

THE NATIONAL ARCHIVES
LITTEA
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MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 8 NUMBER 81

Washington, Saturday, April 24, 1943

The President

EXECUTIVE ORDER 9332

ESTABLISHING THE SOLID FUELS ADMINISTRATION FOR WAR

By virtue of the authority vested in me by the Constitution and statutes of the United States, as President of the United States and Commander in Chief of the Army and Navy, it is hereby ordered as follows:

1. Whenever used in this Order:

(a) The term "solid fuels" includes all forms of anthracite, bituminous, sub-bituminous, and lignitic coals (including packaged and processed fuels, such as briquettes).

(b) The term "solid fuels industries" means the development, production, preparation, treatment, processing, storage, shipment, receipt, and distribution of solid fuels within the United States, its territories and possessions, but does not include the transportation of solid fuels.

(c) The term "transportation" means transportation as defined in the Interstate Commerce Act, as amended, and in Executive Orders Nos. 8989 and 9156.

(d) The terms "distribution" and "shipment" exclude transportation, and the terms "distribute" and "ship" exclude transport.

(e) The term "directive" includes order, regulation, and any other similar instrument.

2. There is established within the Department of the Interior a Solid Fuels Administration for War, at the head of which shall be a Solid Fuels Administrator, hereinafter referred to as the Administrator. The Secretary of the Interior shall serve ex-officio as Administrator.

3. The Administrator shall:

(a) Subject to the provisions of this Order, establish basic policies and formulate plans and programs to assure for the prosecution of the war the conservation and most effective development and utilization of solid fuels in the United States and its territories and possessions, issue necessary policy and operating directives to parties engaged in the solid fuels industries, and appoint such general, regional, local, or functional solid fuels industries committees or councils as the

Administrator finds necessary, *Provided* that no directive issued hereunder shall conflict with any directive which has heretofore been issued or may hereafter be issued (1) by the Chairman of the War Production Board pursuant to paragraph one of Executive Order No. 9125 of April 7, 1942, or (2) by the Chairman of the War Manpower Commission pursuant to Executive Orders Nos. 9139 of April 18, 1942, 9279 of December 5, 1942, and 9301 of February 9, 1943.

(b) Serve, as far as practicable, as the liaison and channel of communication between parties engaged in the solid fuels industries and the several departments and agencies of the Federal Government on matters directly involving the functions of the Administrator.

(c) Obtain from the Departments of War and the Navy, the several divisions and branches of the War Production Board, such other Federal and state departments and agencies as may be appropriate, and from any other sources, private or governmental, any information, statistics, and data necessary to effectuate the purposes of this Order.

(d) (1) Prepare estimates as to the quantities of solid fuels which the Administrator deems necessary to meet direct and indirect military, and essential industrial and civilian requirements and submit such estimates with recommendations to the War Production Board.

(2) Recommend to the War Production Board any program for distribution of solid fuels which the Administrator deems necessary to meet direct and indirect military, and essential industrial requirements.

(3) Prepare and submit to the War Production Board recommendations as to the kinds and quantities of materials needed by parties engaged in the solid fuels industries to make available solid fuels in such quantities as the Administrator deems necessary to meet direct and indirect military, and essential industrial and civilian requirements.

(e) Subject to the direction of the Chairman of the War Production Board, exercise the powers, authority, and the discretion conferred upon the Chairman by Paragraph 1 of Executive Order No. 9125 of April 7, 1942, by issuing, and taking appropriate action to enforce, such

(Continued on next page)

IMPORTANT NOTICE

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Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year, payable in advance. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue. Remit money order for subscription or single copies payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C.

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Telephone information: DIstrict 0525.

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directives to the solid fuels industries as the Administrator may deem necessary, in order to:

(1) Provide adequate supplies of solid fuels for direct and indirect military, and essential industrial and civilian requirements;

(2) Effect the proper distribution of such amounts of materials as the Chairman of the War Production Board may allot for the solid fuels industries.

(f) Compile data and make continuing surveys with respect to the effect of the prices charged for solid fuels upon the efficient wartime operations of the solid fuels industries and the maintenance of adequate supplies of solid fuels for direct and indirect military, and essential industrial and civilian requirements. On the basis of such surveys, the Solid Fuels Administrator shall consult with and recommend to the Price Administrator, for consideration in light of the provisions of the Emergency Price Control Act of 1942, such upward or downward adjustments in the schedule of prices charged for solid fuels as will, in the judgment of the Solid Fuels Administrator, assure the efficient wartime operation of the solid fuels industries and the maintenance of adequate supplies of solid fuels for direct and indirect military, and essential industrial and civilian requirements. In order to enable the Solid Fuels Administrator to make appropriate recommendations, the Price Administrator shall advise with the Solid Fuels Administrator prior to the establishment or alteration by the Price Administrator of any schedule of prices to be charged for solid fuels.

(g) Be advised of all plans or proposals which deal with the civilian rationing of solid fuels and consult with rationing authorities in the development of such plans or proposals; and, determine, after advising with the War Production Board, the areas and the times within which such rationing should be effective and the amount of solid fuels available for such purpose.

(h) Prepare and submit to the Office of Defense Transportation recommendations concerning the provision of transportation facilities adequate for the transportation and distribution of the solid fuels necessary to meet direct and indirect military, and essential industrial and civilian requirements.

(i) Prepare and submit to the War Shipping Administration recommendations concerning the provision of vessels and related facilities adequate for the transportation and distribution of the solid fuels necessary to meet direct and indirect military, and essential industrial and civilian requirements.

(j) Request the War Manpower Commission to take such action as it deems appropriate to meet the manpower problems of the solid fuels industries in the light of the over-all manpower needs of the Nation, when the ability of the solid fuels industries to make available solid fuels in such quantities as the Administrator deems necessary to meet direct

and indirect military, and essential industrial and civilian requirements is represented to be impaired or endangered by a shortage of manpower.

(k) Formulate and submit any necessary policy recommendations to the appropriate Federal departments and agencies, after consultation with them, concerning plans and procedures with respect to foreign solid fuels activities.

4. In the performance of his functions, the Administrator shall consult with the appropriate authorities in the Federal departments and agencies whose functions affect the solid fuels industries in advance of any action proposed to be taken by him which may affect any such department or agency in the performance of its functions.

5. The several Federal departments and agencies shall supply such information and data as the Administrator may require in performing his functions and shall advise with the Administrator before undertaking any action which might affect the continuous, ready availability of solid fuels for direct and indirect military, and essential industrial and civilian requirements. In order to assist him in carrying out the purposes of this Order, the Administrator may establish committees or designate groups of advisers, representing two or more departments or agencies of the Federal Government, or states.

6. The Administrator may appoint a Deputy Administrator to whom he may delegate, subject to such departmental supervision and direction as he may determine, any and all power, authority, and discretion conferred upon him by this Order. The Administrator may designate either the Deputy Administrator or the Acting Secretary of the Interior to serve as Acting Solid Fuels Administrator in the absence of the Administrator. The Administrator and Deputy Administrator may (a) exercise the powers, authority, and discretion conferred upon them by or under the provisions of this Order through such personnel of the Solid Fuels Administration for War and the Department of the Interior, and in such manner as the Administrator or Deputy Administrator may determine, and (b) accept the services of other departments, agencies, and officials of the Government in carrying out the purposes of this Order. The Administrator, within the limits of such funds as may be allocated or appropriated for the purpose, may employ necessary personnel and make provision for necessary supplies, facilities, travel and services.

7. In the performance of his functions the Administrator shall, to the fullest extent compatible with efficiency, utilize appropriate existing agencies, facilities and services of the Department of the Interior.

8. The Office of Solid Fuels Coordination for National Defense established pursuant to letter of the President dated November 5, 1941 (changed to the Office of Solid Fuels Coordinator for War by letter of the President dated May 25, 1942) is abolished, and its personnel, records, property, and funds are transferred to the Solid Fuels Administration

for War, effective fifteen days from the date of this Order. All directives, agreements, recommendations, and other documents issued or entered into under the functions, duties, and authorities of the Solid Fuels Coordinator for War shall remain in force as the responsibility of the Administrator until such time as he may revoke, alter, or otherwise change such documents under provisions of this Executive order.

9. The Administrator shall keep the President informed with respect to the progress made in carrying out this Order and perform such related duties as the President may from time to time assign or delegate to him.

10. Nothing in this Order shall be deemed to limit in any way the statutory powers of the Interstate Commerce Commission with respect to rates, charges, statistics, accounts, car service (including emergency service powers) or operating authority, or in any way to limit or restrict the functions and authority, and the exercise thereof, of the Federal Power Commission under the Natural Gas Act, the Federal Power Act, Executive Order No. 8202 of July 13, 1939, and Presidential Directives of September 26, 1942 and October 22, 1942 concerning electric service for war plants and establishments.

11. Nothing in this Order shall be deemed to limit in any way the authority of the Departments of War and Navy to initiate or carry out directly, without review or approval by the Administrator, any action relating to solid fuels or the solid fuels industries which either Department deems to be a matter of military necessity or expediency and which arises in such areas and is of such military urgency as to require special or secret disposition.

12. Any provision of any prior Executive order conflicting with this Executive order is superseded to the extent of such conflict.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 19, 1943.

[F. R. Doc. 43-6313; Filed, April 23, 1943;
11:31 a. m.]

EXECUTIVE ORDER 9333

AMENDING SUBDIVISION XXIX OF SCHEDULE A OF THE CIVIL SERVICE RULES

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 403), it is ordered that Subdivision XXIX of Schedule A of the Civil Service Rules be, and it is hereby, amended to read as follows:

XXIX. INLAND WATERWAYS CORPORATION

1. For the duration of the war and six months thereafter all positions in or under the Inland Waterways Corporation.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 19, 1943.

