-1576, G-1584, G-1655, G-2077, G-1921, G-1922, G-1969, and G-2108 be and they are hereby consolidated for purpose of hearing; hearing shall commence on February 24, 1953, at 10:00 a. m., e. s. t. in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., or if examination of witnesses in the hearing presently being held, described in (2) above, is not completed, at such time and place thereafter as the Presiding Examiner shall fix.

(B) Interested State commissions may participate as provided by § 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: February 10, 1953.

By the Commission.¹

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-1495; Filed, Feb. 13, 1953; 8:52 a. m.]

[Docket No. G-1630]

EL PASO NATURAL GAS CO.

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

FEBRUARY 9, 1953.

Notice is hereby given that on February 6, 1953, the Federal Power Commission issued its order entered February 5, 1953, amending order (17 F. R. 5972) issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-1471; Filed, Feb. 13, 1953; 8:46 a. m.]

¹ Chairman Buchanan's dissenting and concurring opinion filed as part of the original document.

[Docket Nos. G-1473, G-1649, G-1693, G-1727, G-1737]

TEXAS EASTERN TRANSMISSION CORP. ET AL.
NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

FEBRUARY 9, 1953.

In the matters of Texas Eastern Transmission Corporation, Docket No. G-1693; Alabama-Tennessee Natural Gas Company, Docket No. G-1473; Tennessee Gas Company, Docket No. G-1649; Shippensburg Gas Company, Docket No. G-1727; Consumers Gas Company, Docket No. G-1737.

Notice is hereby given that on February 6, 1953, the Federal Power Commission issued its order entered February 4, 1953, amending order (17 F. R. 6287) issuing certificate of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-1472; Filed, Feb. 13, 1953; 8:46 a. m.]

[Docket No. G-1959]

WILCOX TREND GATHERING SYSTEM, INC.
NOTICE OF ORDER ISSUING CERTIFICATE
 FEBRUARY 9, 1953.

Notice is hereby given that on February 4, 1953, the Federal Power Commission issued its order entered February 4, 1953, allowing rate schedule to take effect and amending order (17 F. R. 11675) issuing certificate in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-1473; Filed, Feb. 13, 1953; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 30-227, 54-202]

ALABAMA POWER Co. ET AL.

ORDER DECLARING THAT ALABAMA POWER COMPANY HAS CEASED TO BE A HOLDING COMPANY

FEBRUARY 9, 1953.

In the matter of Alabama Power Company, Birmingham Electric Company, and the Southern Company File No. 54-202 and File No. 30-227.

The Commission, after public hearings held with respect thereto, adopted and published its findings and opinion and order, dated October 21, 1952 (Holding Company Act Release No. 11548) approving a plan filed under Section 11 (e) of the act for the merger of Alabama Power Company ("Alabama") an exempt registered holding company and a public utility company, and its public utility subsidiary, Birmingham Electric Company ("Birmingham") Alabama is a subsidiary of the Southern Company, a registered holding company. At the time of the filing of the plan, Alabama requested the Commission to find and declare, pursuant to Section 5 (d) of the

act, that upon consummation of the plan Alabama would cease to be a holding company. In the aforesaid findings and opinion the Commission stated, among other things, that it would be appropriate to enter the requested order when the proposed merger had been effectuated since at such time Alabama would have no public utility company subsidiaries. The Commission has now been advised that the plan has been consummated and that pursuant thereto Birmingham was merged into Alabama. The Commission finding that Alabama has ceased to be a holding company.

It is hereby ordered and declared, Pursuant to section 5 (d) of the act, that Alabama has ceased to be a holding company and that this order shall become effective forthwith upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-1475; Filed, Feb. 13, 1953; 8:47 a. m.]

[File No. 70-2981]

SOUTHERN CO., AND GEORGIA POWER Co.
ORDER AUTHORIZING ISSUANCE AND SALE BY SUBSIDIARY OF COMMON STOCK AND ACQUISITION THEREOF BY PARENT COMPANY
 FEBRUARY 9, 1953.

The Southern Company ("Southern"), a registered holding company and its subsidiary company, Georgia Power Company ("Georgia Power"), a public utility company, having filed with this Commission an application-declaration and an amendment thereto, pursuant to sections 6, 7, 9 (a) 10 and 12 (f) of the act and Rules U-23 and U-43 promulgated thereunder, with respect to certain transactions which are summarized as follows:

Georgia Power has an authorized common stock of 5,000,000 shares, no par value. There are 4,796,000 of such shares outstanding, all of which are owned by Southern. Georgia Power proposes to issue and sell to its parent an additional 338,000 shares of common stock for a cash consideration of \$6,000,000 of which \$3,500,000 is to be received for 197,166 shares to be sold in February 1953. The balance of 140,834 shares is to be sold for \$2,500,000 in March 1953, after appropriate action has been taken by the Board of Directors and the stockholders of Georgia Power to increase the authorized number of shares of common stock from 5,000,000 shares to 7,500,000 shares. The price per share for the 338,000 shares is slightly in excess of the book value per share of the issued and outstanding common stock as of November 30, 1952.