[F. R. Doc. 43-6312; Filed, April 23, 1943;
11:31 a. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

MISCELLANEOUS AMENDMENTS

Section 18.9 *Transfer* is amended as follows:

(b) *Inter-agency transfers.* * * *

(2) No transfer will be authorized by the Commission unless the Commission shall find that the employee will make a more effective contribution to the war program in the position to which his transfer is proposed, nor will any transfer be authorized which is contrary to the most effective methods of filling the Federal Government's requirements for manpower in the civilian service or in conflict with policies or directives of the War Manpower Commission.

Section 18.12 *Stabilization of employment* is added as follows:

§ 18.12 *Stabilization of employment*—(a) *Definitions.* (1) "Essential activity" means any activity in the War Manpower Commission list of essential activities and any activity approved by a Regional Manpower Director as a locally needed activity.

(2) "New employee" means any individual who has not been in the employ of the hiring employer at any time during the preceding thirty-day period.

(3) "New employment" means employment with an employer by whom the individual has not been employed at any time during the thirty-day period preceding such employment.

(b) *Restrictions on employments*—(1) *Former employees of nonessential activities.* The Commission will approve for employment in a Federal agency any new employee who, for the preceding thirty days, was not engaged in an essential activity even though the salary or wage rate to be paid by the Federal Government would exceed the rate most recently received by such employee.

(2) *Former employees of essential activities.* The Commission will not approve for employment in a Federal agency (except as provided in subparagraph (3) of this paragraph) any new employee who, during the preceding thirty-day period, was engaged in an essential activity if the salary or wage rate (exclusive of overtime payments) would exceed the rate most recently received during such period by the employee.

(3) *Former employees of essential activities in employment stabilization areas.* The Commission will approve for employment in a Federal agency any new employee who, during the preceding thirty-day period, was engaged in an essential activity without regard to his preceding wage rate or salary scale, provided the hiring of the employee is subject to and is permitted under a War Manpower Commission employment

stabilization program for the area in which the employee is to work.

(4) *Issuance of statements of availability.* In the case of an employee now working for a Federal agency in an employment stabilization area, statements of availability will be issued under the following conditions:

(i) If the employee's services are terminated by the Federal agency for any reason, the agency itself shall immediately furnish him with such a statement.

(ii) If the employee is furloughed or laid off for an indefinite period, or for a period of seven or more days, the agency in which he is employed shall immediately furnish him with such a statement.

(iii) If the employee alleges that his present employment does not utilize him at his highest skill, or that he is not being employed at full time, he may request of the Director of Personnel of a department or agency or his authorized representative, acting as an agent of the Commission, a statement of availability. If, in conformity with such regulations as the Commission may prescribe, it is determined that the employee's allegations are in conformity with the facts, and if it is determined further that no satisfactory arrangements can be made for placing the employee elsewhere in the department or agency or in the Federal service, a statement of availability shall be issued.

If the Director of Personnel or his authorized representative refuses to issue a statement of availability, the employee may appeal the decision to the nearest Commission representative. If the Commission's nearest representative refuses to issue such a statement, the employee may appeal his decision to the appropriate War Manpower Commission official.

(iv) No statement of availability will be issued solely on the ground that an individual's wage or salary rate is substantially less than that prevailing in the locality for the same or substantially similar work.

(v) Any statement of availability shall contain the worker's name, his social security account number, if any, the name and official address of the person issuing the statement, the date of issuance, and a statement to the effect that the worker may be hired elsewhere in an essential activity. No other information shall be included on the statement.

(5) *Penalties for violation.* Whenever the Commission shall find that any person has been appointed to or is holding a position in the Federal service in violation of this Regulation, it will notify the employee concerned and direct the proper appointing officer to remove such employee. If the employee is not removed within ten days after such notice, the Commission will certify the facts to the proper disbursing and auditing officers pursuant to Civil Service Rule XV (Part 15 of this chapter). (E.O. 9063, 7 F.R. 1075; E.O. 9243, 7 F.R. 7213; War Manpower Commission Directive X, 7 F.R. 7298)

Note: This regulation is issued in conformity with the regulations of the War Man-

power Commission restricting transfer of workers under Executive Order 9328 of April 8, 1943, (8 F.R. 5136). Violation of such regulations is subject to the penal provisions of the Act of October 2, 1942, (Pub. Law 729—77th Congress). The provision of § 4001.10 of the Regulations of the Economic Stabilization Director, issued October 27, 1942, (7 F.R. 8748), apply to any wages or salaries paid in violation of the regulations of the Chairman of the War Manpower Commission.

Application of the subject matter of this regulation to positions and employees under the jurisdiction of the Board of Legal Examiners will be covered in a regulation promulgated by the Board.

By the United States Civil Service Commission.

[SEAL]

H. B. MITCHELL,
President.

APRIL 19, 1943.

[F. R. Doc. 43-6323; Filed, April 23, 1943;
11:59 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Food Distribution Administration

PART 927—MILK IN THE NEW YORK METROPOLITAN MARKETING AREA

SUSPENSION OF CERTAIN PROVISIONS

Order suspending certain provisions of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area.

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area, it is hereby determined that the provisions of such order which provide seasonal minimum prices for Class I milk during the month of May 1943, are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That, effective as of 12:01 a. m., e. w. t., April 25, 1943, the following provisions of § 927.4 (a) (1) of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area, are hereby suspended for the period ending May 24, 1943:

1. Designation of the periods "April through June," and "July through March," and

2. The prices established for the period "April through June."

Done at Washington, D. C., this 23d day of April 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-6317; Filed, April 23, 1943;
11:33 a. m.]

PART 941—MILK IN THE CHICAGO, ILLINOIS, MARKETING AREA

SUSPENSION OF CERTAIN PROVISIONS

Order suspending certain provisions of the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area.

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area, it is hereby determined that the provision of such order which provides seasonal minimum prices for Class I milk during the months of May and June 1943, is a provision which obstructs and does not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That, effective as of 12:01 a. m., c. w. t., May 1, 1943, the following provisions of § 941.5 (a) (2) of the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area, are hereby suspended: "Except the delivery periods of May and June," and "and during the delivery periods of May and June the price per hundredweight for Class I milk shall be the price determined pursuant to paragraph (b), plus 50 cents."

Done at Washington, D. C., this 23d day of April 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-6318; Filed, April 23, 1943;
11:33 a. m.]

Chapter X—Food Production Administration

[FPO 5; Amendment 4]

PART 1206—FERTILIZER

CHEMICAL FERTILIZER

Section 1206.1 is hereby amended as set forth below:

Paragraph (c) (1) (v) is amended to read as follows:

(v) Deliveries by fertilizer manufacturers, dealers, or agents of chemical fertilizer containing chemical nitrogen for the preparation of starter solutions to be used in the transplanting of vegetable crop plants, or to the use by any person of any chemical fertilizer delivered pursuant to this paragraph (c) (1) (v) for such purpose. Notwithstanding any provision in this order to the contrary, fertilizer authorized to be delivered by this paragraph (c) (1) (v) may be packaged in packages of 25 or 50 pounds net weight.

Paragraph (e) is amended to read as follows:

* 8 F.R. 947, 3689, 3750, 4817.

(e) *Substitution of grades.* Set forth in Schedule II attached hereto is a list of the grades (stated on a nitrogen content basis or on a crop basis) of chemical fertilizer used in each of the States designated on such schedule during the 1940-1941 season (July 1, 1940-June 30, 1941) and a list of the approved grades for each of such States for the 1942-1943 season (July 1, 1942-June 30, 1943). The 1940-1941 grades and the 1942-1943 grades are listed in groups, each group being identified by a group number. The grades listed in a particular 1942-1943 group are the grades approved for substitution during 1942-1943 for the grades of the 1940-1941 group bearing the corresponding group number. Where a grade in one of the 1940-1941 groups was used on a particular crop during the 1940-1941 season, no grade other than a grade appearing in the corresponding 1942-1943 group shall be used on such crop during the 1942-1943 season, except as otherwise provided in this paragraph (e). For example, where a person used a grade carrying 2% nitrogen on a particular crop in Connecticut during the 1940-1941 season, he shall not use any grade other than a 0-14-14, 0-20-20, or 0-9-27 grade on such crop during the 1942-1943 season. Notwithstanding any other provision of this paragraph (e), grades containing four or less percent nitrogen manufactured, delivered and used in 1940-1941 on crops described as vegetable crops in Schedule III may be replaced by approved grades containing the same percentage of nitrogen as the grade replaced. This paragraph (e) shall not prevent the delivery and use in the 1942-1943 season, at the election of the user, of a grade having a nitrogen content lower than that authorized for use in such 1942-1943 season. Nor shall this paragraph (e) prevent the delivery and use in the 1942-1943 season of a multiple-strength grade of chemical fertilizer instead of an ordinary analysis grade of chemical fertilizer: *Provided*, That the nitrogen content of the multiple-strength grade shall not exceed the nitrogen content of the ordinary analysis grade on a per acre application basis. This paragraph (e) shall not prevent the delivery and use in the 1942-1943 season of any ordinary analysis grade of chemical fertilizer in the hands of a dealer or agent on April 24, 1943, instead of a grade otherwise authorized to be delivered by this paragraph (e): *Provided*, That the nitrogen content of the grade delivered shall not exceed the nitrogen content of the grade otherwise authorized to be delivered on a per acre application basis. In the event that information covering use in the 1940-1941 season is not available, use in the 1942-1943 season may be based on grades used in 1941-1942.

Paragraph (i) (3) is redesignated as paragraph (i) (4).

Paragraph (i) is amended by adding the following new paragraph to be designated as paragraph (i) (3):

(3) Notwithstanding the provisions of paragraphs (i) (1) and (i) (2) hereof, the Director may fix the maximum rate of application per acre for the approved

grade (straight or mixed) to be used on any Group A or Group B crop.

Schedule I attached to Food Production Order No. 5 is hereby amended as follows:

The list of approved grades of chemical fertilizer for Georgia is amended to read as follows:

Georgia: 0-14-10; 2-12-6; 3-8-5; 3-9-6; 3-9-9; 3-12-6; 4-2-10; 4-8-4; 4-9-3; 4-8-6; 4-8-8; 4-12-4; 10-0-10.

All grades listed below under the heading "Grades applicable to all states."

¹ For shade tobacco only.

² For side-dressing only.

The list of approved grades of chemical fertilizer for Idaho is amended to read as follows:

Idaho: 0-12-20; 3-10-10; 3-10-20; 4-12-4; 4-24-0; 4-24-4; 5-6-8; 6-30-0; 9-4-6; 10-10-5; 10-12-10; 12-12-0; 17-4-4; 17-12-0.

All grades listed below under the heading "Grades applicable to all states."

The list of approved grades of chemical fertilizer for Maryland and District of Columbia is amended to read as follows:

Maryland and District of Columbia: 0-14-7; 0-12-12; 0-16-8; 0-14-14; 0-24-12; 0-20-20; 2-8-10; 2-12-6; 2-12-12; 3-8-12; 3-12-6; 3-9-15; 3-12-15; 3-18-9; 4-8-12; 4-12-8; 4-16-4; 4-16-8; 4-16-20; 4-24-12; 4-12-4; 10-0-10; 6-6-8; 7-21-7; 10-0-10; 10-6-4.

All grades listed below under the heading "Grades applicable to all states."

¹ For vegetables and potatoes only.

² For side-dressing only.

³ For side or top-dressing fruits and vegetables only.

The list of approved grades of chemical fertilizer for North Carolina is amended to read as follows:

North Carolina: 0-10-10 (basic); 0-14-7; 2-8-10 (basic); 2-10-6; 2-12-6; 3-8-5; 3-9-6; 3-9-9; 3-12-6; 4-8-4; 4-9-3; 4-8-6; 4-8-8; 4-10-6; 4-12-4; 4-12-8; 5-7-5; 5-5-20; 10-0-10.

All grades listed below under the heading "Grades applicable to all states."

¹ For side dressing only.

² For side dressing tobacco only.

³ For vegetables and potatoes only.

The list of approved grades of chemical fertilizer for South Carolina is amended to read as follows:

South Carolina: 0-14-7; 0-12-12; 2-12-6; 3-8-5; 3-9-6; 3-9-9; 3-12-6; 4-8-4; 4-8-6; 4-8-8; 4-12-4; 4-12-8; 5-7-5.

All grades listed below under the heading "Grades applicable to all states."

¹ For vegetables and potatoes only.

The list of approved grades of chemical fertilizer for Texas is amended to read as follows:

Texas: 0-14-7; 3-8-5; 3-10-0; 3-15-0; 3-12-6; 4-12-4; 4-10-7; 4-8-12; 6-30-0; 10-10-0; 10-20-0.

All grades listed below under the heading "Grades applicable to all states."

¹ For vegetables and fruits in the Rio Grande Valley only.

The list of approved grades of chemical fertilizer for Virginia is amended to read as follows:

Virginia: 0-14-7; 0-12-12; 0-16-8; 0-14-14; 0-24-12; 0-20-20; 2-8-10; 2-12-6; 2-12-12;

3-8-5; 3-9-6; 3-12-6; 3-9-15; 3-12-15; 3-18-9; 4-8-4; 4-9-3; 4-8-6; 4-12-4; 4-8-12; 4-12-8; 4-16-4; 4-16-8; 5-10-5; 10-0-10; 10-6-4.

All grades listed below under the heading, "Grades applicable to all states."

¹ For vegetables and potatoes only.

² For side or top-dressing fruits and vegetables only.

³ For side-dressing only.

Schedule II attached to Food Production Order No. 5 is hereby amended as follows:

In the lists of 1942-43 approved grades of chemical fertilizer for Georgia, Kentucky, Maryland and District of Columbia, North Carolina, South Carolina, Tennessee, and Virginia, the indication to footnote 1, wherever it appears, is hereby deleted. The footnote "Which must carry at least one unit of organic nitrogen" is hereby deleted.

In the list of 1942-43 approved grades for North Carolina, the indication to footnote 2, wherever it appears, is changed to an indication to footnote 1. The footnote "Basic" is changed to "Basic."

To group (2) of the 1942-43 approved grades for Texas, grade 3-8-5 is added.

This amendment shall become effective April 24, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807)

Done at Washington, D. C., this 23d day of April, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 43-6315; Filed, April 23, 1943; 11:33 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 83—DISPOSITION OF SURPLUS AND UNSERVICEABLE PROPERTY

SALES BY NEGOTIATION

Section 83.4 (b) (2) is amended as follows:

§ 83.4 *Authorized methods of sale.* * * *

(b) *Sales by negotiation.* * * *

(2) Sales by negotiation will be made by written invitation for informal bids on W.D., Q.M.C. Form No. 327 unless specific authority for other procedure has been obtained from The Quartermaster General. Such specific authority will not be necessary, however, in the event that the sale is to be made to an Army exchange. (P. S. 161; 5 U.S.C. 22) [Par. 21b, AR 30-2145, September 2, 1942 as amended by C3 April 14, 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-6278; Filed, April 22, 1943; 3:32 p. m.]

the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Petitioner requests relief for the Huff Mine, Mine Index No. 3324, of G. T. Guffey, the L. D. Crass Mine, Mine Index No. 1896, of L. D. Crass, and the Henry Cross Mine, Mine Index No. 2093, of Henry Cross. It appears that the correct mine names and the code member producers operating Mine Index Nos. 3324, 1896 and 2093 are Sloan No. 1 Mine, Sloan Coal Company, Inc.; W. A. Ray Mine, W. A. Ray; and E. B. Sexton Mine, Clyde Strunk, respectively, and they have been listed accordingly.

Dated: April 9, 1943.

[SEAL] DAN H. WHEELER,
Director.

The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain code members in Anderson, Morgan, Pickett and Scott Counties, Tennessee; Clinton and Wayne Counties, Kentucky; and Wise County, Virginia; in District No. 8; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purpose of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in

increases in wage or salary rates directed thereby may not be made without the approval of the Board.

Adopted April 14, 1943.
(E. O. 9250, 7 F. R. 7871)

L. K. GARRISON,
Executive Director.

[F. R. Doc. 43-6284; Filed, April 22, 1943; 3:21 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1903]

PART 328—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 8

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 8 for a change in seam designations of coals produced by certain mines in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, re-

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 Alphabetical list of code members—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group No.	Price classifications by size group No.											
								For destinations other than Great Lakes						For Great Lakes cargo only					
								1	2	3	4	5	6	1	2	3	4	5	6
3944	Bales & Chambers (Ariet Chambers), W. O.	Bales & Chambers	Glen Mary 1	6	Stanley Jet., Tenn.	Tenn.	71	1	2	3	4	5	6	1	2	3	4	5	6
1894	Brown, W. O.	W. O. Brown	Stray 1	6	Oliver Springs, Tenn.	Sou.	40	11	12	13	14	15	16	17	18	19	20	21	22
2099	Carson, J. M.	Johnson & Acres	Glen Mary 1	6	Stanley Jet., Tenn.	Tenn.	71	7	8	9	10	11	12	13	14	15	16	17	18
924	Carson, Tom J.	Tom J. Carson	Poplar Creek 1	6	Oliver Springs, Tenn.	Sou.	40	17	18	19	20	21	22	23	24	25	26	27	28
5380	Clark, W. A. & V. C. & Lee Melhorn (W. A. Clark).	Clark & Melhorn	Coal Creek 1	6	Camp Austria, Tenn.	CNO&TP	41	1	2	3	4	5	6	1	2	3	4	5	6
621	Crass, S. S.	Crass	Glen Mary 1	6	Robbins, Tenn.	CNO&TP	70	7	8	9	10	11	12	13	14	15	16	17	18
8725	Dobbs, Hastel	Hastel Dobbs	Glen Mary 1	6	Stanley Jet., Tenn.	Tenn.	71	7	8	9	10	11	12	13	14	15	16	17	18
2086	Dobbs, Noah	Noah Dobbs	Glen Mary 1	6	Stanley Jet., Tenn.	Tenn.	71	7	8	9	10	11	12	13	14	15	16	17	18
2101	Duncan, Noah	Noah Dobbs No. 2	Glen Mary 1	6	Stanley Jet., Tenn.	Tenn.	71	7	8	9	10	11	12	13	14	15	16	17	18
2087	Duncan, Elmer & Oscar West (Elmer Duncan).	Duncan & West	Glen Mary 1	6	Stanley Jet., Tenn.	Tenn.	71	7	8	9	10	11	12	13	14	15	16	17	18

Footnotes at end of table.

§ 328.11 Alphabetical list of code members—Supplement R—Continued

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Table with columns: Mine Index No., Code member, Mine name, High volatile seam, Subdistrict No., Shipping point, Railroad, Freight origin group No., Price classifications by size group No. (For destinations other than Great Lakes, For Great Lakes cargo only)

1 Indicates change in seam designation. No change in price classifications. † Indicates no classification effective for these size groups.

§ 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T—Continued

Table with columns: Mine Index No., Mine, Seam, Code member index, Base sizes (Lump over 2', egg 4' x 6', Lump 2' and under, Lump 3' and under, Lump 3/4' and under, Egg 2' x 4', egg 2', Slove 2' and under, Slove 3' and under, Straight mine run, 2' and under, slack, 3/4' and under, slack), Price (e.g., 275, 255, 235, 230, 220, 225, 175, 170)

See footnotes at end of table.