It is stated that the proceeds from the sale of such shares will be used by Georgia Power to finance improvements, extensions and additions to its utility plant.

The Georgia Public Service Commission has approved the proposed issuance and sale of 204,000 shares of common stock which are now authorized but are still unissued and has also approved the issuance and sale of 134,000 additional

shares on condition that Georgia Power's stockholders adopt an appropriate amendment to the company's charter.

The application-declaration, as amended, states that no other state commission or Federal Commission, other than this Commission, has jurisdiction over the proposed transactions.

The application-declaration, as amended, further states that the expenses to be incurred in connection with the proposed transactions are estimated at \$10,850, including counsel fees of \$500.

It is requested that the Commission's order herein become effective upon issuance.

Notice of the filing of the application-declaration, having been given in the manner and form provided by Rule U-23 of the rules and regulations promulgated under the act, and a hearing not having been requested or ordered by the Commission within the time specified in said notice; and the Commission finding that the applicable provisions of the act and the rules and regulations promulgated thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration, as amended, be granted and permitted to become effective forthwith, subject to the conditions specified herein:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application-declaration, as amended, be, and hereby is, granted and permitted to become effective forthwith, on condition that appropriate corporate action be taken by Georgia Power to increase its authorized common stock by at least 134,000 shares prior to the issuance of 140,834 shares in March 1953, as proposed, and also subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-1476; Filed, Feb. 13, 1953; 8:47 a. m.]

[File No. 70-2989]

AMESBURY ELECTRIC LIGHT Co. ET AL.
NOTICE OF FILING OF PROPOSED NOTE ISSUES
 FEBRUARY 9, 1953.

In the matter of Amesbury Electric Light Company, Attleboro Steam and Electric Company, Gloucester Electric Company, Northampton Electric Lighting Company, Northern Berkshire Gas Company, Quincy Electric Light and Power Company, Weymouth Light and Power Company File No. 70-2989.

Notice is hereby given that declarations have been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 (the "act") by the above named companies, hereinafter individually referred to as "Amesbury" "Attleboro" "Gloucester Electric" "Northampton Electric" "Northern Berkshire" "Quincy" and "Weymouth" and collectively referred to as the "borrowing companies" all public-utility subsidiary companies of New England Electric System ("NEES"), a registered

holding company. The borrowing companies have designated sections 6 (a) and 7 of the act and Rules U-23 and U-42 (b) (2) thereunder as applicable to the proposed transactions, which are summarized as follows:

The borrowing companies propose to issue to banks, from time to time but not later than June 30, 1953, unsecured six-months promissory notes in the maximum aggregate principal amount of \$5,660,000. Each of the proposed notes will be due six months after the respective date thereof and each will bear interest at the prime rate of interest at the time of the issuance thereof. It is stated that said interest rate for such notes at the present time is 3 percent per annum. In the event that such interest rate is in excess of 3¼ percent per annum at the time any of said additional promissory notes are to be issued, the borrowing company will file an amendment to its declaration setting forth therein, at least five days prior to the issuance of said note or notes, the name of the bank or banks, the terms of the note or notes, and the rate of interest. Each of the borrowing companies requests that such amendment become effective at the end of such period unless the Commission notifies it to the contrary within said period.

The following table shows the amount of promissory notes proposed to be issued to banks prior to June 30, 1953, by each of the borrowing companies and the use of the proceeds derived from such notes.

Company	Notes proposed to be issued prior to June 30, 1953	Use of proceeds	
		Payment of notes payable to NEES	Construction or reimbursement thereof
Amesbury.....	\$515,000	\$495,000	\$20,000
Attleboro.....	555,000	495,000	60,000
Gloucester Electric.....	805,000	730,000	75,000
Northampton Electric.....	325,000	175,000	150,000
Northern Berkshire.....	1,230,000	1,130,000	100,000
Quincy.....	1,180,000	930,000	250,000
Weymouth.....	1,050,000	850,000	200,000
Total.....	5,660,000	4,805,000	855,000

Each of the borrowing companies states that the proceeds from any permanent financing will be applied in reduction of, or in total payment of, promissory notes then outstanding, and the amount of authorized but unissued notes, if any will be reduced by the amount, if any, by which such permanent financing exceeds the notes at the time outstanding.