§ 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T—Continued

Table with columns: Code member index, Mine, Seam, Mine Index No., Base sizes (1-8), and various coal grades (Lump over egg, Lump egg, etc.).

See footnotes at end of table.

§ 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes							
				Lump over 2' x 6", egg 3' x 6"	Lump 3' and under, egg 3' x 6"	Lump 3 1/2' and under	Egg 3' x 6", egg 2 1/2' x 1 1/2"	Stove 3' and under, lump 2' and under	Straight mine run	2' and under, slack	3/4' and under, slack
				1	2	3	4	5	6	7	8
SUBDISTRICT No. 6—SOUTHERN APPALACHIAN—CON.											
SCOTT COUNTY, TENN.—CON.											
Stanley, R. L.	R. L. Stanley	2107	Glen Mary ¹	275	255	235	230	220	225	175	170
Strunk, Clyde	E. B. Sexton	2093	Glen Mary ¹	275	255	235	230	220	225	175	170
Strunk, Thadus	A. B. Strunk	2110	Glen Mary ¹	275	255	235	230	220	225	175	170
Terry, J. C.	J. C. Terry	5004	Glen Mary ¹	275	255	235	230	220	225	175	170
Walt, Fred	George Watts	2111	Glen Mary ¹	275	255	235	230	220	225	175	170
West, W. O.	West Coal Co.	5341	Glen Mary ¹	275	255	235	230	220	225	175	170
Wolford, Ancil	Cotton	2113	Glen Mary ¹	275	255	235	230	220	225	175	170
Woodrum, William	Woodrum	2114	Glen Mary ¹	275	255	235	230	220	225	175	170
SUBDISTRICT No. 7—VIRGINIA											
WISE COUNTY, VA.											
F. & B. Coal Co. (W. S. Barker)	F. & B. Coal Co. No. 2	2321	Blair	285	265	240	240	235	230	175	170

¹ Indicates change in seam designation. No change in minimum prices.
² Indicates correction in county location.
³ Indicates no classification effective for these size groups.

[F. R. Doc. 43-6237; Filed, April 22, 1943; 10:09 a. m.]

TITLE 32—NATIONAL DEFENSE
 Chapter VI—Selective Service System
 [Order No. 102]
 ROSEWOOD PROJECT, Md.
 ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS

I, Lewis D. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Rosewood Project to be work of national importance, to be known as Civilian Public Service Camp No. 102. Said project, located at Owings Mills, Baltimore County, Maryland, will be the base of operations for work at the Rosewood State Training School, an institution under the State mental hospital system of Maryland, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Rosewood Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Rosewood State Training School, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with

the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Rosewood State Training School. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
 Director.

APRIL 20, 1943.

[F. R. Doc. 43-6277; Filed, April 22, 1943; 1:45 p. m.]

Chapter IX—War Production Board
 Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 1 to Supplementary Order M-15-b as Amended April 13, 1943]

Supplementary Order M-15-b as amended April 13, 1943 (§ 940.3) is hereby amended in the following respects:

1. By amending paragraph (a) (17) to read as follows:

(17) "War order" means:

(i) Any contract or purchase order for material or equipment to be delivered to or for the account of any agency of the

United States, including any independent regulatory commission or board, any executive department, independent establishment, commission, board, bureau, division, agency, administration, service, or office of the Executive branch of the Federal Government, and any corporation operated by the Federal Government. The term does not include any contract or purchase order for material or equipment to be delivered, (a) to or for the account of any Federal Government-owned or -controlled corporation which is not operated by the Federal Government or, (b), to or for the account of any post exchange, ship's store, commissary, officer's mess, officers', non-commissioned officers' or enlisted men's club, or any similar agency or organization, whether or not such contract or purchase order bears an endorsement specified in Priorities Regulation No. 17.

(ii) Any contract or purchase order placed by any agency of the United States for material or equipment to be delivered to, or for the account of, any foreign country under the provisions of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(iii) Any contract or purchase order for material or equipment required by the person placing the same to fill his contracts or purchase orders on hand, provided such material or equipment is to be physically incorporated in material or equipment to be delivered under contracts or purchase orders included under (i) and (ii) of this paragraph (a) (17).

Issued this 22d day of April 1943.

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

[F. R. Doc. 43-6257; Filed, April 22, 1943; 12:14 p. m.]

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

[Priorities Regulation 16, as amended April 22, 1943]

APPEALS

§ 944.37 Priorities Regulation 16—(a) Certain appeals to be filed with field offices. Every appeal from any order listed in Appendix A to this regulation shall be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates, notwithstanding any existing provision of any regulation, order or form.

(b) Appeals forms. Every appeal from any order listed in Appendix A to this regulation shall be filed on Form PD-500 or such other form as may be specifically designated in Appendix A, notwithstanding any existing provision of any regulation, order or form.

(c) Other appeals. An appeal from any rule, regulation or order not listed in Appendix A to this regulation shall be filed with the Washington Office of the War Production Board unless the rule, regulation or order appealed from provides otherwise.

(d) *Appeal by letter.* An appeal for which no specific form is prescribed by any rule, regulation or order shall be made by filing with the appropriate office of the War Production Board a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

This regulation as amended shall take effect May 1, 1943.

Issued this 22d day of April 1943.

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

APPENDIX A

[Appendix A amended April 22, 1943]

Orders

L-13-a	L-73	L-173 (Letter)
L-18-b	L-74 (Letter)	L-179 (Letter)
L-18-c	L-77	L-182
L-21	L-79 (Letter)	L-185 (Letter)
L-21-a	L-80	L-187
L-22-a	L-81	L-199 (Letter)
L-23-c	L-92	L-205 (Letter)
L-27 (Letter)	L-93	L-218
L-27-a	L-98	L-225
L-29	L-104	L-229 (Letter)
L-30-a	L-135	L-236 (Letter)
L-30-b	L-136	L-248
L-30-c	L-142 (Letter)	L-277
L-30-d	L-150 (Letter)	M-11-b
L-33	L-150-a	M-83 (Letter)
L-36	(Letter)	M-122 (Letter)
L-42 (Letter)	L-150-b	M-126
L-49	(Letter)	M-177 (Letter)
L-59-b	L-152 (PD-417)	M-208 (Letter)
L-62	L-157 (Letter)	M-209 (Letter)
L-64	L-161	M-248 (Letter)
L-64-a	L-165 (Letter)	

[F. R. Doc. 43-6259; Filed, April 22, 1943;
12:13 p. m.]

PART 962—IRON AND STEEL

[Supplementary Order M-21-h as Amended
April 22, 1943]

TOOL STEEL

Supplementary Order M-21-h (§ 962.9)
is amended to read as follows:

§ 962.9 *Supplementary Order M-21-h—(a) Definitions.* For the purpose of this order:

(1) "Tool steel" means any steel to be used for the manufacture of tools for use in mechanical fixtures for cutting, shaping, forming, and blanking of material, either hot or cold, or for precision gauges. It is not deemed to include steel for use as shanks in the manufacture of tipped or welded tools or for hand tools such as chisels, pliers, screw drivers, wrenches, centering punches and nail-sets.

(2) "Alloy steel" means alloy steel as defined in paragraph (a) of Supplementary Order M-21-a.

(3) "High-speed steel" means alloy steel of either of the following classes:

(i) "Class A high-speed steel" means either alloy steel containing not less than .60% carbon and more than 3.0% molybdenum; or alloy steel containing not less than .60% carbon, 6.0% or less tungsten, and more than 3.0% molybdenum.

(ii) "Class B high-speed steel" means alloy steel containing not less than .55% carbon and more than 12.0% tungsten.

Other alloying elements may be present in the high-speed steels of either class, but steel not containing the elements named, in the amount specified, shall not be deemed high-speed steel.

(4) "Producer" means any person who melts tool steel.

(b) *Purchasers' statements.* In addition to any statement required by General Preference Order M-21, on and after May 1, 1943, every order placed with a producer for steel to be used for the manufacture of tools for use in mechanical fixtures for cutting, shaping, forming or blanking of material, either hot or cold, or for precision gauges, shall include the statement, "This is an order for 'tool steel'", over the signature, either manual or as provided in Priorities Regulation No. 7, of a duly authorized official of the purchaser, which will constitute a representation to the producer and to the War Production Board that the steel ordered will be used only for one or more of the above purposes.

(c) *Producers' forms.* Each producer shall file monthly with the War Production Board, Ref.: M-21-h, melting schedules on form PD-440. The War Production Board may make such changes in any melting schedule as shall seem appropriate and may from time to time issue supplementary directions with regard to melting of tool steel.

(d) *Melting and deliveries of tool steel.* Except pursuant to specific authorization in writing by the War Production Board, tool steel shall be melted and delivered as follows:

(1) Each producer shall melt tool steel in accordance and only in accordance with such melting schedules as are approved by the War Production Board or such supplementary directions as may from time to time be issued by the War Production Board.

(2) Each producer shall deliver tool steel on an order and only on an order for which the melting has been specifically authorized or directed by the War Production Board.

(e) *Special instructions.* The War Production Board may from time to time issue directions as to facilities to be used in production and directions specifying as to any alloying element the quantities and proportions which may be used in making tool steel, and whether and in what proportions any such element is to be the metal, a ferroalloy, reclaimed metal, scrap, a chemical compound or any other material containing such element.

(f) *Restrictions of deliveries under toll agreements.* Except pursuant to specific authorization in writing by the War Production Board, no person shall make or accept delivery under any toll agreement whereby one person melts tool steel for another person.