The declarations state that incidental services in connection with the proposed note issues will be performed, at cost, by New England Power Service Company, an affiliated service company such cost being estimated not to exceed \$200 for each of the borrowing companies or an aggregate of \$1,400. The declarations further state that no State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

The borrowing companies request that the Commission's order herein become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than February 25, 1953, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matters, stating the nature of his interest, the reason or reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the declarations, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-1477; Filed, Feb. 13, 1953;
8:47 a. m.]

[File No. 70-2996]

POTOMAC EDISON CO. AND POTOMAC LIGHT AND POWER CO.

NOTICE OF FILING REGARDING SALE OF COMMON STOCK BY SUBSIDIARY TO PARENT

FEBRUARY 10, 1953.

Notice is hereby given that a joint application-declaration has been filed with this Commission by The Potomac Edison Company ("Potomac Edison") a registered holding company and public utility subsidiary of The West Penn Electric Company also a registered holding company and by Potomac Light and Power Company ("Potomac Light") a public utility subsidiary of Potomac Edison. Applicants-declarants have designated sections 6, 7, 9, 10, and 12 of the act and Rules U-43 and U-44 promulgated thereunder as applicable to the proposed transactions which are summarized as follows:

Potomac Light proposes to issue 10,900 shares of its authorized and unissued common stock, having a par value of \$100 per share, and to sell such shares to Potomac Edison for a cash consideration of \$1,090,000. Potomac Edison owns all of the outstanding common stock of Potomac Light which stock is presently pledged under the indenture securing Potomac Edison's outstanding first mortgage bonds. The 10,900 shares of common stock which are to be issued and sold by Potomac Light will be acquired from time to time as necessary prior to December 31, 1953 and will be pledged by Potomac Edison under its indenture. The price to be paid is based upon the par value of such shares. It is stated the proceeds from the sale will be used for the construction of property additions and improvements. The proposed transactions are subject to the jurisdiction of the Public Service Commission of Maryland and the Public Service Commission of West Virginia and the expenses to be incurred in connection

therewith, consisting chiefly of United States documentary stamps and miscellaneous expenses, are estimated at less than \$1,600.

It is requested that the Commission's order herein become effective upon issuance.

Notice is further given that any interested person may not later than February 26, 1953, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after February 26, 1953, said joint application-declaration, as filed or as amended, may be granted or permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-1474; Filed, Feb. 13, 1953;
8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27784]

FERTILIZER AND RELATED ARTICLES FROM POINTS IN ARKANSAS, LOUISIANA, AND TEXAS, TO STONEY CREEK, VA.

APPLICATION FOR RELIEF

FEBRUARY 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3746.

Commodities involved: Fertilizer and related articles, carloads.

From: Points in Arkansas, Louisiana (west of the Mississippi River), and Texas.

To: Stoney Creek, Va.

Grounds for relief: Rail competition, circuitous routes, and additional destination.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3746, Supp. 105.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may

proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-1479; Filed, Feb. 13, 1953;
8:48 a. m.]

[4th Sec. Application 27785]

HYDROL FROM CORPUS CHRISTI, TEX., TO
LOUISVILLE, KY.

APPLICATION FOR RELIEF

FEBRUARY 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3967.

Commodities involved: Hydrol (sorghum sugar final molasses) in tank-car loads.

From: Corpus Christi, Tex.

To: Louisville, Ky.

Grounds for relief: Rail and market competition and circuitry.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3967, Supp. 199.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-1480; Filed Feb. 13, 1953;
8:48 a. m.]

[4th Sec. Application 27786]

STOVES AND RANGES FROM NASHVILLE,
TENN., TO NEW ORLEANS, LA.

APPLICATION FOR RELIEF

FEBRUARY 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-

haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for the Chicago, Rock Island and Pacific Railroad Company and other carriers, pursuant to fourth-section order No. 16101.

Commodities involved: Stoves and ranges and related articles, carloads.

From: Nashville, Tenn.

To: New Orleans, La., and points within the switching limits of New Orleans, for export.

Grounds for relief: Rail competition, circuitous routes, and operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-1481; Filed, Feb. 13, 1953;
8:48 a. m.]

[4th Sec. Application 27787]

PAPER BOXES FROM WEST MONROE, LA.,
TO ST. LOUIS, MO., AND EAST ST. LOUIS,
ILL.

APPLICATION FOR RELIEF

FEBRUARY 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 4027.