(g) *Melting and deliveries of high-speed steel.* Except pursuant to specific authorization in writing by the War Production Board

(1) No producer shall melt high-speed steel except within the limits below specified for the following elements:

(i) Class A high-speed steel:

Grade	C.		Cr.	W.	Mo.	V.	Co.
	Min.	Max.	Max.	Max.	Max.	Max.	
I.....	.60	4.5	6.0	5.0	1.6		0.0
Ic.....	.60	4.5	6.0	5.0	1.9		3.5 Min.
II.....	.60	4.5	1.8	8.75	1.2		0.0
Iic.....	.60	4.5	1.8	8.75	1.9		3.5 Min.
III.....	.60	4.5	-----	8.75	1.9		0.0
IIIc.....	.60	4.5	-----	8.75	1.9		3.5 Min.

(ii) Class B high-speed steel:

Grade	C.		Cr.	W.	Mo.	V.	Co.
	Min.	Max.	Max.			Max.	
IV.....	.55	4.5	19.0	0.0		1.10	0.0
IVc.....	.55	4.5	22.0	1.1 Max.		1.90	3.5 Min.

(2) On and after January 1, 1943 no producer shall melt in any calendar quarter, Class B high-speed steel which will exceed, in the aggregate, by weight, one-third of the Class A high-speed steel melted by him in such quarter.

(3) No person shall place an order with a producer or any other person for Class B high-speed steel if Class A high-speed steel would reasonably fulfill his requirements.

(4) On and after January 1, 1943 no person shall place with a producer and no producer shall accept in any calendar quarter orders for Class B high-speed steel which will exceed, in the aggregate, by weight, one-third of the Class A high-speed steel ordered by such person from such producer during such quarter, except that this provision shall not apply to the placement of orders for high-speed steel with warehouses. On and after January 1, 1943, no person shall request cancellation from a producer in any calendar quarter, of any order for Class A high-speed steel, unless such person shall also request cancellation of an order or orders for one-third of such quantity, by weight, of Class B high-speed steel placed with such producer or some other producer during such quarter.

(5) On and after January 1, 1943, no person shall accept from a producer in any calendar quarter, deliveries of Class B high-speed steel which will exceed in the aggregate, by weight, one-third of the aggregate of deliveries of Class A high-speed steel made to him by all producers during such quarter, except that this provision shall not apply to deliveries of high-speed steel by warehouses.

(6) Customers' orders for high-speed steel which are to be filled in whole or in part by the use of material, including tungsten ore, ferro tungsten, and tungsten-bearing scrap, furnished by such customers shall be subject to all the restrictions and provisions of this order.

(h) *Exceptions to restrictions on deliveries of high-speed steel.* The provisions of paragraphs (g) (4) and (5) with respect to maximum permitted purchases and deliveries of Class B high-speed steel shall not apply to:

(1) Deliveries of high-speed steel to any person whose total receipts of high-speed steel from all producers does not exceed 100 lbs. per calendar quarter.

(2) Deliveries of high-speed steel to any person whose total receipts of high-speed steel from any producer in any calendar quarter balance within 5%, by weight, or 500 lbs., whichever is the lesser, of the required ratio of Class B high-speed steel to Class A high-speed steel.

(i) *Melting and deliveries of Class A high-speed steel.* Except pursuant to specific authorization in writing by the War Production Board:

(1) On and after December 1, 1942, no producer shall melt during any calendar month Class A high-speed steel, grades II and III, in excess of 30% of the monthly average tonnage of such Class A high-speed steel melted by him during the second calendar quarter of 1942.

(2) On and after January 1, 1943, no person shall accept for delivery from a producer during any calendar quarter Class A high-speed steel, grades II and III, in excess of 35% of the amount of such Class A high-speed steel received by him during the second calendar quarter of 1942.

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

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

(l) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Steel Division, Washington, D. C.; Ref.: M-21-h.

Issued this 22d day of April 1943.

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

[F. R. Doc. 43-6263; Filed, April 22, 1943; 12:14 p. m.]

PART 1282—BABY CARRIAGES

[Limitation Order L-152, As Amended April 22, 1943]

Section 1282.1 *General Limitation Order L-152* is hereby amended to read as follows:

§ 1282.1 *General Limitation Order L-152—(a) Definitions.* For the purposes of this order:

(1) "Group I carriage" means any coach, folding carriage or beach cart for the conveyance of one baby.

(2) "Group II carriage" means any twin coach, folding carriage or beach cart for the conveyance of two babies.

(3) "Group III carriage" means any stroller, sulky, baby walker, or combination stroller and baby walker intended for the conveyance of one baby.

(4) "Manufacturer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not, who manufactures or assembles carriages (whether Group I, Group II, or Group III).

(b) *General restrictions.* (1) Except pursuant to specific authorization of the War Production Board, on and after April 22, 1943, no manufacturer shall process, fabricate, work on or assemble any carriages containing more iron and carbon steel, including joining hardware, than the amounts specified below:

	Pounds
In Group I carriages.....	9
In Group II carriages.....	12
In Group III carriages.....	1½

(2) No manufacturer shall process, fabricate, work on, or assemble any carriage (whether Group I, Group II, or Group III) which contains any metal other than iron and carbon steel.

(3) (i) On and after April 22, 1943, no manufacturer shall produce any carriage except in accordance with a production quota assigned to him in a schedule issued by the War Production Board pursuant to this order. Such production quotas shall be assigned for periods of time to be specified in the schedule and shall expire on the last day of the period for which they are assigned. Any manufacturer desiring to obtain a production quota shall file with the War Production Board at least 30 days before the expiration date of the schedule in effect at that time a written application to be assigned a production quota for such period as the War Production Board shall specify.

(ii) Such application should contain a statement as to the amount of iron and steel to be contained in each carriage the applicant proposes to produce during such period. Whenever production quotas are assigned by the War Production Board, it will take into consideration the amount of iron and steel to be used by such applicant, the performance of the carriages which each applicant proposes to produce as established by tests of the National Bureau of Standards or otherwise, and also the labor and transportation situation in the area where the plant of each applicant is located and such other factors as the War Production Board shall deem appropriate. In general, after the other factors have been considered, the larger quotas will be assigned to those manufacturers using less iron and steel per carriage.

(iii) No manufacturer who has been assigned a production quota shall process, fabricate, work on, or assemble any

carriage containing more iron and steel than the amount specified in such manufacturer's application for a production quota pursuant to the provisions of this paragraph.

(c) *Reports.* On or before April 30, 1943, for the month of March 1943, and on or before the twentieth day of each month thereafter, for the preceding month, every manufacturer of carriages shall execute and file with the War Production Board, Consumers Durable Goods Division, Washington, D. C., a report on Form PD-655.

(d) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Office of Production Management or the War Production Board limits the use of any iron or steel in the production of baby carriages to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

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

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

(g) *Appeal.* Any appeal from the provisions of this order must be made on Form PD-500.

(h) *Communications.* All reports to be filed, and other communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref: L-152.

Issued this 22d day of April 1943.

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

[F. R. Doc. 43-6264; Filed, April 22, 1943; 12:14 p. m.]

PART 1282—BABY CARRIAGES

[Schedule I to Limitation Order L-152 as Amended April 22, 1943]

§ 1282.2 *Schedule I to Limitation Order L-152.* Pursuant to paragraph (b) (3) of Limitation Order L-152, the following production quotas for carriages are hereby established for the period from April 22, 1943, to June 30, 1943, inclusive. Each manufacturer named is authorized to produce during that period the number of carriages set forth opposite his name.

Name	Number of carriages			
	Group I		Group II	Group III
	Maximum steel—6 lbs.	Maximum steel—9 lbs.		
Atlas Baby Carriage Co., New York, N. Y.		3,000	60	
Bilt-Rite Baby Carriage Co., Brooklyn, N. Y.		6,000	120	
Collier-Keyworth Co., Gardner, Massachusetts		7,500	150	
Crown Venetian Blind Co., Los Angeles, California				15,000
George Cooper Mfg. Co., New York, N. Y.		350	7	
Hartman Mfg. Co., St. Louis, Missouri		8,800	170	
C. H. Hartshorn Co., Gardner, Massachusetts		3,500	70	
Hedstrom-Union Co., Gardner, Massachusetts		18,500	370	
Heywood-Wakefield Co., Gardner, Massachusetts			200	
Kroll Bros. Co., Chicago, Illinois	35,000		700	
Kuniholm Mfg. Co., Gardner, Massachusetts	25,000		500	
Leader Baby Carriage Co., New York, N. Y.		24,000	480	15,000
Mahr-Buffon Co., Minneapolis, Minnesota		1,000	20	
Pearl Mfg. Co., New York, N. Y.		3,000	60	
Perfection Mfg. Co., St. Louis, Missouri		700	14	
O. W. Siebert Co., Gardner, Massachusetts		6,500	130	1,500
Schuler Radiant Co., Cleveland, Ohio	30,000		600	
S & E Manufacturing Co., Fitchburg, Massachusetts				10,000
Storkline Furniture Co., Chicago, Illinois	25,000		500	10,000
Frank F. Taylor, Cincinnati, Ohio				100,000
Thayer Co., Gardner, Massachusetts	30,000		600	12,000
Victoria Baby Carriage Co., New York, N. Y.		1,000	20	
Wear-Ever Carriage Co., New York, N. Y.		4,000	80	
The Welsh Co., St. Louis, Missouri		54,000	1,080	
F. A. Whittey Carriage Co., Leominster, Massachusetts	25,000		500	

Issued this 22d day of April 1943.

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

[F. R. Doc. 43-6265; Filed, April 22, 1943; 12:14 p. m.]

PART 3122—ELECTRICAL MOTORS AND GENERATORS

[General Conservation Order L-221, as Amended April 22, 1943]

Section 3122.1 *General Conservation Order L-221* is hereby amended to read as follows:

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

§ 3122.1 *General Conservation Order L-221*—(a) *Definitions*. For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Motor" means any rotating equipment or device (including gear-motors) used to transform electrical energy into mechanical energy and built in frame size 203 (or frames corresponding to one horsepower, 1800 RPM, 60 cycle, two or three phase) and larger; except (i) motors used in the operation of passenger automobiles, trucks, truck trailers, passenger carriers, and off-the-highway motor vehicles, as defined in Order L-158, or (ii) starting motors for internal combustion engines.

(3) "Generator" means any rotating equipment or device used to transform mechanical energy into electrical energy and having a rating of not less than ¼ KW, built in frames corresponding to ¼ KW, 1800 RPM or larger; except (i)

generators used in the operation of passenger automobiles, trucks, truck trailers, passenger carriers, and off-the-highway motor vehicles, as defined in Order L-158, (ii) generators for use in the operation of internal combustion engines, or (iii) generators for the following power sets: power frequency changers (below 62½ cycles), synchronous condensers, hydroelectric generator sets, land use steam turbine generator sets, marine auxiliary steam turbine generator sets, steam engine generator sets, land use Diesel engine generator sets, 750 RPM or less, and land use gas engine (not gasoline) generator sets, 750 RPM or less.

(4) "Manufacture" means the fabrication or assembly of motors or generators.

(5) "Manufacturer" means any person to the extent that he is engaged in the manufacture of motors or generators; and includes sales agencies and warehouses controlled by such person.

(6) "Dealer" means any person to the extent that he acquires new motors or generators for resale, as such.

(7) "Machinery producer" means any person to the extent that he fabricates or assembles, for resale, machinery (other than motors or generators) into which he incorporates or to which he attaches motors or generators which he has either purchased or produced.

(8) "Used motor or generator" means any motor or generator which has been operated for any purpose other than that of being tested.

(9) "Delivery" includes delivery of a motor or generator from one affiliate to another or from one branch, division or section of a single enterprise to another branch, division or section of the same enterprise where the recipient affiliate, branch, division or section will use the

motor or generator or incorporate it into other machinery.

(10) "Order" means any commitment or other arrangement for the delivery of a new motor or generator.

(11) "Army, Navy, Maritime Commission or War Shipping Administration" does not include any privately operated plant or shipyard financed by, or controlled by any of those organizations, or operated on a cost-plus-fixed-fee basis.

(12) "Operating spare" means any extra or spare motor or generator, whether new or used, which has been set aside and marked as emergency replacement equipment for motors or generators of similar characteristics and kilowatt or horsepower rating in regular operation. Only motors or generators for use in a series production plan or for replacement of motors or generators used in the operation of machinery which by virtue of failure would cause serious and substantial impairment of facilities and substantial reduction of production shall be considered as operating spares.

(b) *Restrictions on acceptance and delivery of orders*. (1) No manufacturer, dealer, or machinery producer shall accept any order for or deliver any new motor or generator or machinery including any new motor or generator; and no person shall accept delivery from a manufacturer, dealer, or machinery producer of any new motor or generator or of machinery including a new motor or generator, unless:

(i) The purchaser shall have no idle motor or generator (other than an operating spare) in his possession which is adaptable to the purpose for which the new motor or generator will be used. The term "idle" as used above refers to a motor or generator which is not connected to the purchaser's load and electrical system; and "adaptable" means that the motor or generator has mechanical and electrical characteristics, including speed and horsepower rating, generally comparable to the motor or generator sought to be purchased.

(ii) Immediately prior to the placement of his order, the purchaser shall have attempted to obtain a used motor or generator for his purpose, from at least three persons whom he knows or has reasonable cause to believe are currently engaged in dealing in used motors or generators of that kind or from any three dealers whose names have been furnished to the purchaser by the War Production Board (Used Equipment Section, Electrical Equipment Branch) upon request. As to motors, the limitations and restrictions of this paragraph (b) (1) (ii) shall apply only to orders for general purpose, open 40° C. rise continuous duty motors and orders for drip-proof or splashproof 50° C. rise motors.

(iii) The new motor or generator (other than an operating spare) to be acquired is necessary for installation within the shortest practicable time after delivery. For the purpose of this subparagraph, a motor or generator shall be deemed installed when it is connected to the purchaser's load and electrical system, notwithstanding that the purpose of such equipment may be emergency relief service.

(iv) With reference to motors, the purchaser does not have operating spares, in the same horsepower rating category (as listed below) as the new motor to be acquired, in excess of three per cent of the motors in the same category in operation (except that, in any event, the purchaser may have one operating spare in each category): *Provided, however,* That for the purpose of this subparagraph, motors operated by the proposed purchaser with legal title in another person may be separately classified, and permissible operating spares for each such classification may be based on the motors in such classification. The categories referred to above shall be:

- 1-3 horsepower
- 3.1-7.5 horsepower
- 7.6-20 horsepower
- 20.1-50 horsepower
- 50.1 and above

(2) No manufacturer or dealer shall accept any order for any motor or generator, unless the order has a preference rating of AA-5 or higher.

(c) *Restrictions on types of motors.* Except as otherwise specifically provided herein or authorized by the War Production Board no manufacturer, dealer, or machinery producer, shall accept any order for or deliver any new motor or any machinery which include a new motor; and no person shall accept delivery from a manufacturer, dealer, or machinery producer of any new motor or machinery which includes a new motor; unless the motor is in compliance with the following standards and is otherwise of the simplest practicable mechanical and electrical design:

(1) *Mechanical and electrical design.*

The following minimum standards shall be applied with respect to electrical and mechanical design of new motors:

(i) No motor shall have a temperature rise (based on an ambient temperature of 40° C.) of less than 40° C., for open type; less than 50° C. for splashproof and dripproof type; or less than 55° C. for totally enclosed type motors: *Provided, however,* That the temperature rise of the motor may vary from the above standards to the extent that the manufacturer has heretofore provided tolerance therefrom in his design and manufacture of the same or a similar type motor rated 40° C., 50° C., or 55° C., as the case may be.

(ii) No motor shall include a special enclosure to make it other than open type; except that (a) a motor may be explosion proof type if it is to be used in a Class I hazardous location, as defined in paragraph 5005, Article 500, Chapter 5 of the National Electrical Code approved by the American Standards Association August 7, 1940; (b) a motor may be totally enclosed if it is to be used in a Class II hazardous location, as defined in paragraph 5006, Article 500, Chapter 5 of the above Code, or if it is to be used generally in an atmosphere which is corrosive or which contains such quantities of material particles, dust or fumes as to be destructive of an open type motor; (c) a motor may be splashproof or drip-proof type in any case where the motor is to be installed outdoors without any

other protection or where the motor will be subjected to continually falling material particles, or to drops of splashing or jet propelled liquids falling at regular intervals of not less than once a day; (d) top half enclosing covers or top and bottom half enclosing screens shall be permitted on direct current motors, and wound rotor and single phase alternating current motors where there is danger of accidental contact by persons with live parts or where such covers or screens are necessary to prevent entrance of vermin or falling materials: *Provided, however,* That in any case where the requirements of General Limitation Order L-147, or any action taken by the War Production Board thereunder shall be more restrictive than the requirements of this subparagraph, the former shall apply.

(iii) Where practicable, AC polyphase motors shall be single voltage.

(iv) All alternating current multi-speed motors shall be single winding, except motors for use on metal reducing machinery, hoists, elevators, centrifuges, and single phase and two phase two speed motors.

(v) No motor shall be of slip ring wound rotor type, except for hoist, crane, conveyor, elevator, towline and dragline duty and for dry wire drawing, bending rolls, straightening rolls, metal reducing applications, aerial tramways, electric shovels, clam shell cranes, ball mills and jaw crushers.

(vi) No motor shall be of direct current type except (a) where only direct current is available to the user; (b) where speed matching is required; (c) for use on metal cutting machines or testing equipment; or (d) for use on cranes, hoists, metal reducing applications, steel mill auxiliaries, electric shovels, tramways, bending rolls, or elevators authorized under Order L-89.

(vii) No direct current motor shall have a lower base speed than as prescribed below:

Horsepower rating:	Minimum base speed (r.p.m.)
1 to 5 incl.....	575
5.1 to 25 incl.....	450
25.1 to 75 incl.....	400
75.1-200.....	300

(2) *Horsepower loading.* The following standards shall be applied in determining horsepower loads for motor ratings:

(i) Horsepower required for purposes of ascertaining load as provided herein shall be determined by test or, where test is impossible, by careful calculation or comparison with known power requirements of similar apparatus.

(ii) Where the motor rated voltage will be maintained and the ambient temperature, normally, will be below 40° C. and will only occasionally and for short periods, equal or exceed 40° C.: (a) in the case of alternating current motors rated 40° C. open type, continuous duty, the horsepower rating shall be not more than 80% of the determined horsepower load; (b) in the case of alternating current or direct current motors rated 50° C. semi-enclosed, or 55° C. totally enclosed, continuous duty, the horsepower rating shall be not more than 91% of the determined horsepower load;

and (c) in the case of direct current motors rated 40° C. open type, continuous duty, the horsepower rating shall be not more than 87% of the determined horsepower load: *Provided, however,* That in any case where the application of any of the above formulae results in a horsepower rating which is not a standard horsepower rating, the rating may be the standard horsepower rating next above the rating resulting from the application of the formula.

Example: Where the horsepower required as determined in subdivision (1) is 9.3 HP, of which 80% would be 7.44 a motor not exceeding 7.5 standard HP should be delivered.