Commodities involved: Paper boxes, carloads.

From: West Monroe, La.

To: St. Louis, Mo., and East St. Louis, Ill.

Grounds for relief: Rail competition, circuitry, and additional routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 4027, Supp. 12.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission,

in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-1482; Filed, Feb. 13, 1953;
8:48 a. m.]

[4th Sec. Application 27783]

GRAIN FROM CHICAGO, JOLIET, AND LOCK-
PORT, ILL., TO ARKANSAS AND MISSOURI

APPLICATION FOR RELIEF

FEBRUARY 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedules listed below.

Commodities involved: Grain, grain products, and related articles, also seeds, carloads.

From: Chicago, Joliet, and Lockport, Ill.

To: Points in Arkansas and Missouri. Grounds for relief: Rail competition, circuitous routes, and grouping.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3939, Supp. 26; StL-SF Ry. I. C. C. No. A-313, Supp. 20.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-1483; Filed, Feb. 13, 1953;
8:48 a. m.]

[4th Sec. Application 27783]

ANHYDROUS AMMONIA FROM THE SOUTH-
WEST, TO LYNCHBURG, NORFOLK, AND
RICHMOND, VA.

APPLICATION FOR RELIEF

FEBRUARY 11, 1953.

The Commission is in receipt of the above-entitled and numbered applica-

tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3746.

Commodities involved: Anhydrous ammonia, carloads.

From: Southwestern producing points.
To: Lynchburg, Norfolk, and Richmond, Va.

Grounds for relief: Rail competition, circuitry and additional routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3746, Supp. 106.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-1484; Filed, Feb. 13, 1953;
8:49 a. m.]

[4th Sec. Application 27790]

FORMALDEHYDE FROM TALLANT, OKLA. AND BISHOP TEX., TO SOUTHWESTERN AND WESTERN TRUNK-LINE TERRITORIES

APPLICATION FOR RELIEF

FEBRUARY 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedules listed below.

Commodities involved: Formaldehyde, dry, carloads.

From: Tallant, Okla., and Bishop, Tex.
To: Points in southwestern and western trunk-line territories.

Grounds for relief: Rail competition, circuitry, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3880, Supp. 33; F. C. Kratzmeir, Agent, I. C. C. No. 3919, Supp. 147; F. C. Kratzmeir, Agent, I. C. C. No. 3967, Supp. 200; F. C. Kratzmeir, Agent, I. C. C. No. 4040, Supp. 12.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commis-

sion in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-1485; Filed, Feb. 13, 1953;
8:49 a. m.]

[4th Sec. Application 27791]

SCRAP IRON FROM AUGUSTA, GA., TO POINTS IN ALABAMA

APPLICATION FOR RELIEF

FEBRUARY 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for The Alabama Great Southern Railroad Company and other carriers.

Commodities involved: Scrap iron or steel, carloads.

From: Augusta, Ga.

To: Specified points in Alabama.

Grounds for relief: Rail competition, circuitry and additional routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 950, Supp. 193.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-1486; Filed, Feb. 13, 1953;
8:49 a. m.]

[4th Sec. Application 27702]

PIG IRON FROM NORTH TONAWANDA, N. Y., TO WORCESTER, MASS.

APPLICATION FOR RELIEF

FEBRUARY 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doc, Agents, for carriers parties to fourth-section application No. 25515.

Commodities involved: Pig iron, carloads.

From: North Tonawanda, N. Y.

To: Worcester, Mass.

Grounds for relief: Rail competition, water-rail competition, circuitous routes, and additional origin.

Schedules filed containing proposed rates: Erie RR. I. C. C. No. 20891, Supp. 4; Lehigh Valley RR. I. C. C. No. C-9202, Supp. 12; N. Y. C. RR. I. C. C. No. 17045, Supp. 197.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-1487; Filed, Feb. 13, 1953;
8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 10167]

PAULA MAUCHER

In re: Bank account owned by Paula Maucher. F-28-32056-E-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Supp. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Paula Maucher, whose last known address is 14b Eberhardzell, Post Biberach, Wurtemberg, Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1,

1947, was a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of the Hudson County National Bank, 95 River Street, Hoboken, New Jersey, arising out of a Savings Account numbered 40622, entitled Paula Maucher, maintained with the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Paula Maucher, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 9, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 53-1450; Filed, Feb. 12, 1953;
8:47 a. m.]