(3) *Speed.* The following minimum standards shall be applied in determining motor speed:

(i) All alternating current motors 25 horsepower and below shall have a synchronous speed of at least 1800 R. P. M. at 60 cycles, 1500 R. P. M. at 50 or 25 cycles: *Provided, however,* That in any case where the purchaser deems such speed impracticable he shall endorse on the certification required by paragraph (d) below such facts as shall demonstrate such impracticability, and if the manufacturer or machinery producer shall likewise certify such impracticability on the order, the provisions of this subdivision (i) shall not apply.

(ii) All other motors shall be of the highest practicable speed for the purpose for which purchased.

(d) *Certification by purchasers of motors and machinery.* (1) Each person (except a machinery producer) placing an order with a manufacturer or dealer for delivery of a new motor or generator as such, and each person who receives delivery of a new motor or generator as such, from a manufacturer or dealer pursuant to an order placed prior to December 10, 1942, shall furnish to the manufacturer or dealer, as a condition to receiving delivery, a certification in the form prescribed in Appendix A hereto.

A dealer shall transmit his purchaser's certification to the person from whom he purchases a motor, in satisfaction of the requirements of this paragraph (d) (1).

(2) Each person who places an order with a machinery producer (including any sales agent therefor) for a new motor or generator or for machinery which will be delivered to the purchaser with a new motor or generator incorporated therein or attached thereto, or who receives from any machinery producer (or sales agent therefor) delivery of any such motor, generator or machinery after May 22, 1943, shall furnish to the machinery producer a certification in the form prescribed in Appendix A hereto. If the purchaser does not have in his possession the information required by subparagraph (4) of the certification and shall so certify he may omit such information.

(3) In any case where an order relates to motors or generators of the identical kind and rating covered by a certification previously furnished to the same manufacturer or machinery producer, any facts included in the previous cer-

tification which have remained unchanged may be incorporated in a later certification, by reference to the previous certification.

(4) The above mentioned certification shall be signed by a duly authorized and responsible official of the person required to make the certificate and shall constitute a representation to the War Production Board as well as to the person with whom the certificate is filed, of the facts certified therein. No person shall make delivery under this order who has reason to believe that the purchaser has furnished a false certification, and no person shall falsely furnish the certification set forth above.

Any manufacturer, dealer, or machinery producer may rely upon the facts furnished in the above mentioned certification and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he has reason to believe that such statements are inaccurate or untrue.

(e) *Authorizations of War Production Board.* Application for the authorization of the War Production Board to deviate from the standards and conditions of paragraphs (b), (c) or (d) may be made by the purchaser or proposed purchaser of the new motor or generator or by the machinery producer in any case where the motor or generator is to be incorporated into machinery manufactured by said producer. Such application shall be in the form of a letter or telegram or other communication addressed to the General Industrial Equipment Division, War Production Board, setting forth facts sufficient to enable the War Production Board to determine the necessity for such authorization. If granted, the authorization shall be transmitted by the purchaser to his supplier, except that a machinery producer shall retain such authorization in his files.

(f) *Exemptions.* (1) The limitations and restrictions of paragraph (b) (1) shall not apply to (i) any order for motors or generators for the direct use of the Army, Navy, Maritime Commission or War Shipping Administration, or for incorporation in or attachment to any machinery or equipment to be used directly by said agencies; (ii) to any order by a machinery producer for motors to be incorporated in or attached to, and sold as part of machinery which he produces, if such machinery producer does not have on hand at the time of such order a greater number of motors in the same category (as specified in paragraph (b) (1) as the new motor sought to be purchased than the number thereof which he used for incorporation or assembly into machinery during the preceding two calendar months; (iii) to any order by a machinery producer for generators, if he does not have in his inventory a greater number thereof than he used for incorporation or assembly during the preceding two calendar months; or (iv) to any order for motors or generators to be delivered for use outside of continental United States and Canada.

(2) The limitations and restrictions of paragraphs (c) and (d) shall not apply

to (i) any motor or generator ordered by and delivered to a machinery producer, but such limitations and restrictions shall apply to his resale of such motor or generator, as such or as part of other machinery; or to (ii) any motor or generator delivered for use outside of continental United States and Canada.

(3) The limitations and restrictions of paragraph (d) shall not apply to any order for generators for the direct use of the Army, Navy, Maritime Commission or War Shipping Administration or for incorporation in or attachment to any machinery or equipment to be used directly by said agencies.

(4) The limitations and restrictions of paragraphs (b), (c) and (d) of this order shall not apply (i) to industrial truck motors, torque motors, traction motors and generators, motors used in the operation of air-borne equipment, frequency changers (62½ cycles and above), two bearing motor-generator sets (including electric welders of the two bearing type) dynamometers and rotary converters; or (ii) to any motor or generator to be used on any vessel owned or operated by the Army, Navy, Maritime Commission or War Shipping Administration or to be used in the operation of combat equipment. As used herein "combat equipment" means any combat end product (including but not limited to ammunition and other ordnance, tanks, warships and aircraft) prescribed for field or combat use by the Army, the Navy, or the Maritime Commission.

(g) *Production schedules.* (1) On and after February 1, 1943, no manufacturer shall manufacture any motor or generator unless the motor or generator is included in a production schedule approved by the War Production Board as provided below.

(2) On or before the 20th day of each calendar month, every manufacturer shall file with the War Production Board a report on Form PD-738 which shall include such manufacturer's proposed production schedules of motors and generators so far as then planned, and such other information as shall be required by said Form PD-738. The production schedule for such period following the date of filing as shall be specified in the instructions to said Form PD-738 shall be deemed to be approved by the War Production Board upon its receipt of the above mentioned report unless and until the War Production Board shall otherwise direct. Regardless of the terms of any other order or rule or regulation or of any commitment by the manufacturer or any customer, the War Production Board may at any time change any schedule; direct the cancellation of any order held by any manufacturer whether or not included or reflected in any schedule; prescribe any other schedule for production; allocate any order theretofore received by the manufacturer to any other manufacturer; or direct the delivery of any motor or generator, in production or completed to any person, at the established price and terms. No manufacturer shall alter any approved or prescribed production schedule unless authorized or directed to do so by the War Production Board.

(h) *Miscellaneous provisions* — (1) *Other limitation orders.* Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of or otherwise acquire any raw materials, semi-processed parts, or finished products in contravention of the terms of any L or M order, or amendments or supplements thereto or other regulations of the War Production Board, effective at the date of any such sale, delivery, or other transfer. Where the limitations imposed by any other L or M order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

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

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

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C. Ref: L-221.

Issued this 22d day of April 1943.

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

APPENDIX A

The certification required by paragraph (d) of the order shall be in substantially the following form:

Purchase Order No. _____

Date _____

"The undersigned hereby certifies that the motor (s) covered by the above mentioned purchase order are of the simplest practicable mechanical and electrical design and that:

(1) *Idle and used motors.* He has no adaptable idle motor or generator (except operating spares) and no operating spares in excess of the number prescribed in paragraph (b) (1) (iv) of Order L-221; and he has been unable to obtain a used motor or generator for his purpose from the following dealers known by him to be engaged currently in dealing in such motors

(2) *Operating conditions.* (To be filled in only if motor is not open type). The following operating conditions, as listed in paragraph (c) (1) (ii) of Order L-221 justify type of enclosure ordered:

(3) (If motor is (1) alternating current multi-speed, and is not single winding; (ii)

slip ring wound rotor type; or (iii) direct current, state justification below)

(4) *Horsepower and speed.* Horsepower rating is in accordance with paragraph (c) (2) of Order L-221.

(If motors do not have a speed of at least 1800 R. P. M. at 60 cycles or 1500 R. P. M. at 50 or 25 cycles, give here the data required by paragraph (c) (3) (1)).

 Speed Certified
 By -----
 Machinery Producer or
 Motor Mfr.

 Company.
 By -----
 (Authorized Official)

INSTRUCTIONS

1. If any of the above items are inapplicable to the order being certified, a statement should be made to that effect. If an item is inapplicable because of an exemption provided by Order L-221, reference should be made to the pertinent provision of the order. If the purchaser's order has been granted any exemption by the War Production Board, appropriate reference should be made, including the date of the authorizing document and any conditions contained therein.

2. If the order is for motors or generators of identical kind and rating covered by a previous certification, information which has remained unchanged need not be repeated but reference (including date and order number) should be made to the previous certification.

[F. R. Doc. 43-6258; Filed, April 22, 1943; 12:13 p. m.]

PART 3122—ELECTRICAL MOTORS AND GENERATORS

[Interpretation 1 of General Conservation Order L-221 as Amended April 22, 1943]

Paragraph (f) (4) of § 3122.1 *General Conservation Order L-221* provides certain exemptions for motors and generators used on any vessel owned or operated by the Army, Navy, Maritime Commission or War Shipping Administration. The question has been raised as to the proper classification of floating dry docks. It was contemplated that floating dry docks, produced for service anywhere, would be considered vessels within the meaning of this paragraph.

Issued this 22d day of April 1943.

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

[F. R. Doc. 43-6256; Filed, April 22, 1943; 12:14 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 3, Direction 2]

§ 3175.3 *Special direction regarding manufacturers of combat measuring instruments (as defined in Limitation Order L-203).* A delivery order for combat measuring instruments which bears a preference rating with an allotment number or symbol shall not be deemed superior in rating for purposes of Priorities Regulation 1, to a delivery order for combat measuring instruments which bears a rating of the same grade without an allotment number or symbol; and manufacturers of combat measuring instruments shall schedule

deliveries thereof without regard to allotment numbers or symbols, but subject to and in accordance with all applicable provisions of orders and regulations of the War Production Board other than paragraph (c) of CMP Regulation 3.

Issued this 22d day of April 1943.