[Vesting Order 19166]

NAAMLÖÖZE VENNOOTSCHAP ALGEMEEN
HOLLANDSCH TRUSTKANTOOR

In re: Portion of account maintained in the name of Naamlooze Vennootschap Algemeen Hollandsch Trustkantoor, Amsterdam, Holland, and owned by persons whose names are unknown. D-49-570.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: That certain debt or other obligation of the Bank of the Manhattan Company, 40 Wall Street, New York 15, New York, in the amount of \$4,089.61 as of May 28, 1952, being a portion of funds

on deposit in an account entitled Naamlooze Vennootschap Algemeen Hollandsch Trustkantoor, Amsterdam, Holland, as described by the Bank of the Manhattan Company in its License Application No. NY 872056 on Form OAP-200 dated April 2, 1952, bearing its Serial No. 30615 and its letter dated May 28, 1952, supplementing the aforesaid License Application, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same,

is and prior to January 1, 1947, was property within the United States;

2. That the property described in subparagraph 1 hereof is and prior to January 1, 1947, was owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are and on or since December 11, 1941, and prior to January 1, 1947, were residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are and on or since December 11, 1941, and prior to January 1, 1947, were organized under the laws of and had their principal places of business in a designated enemy country

3. That the persons referred to in subparagraph 2 hereof are and prior to January 1, 1947, were nationals of a designated enemy country;

and it is hereby determined:

4. That the national interest of the United States requires that such persons be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany.

Executed at Washington, D. C., on February 9, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 53-1449; Filed, Feb. 12, 1953;
8:47 a. m.]

[Vesting Order 19168]

KATIE FLEUCHAUS

In re: Estate of Katie Fleuchaus, deceased. File No. D-28-13150; E & T No. 17255.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.), Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Joseph Kungel, a/k/a Ignaz Kungel, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the person identified in subparagraph 1 hereof, in and to the estate of Katie Fleuchaus, deceased, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by August P. Fogler, Jr., Executor, acting under the judicial supervision of the Surrogate's Court of Passaic County, New Jersey.

and it is hereby determined:

4. That the national interest of the United States requires that the person identified in subparagraph 1 hereof be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193.

Executed at Washington, D. C., on February 11, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 53-1503; Filed, Feb. 13, 1953;
8:54 a. m.]

[Vesting Order 19171]

HENRY BUTTMANN

In re: Stock owned by Henry Buttman, also known as Heinrich Buttman and as Henry Buttman. F-28-828.

Under the authority of the Trading With the Enemy Act, as amended (50

U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Henry Buttmann, also known as Heinrich Buttmann and as Henry Buttman, whose last known address is Elmshorn, Holstein, Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That the property described as follows: One (1) scrip certificate for 50/100ths of a share of \$50.00 par value preferred capital stock of Consumers Company of Illinois (now Consumers Company) 228 North La Salle Street, Chicago, Illinois, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered SP 927, presently in the custody of the Attorney General of the United States, in safekeeping account No. 28-200,458, and owned by Henry Buttmann, also known as Heinrich Buttmann and as Henry Buttman, together with any and all rights thereunder and thereto,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Henry Buttmann, also known as Heinrich Buttmann and as Henry Buttman, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 11, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 53-1506; Filed, Feb. 13, 1953;
8:55 a. m.]

[Vesting Order 19170]

BERKENHOFF & DREBES, A. G.

In re: Debt owing to Berkenhoff & Drebes, A. G., F-28-31697-C-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Berkenhoff & Drebes, A. G., the last known address of which is Herborn Dillkreis, Germany, is a corporation, partnership, association, or other business organization which on or since December 11, 1941, and prior to January 1, 1947, was organized under the laws of and had its principal place of business in Germany and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of Ludwig Hertlein, 20 Dale Carnegie Court, Lake Success, Long Island, New York, in the amount of \$2,520.00 as of December 31, 1945, arising out of the sale of two wire drawing machines, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Berkenhoff & Drebes, A. G., the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 11, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 53-1505; Filed, Feb. 13, 1953;
8:55 a. m.]

[Vesting Order 19172]

ERNEST LUDWIG MARX

In re: Debt owing to Ernest Ludwig Marx, also known as Ernesto Lodovico Marx. F-28-27321-A-1, F-28-27876-A-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40), Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Ernest Ludwig Marx, also known as Ernesto Lodovico Marx, whose last known address is Budenheim, On-the-Rhine, Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany, and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of Swiss American Corporation, 25 Pine Street, New York, New York, in the amount of \$31.87 as of June 30, 1949, being a portion of funds on deposit in a Credit Suisse, Lugano, General Ruling "A" account, maintained at the aforesaid corporation, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Ernest Ludwig Marx, also known as Ernesto Lodovico Marx, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 11, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 53-1447; Filed, Feb. 13, 1953;
8:45 a. m.]