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

[F. R. Doc. 43-6261; Filed, April 22, 1943; 12:13 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation 3 of CMP Reg. 5]

The following official interpretation is issued with respect to § 3175.5, *CMP Regulation 5.*

Reels required for shipment or delivery of products are not included within the term "fabricated containers" on List A of CMP Regulation No. 5, and consequently the procedures provided by the regulation may be used to obtain them.

Issued this 22d day of April 1943.

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

[F. R. Doc. 43-6260; Filed, April 22, 1943; 12:13 p. m.]

PART 3227—VULCANIZED FIBRE

[Allocation Order M-305]

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

§ 3227.1 *Allocation Order M-305—*
 (a) *Definitions.* For the purpose of this order:

(1) "Vulcanized fibre" means the chemically converted and hardened cellulose material commonly designated "vulcanized fibre" or "hard vulcanized fibre", usually prepared by treating cotton rag or alpha cellulose paper with zinc chloride which is subsequently leached out of the resulting mass.

(2) "Producer" means any person who produces vulcanized fibre.

(3) "Fabricate" means to perform any machining or forming operation on vulcanized fibre.

(b) *Restrictions on use and delivery of vulcanized fibre.* (1) On and after April 22, 1943, no producer shall fabricate or deliver vulcanized fibre, except as specifically authorized by the War Production Board upon application pursuant to paragraph (g).

(2) On and after April 22, 1943, no fabricator or distributor under common ownership and control with any producer shall fabricate or deliver vulcanized fibre, except for uses approved by the War Production Board upon appli-

cation by such producer pursuant to paragraph (g). Such application shall be based upon descriptions of proposed ultimate uses furnished to the producer by such fabricator or distributor with respect to vulcanized fibre in the inventory of, or to be delivered by the producer to such fabricator or distributor.

(3) Each person furnishing a certified description of ultimate use with an order for vulcanized fibre pursuant to paragraph (f) shall use the vulcanized fibre delivered on such order only for the purpose specified in such certificate, except as otherwise specifically authorized by the War Production Board.

(4) The War Production Board at its discretion may at any time issue special directions to any person with respect to use, fabrication, delivery or acceptance of delivery of vulcanized fibre, or with respect to disposition of vulcanized fibre in process or of finished vulcanized fibre in inventory.

(c) *Inventory restriction.* On and after April 22, 1943, no person other than a producer shall accept delivery of vulcanized fibre (irrespective of authorization to his producer to make such delivery) if his inventory of vulcanized fibre of the same or equivalent grade, specification and thickness is, or by virtue of such acceptance would become, greater than a 60-day supply, having regard to his method and rate of operation or sales.

(d) *Color restriction.* On and after April 30, 1943, no producer shall put in process vulcanized fibre of other than natural gray color if such vulcanized fibre is to be finished as sheets of 1/4" or greater thickness, except as specifically authorized by the War Production Board.

(e) *Exemptions.* Notwithstanding the provisions of paragraph (b) or (f), specific authorization of the War Production Board, or the filing of a certified description of ultimate use, shall not be required for the following:

(1) Fabrication or delivery of vulcanized fibre on or before May 15, 1943, in fulfillment of orders placed and in process of production or fabrication prior to April 22, 1943.

(2) Delivery of vulcanized fibre by any person to a producer.

(f) *Certification of ultimate use.* (1) Certified description of ultimate use of vulcanized fibre shall be furnished to the producer as follows:

The person who fabricates or incorporates vulcanized fibre into an item of definable consumer use shall furnish the producer of vulcanized fibre with a certified description of the ultimate use to which such vulcanized fibre will be put. In those cases where such person purchases from any person not a producer of vulcanized fibre, such certified description of ultimate use may be transmitted through such intermediaries as may exist, to said producer. Such intermediate fabricators or suppliers shall transmit such certified descriptions of ultimate use either by transmitting the original customers' certificates or by transmitting new certificates signed by the fabricator or supplier containing the

customers' ultimate use descriptions without change.

For example, a formed piece for a welder's helmet, which obviously could be used only for that purpose, would be an item of definable consumer use. The fabricator ordering vulcanized fibre for such piece would furnish with his order a certified description of ultimate use. On the other hand, the purchaser of the piece from the fabricator would not have to file a certified description of ultimate use with his order for such piece, because the fabricator could determine the use unaided. However, in the case of a machinery manufacturer ordering a vulcanized fibre punched part, the use of which could not be determined by inspection, a certified description of the ultimate use of such punched part should be furnished by the manufacturer to the fabricator of the part.

No department or agency of the United States Government ordering vulcanized fibre pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), shall be required to furnish a certified description of ultimate use pursuant to this order. The prime contracting seller holding a Lend-Lease order, for the purpose of his PD-602 application (if he is a producer), or for the purpose of furnishing a certified description of ultimate use, shall specify the Lend-Lease contract or serial number without further end use description.

(2) Certified description of ultimate use may be placed on or attached to the purchaser's purchase order and shall be in substantially the following form:

(Description of ultimate use)

The undersigned hereby certifies that the vulcanized fibre (or products made therefrom) covered by the accompanying purchase order will be used solely for the purpose(s) listed above, and that he is familiar with the inventory restriction imposed by Order M-305.

Name of customer
By -----
Signature of authorized official

Date Title

The above certificate shall constitute a representation to (but shall not be filed with) the War Production Board, and may be signed manually or as provided in Priorities Regulation No. 7.

(3) The description of ultimate use provided for in paragraph (f) (2) hereof shall be sufficiently specific to enable the producer to indicate product use and function on his application for authorization to deliver vulcanized fibre. Authorization to deliver vulcanized fibre will be based on the essentiality of the specific use to which each item of vulcanized fibre is to be put. It is, therefore, essential that information with respect to the ultimate use and function be as precise as possible.

In connection with usages of secondary essentiality, a statement justifying the use of vulcanized fibre rather than some other material should accompany the certified description of ultimate use, if applications for such uses are to be given full consideration without undue delay,

In the case of confidential or secret items for the Armed Services, the part number, contract number, and the name and location of the contracting agency shall be transmitted in lieu of a description of ultimate use.

(4) Any producer, fabricator or other supplier may accept and rely upon any certified description of ultimate use furnished pursuant to this paragraph (f) unless he knows or has reason to believe it to be false.

(5) Where one or more partial deliveries are made against a single order, the original certified description of ultimate use shall suffice for all such deliveries.

(6) In the event that two or more end uses are involved in a single purchase order, the amount of vulcanized fibre required for each use shall be listed as a separate item. Each item shall bear an identifying number so that it will be possible for the producer to advise his customers, by purchase order number and item number, as to the action taken on the producer's application for authorization to make delivery.

(7) Each producer and other supplier shall notify his customer as soon as possible of denial, in whole or in part, by the War Production Board of any item or items for which application has been made by such customer.

(8) Notwithstanding the provisions of Priorities Regulation No. 1, no producer, fabricator or other supplier shall accept or fill any order for vulcanized fibre from a purchaser required by this paragraph (f) to file a certified description of ultimate use, unless and until such purchaser shall file such certificate with him, and such order shall have been approved by the War Production Board in the manner provided in this order.

(9) In cases where vulcanized fibre is purchased for a prospective use which does not materialize, the purchaser shall not use the vulcanized fibre so obtained for other use without authorization of the War Production Board.

Application for such authorization may be made by letter in triplicate directed to the War Production Board, Chemicals Division, Washington, D. C. Ref. M-305, setting forth the material facts. Such letter shall be certified by the applicant in substantially the following form, and may be signed manually or as provided in Priorities Regulation No. 7:

(Statement)

The undersigned applicant certifies to the War Production Board that the information contained in this letter is complete and correct.

Name of applicant
By -----
Signature of authorized official

Date Title

(g) *Applications and reports.* (1) Each producer seeking authorization to fabricate or deliver vulcanized fibre shall file application on Form PD-602 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-602. Copies of Form PD-602 may be obtained at local field offices of the War Production Board.

Time. Application on Form PD-602 may be made at any time, but not less often than once in each calendar month.

Number of copies. Four copies shall be prepared, of which one shall be retained by the applicant and three certified copies shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref. M-305.

Number of sets. Any group of producing units under common ownership or control may file a consolidated set of PD-602 forms, regardless of location of plant(s).

Heading. Under name of material, specify vulcanized fibre; leave grade space blank; under War Production Board order number, specify M-305; leave the delivery month blank; under unit of measure, specify pounds net; and otherwise fill in as indicated, disregarding instruction to file a separate form for each plant or warehouse.

Table I. List all orders received since filing the previous PD-602, as follows:

Column 1. List customers' names.
Column 1a. Show end use based on customer's or fabricator's certificate.

Column 4. Show total amount of each order in pounds.

Column 5. Show proposed monthly delivery, and in parentheses indicate how many monthly deliveries. Leave blank if such delivery schedule has not been determined.

Column 5a. Show whether sheets, rods or tubes. For this purpose the use of abbreviations will be permitted in accordance with the following:

"S"----- Sheets.
"R"----- Rods.
"T"----- Tubes.

Column 6. Leave blank.

Column 7. Show producer's mill order number.

Rolling stock. Leave blank the columns at the end of Table I referring to hopper cars and tank cars required.

Table II. Fill in Columns 9, 11, 12, 14, and 15, and leave the other columns blank. Total net poundage ready for shipment shall be reported for the purpose of Table II.

Table II shall be filled out on only one set of applications per month, which shall be filed by each producer on or before the 20th day of each month.

(2) Receipt by a producer from the War Production Board of Form PD-602 signed by the War Production Board shall constitute authorization to such producer to deliver (after necessary fabrication) the quantity of vulcanized fibre to the persons and for the end uses indicated therein, without regard to the limitation in such authorization that "such authorization as to any one customer shall terminate automatically if he requires you to postpone authorized delivery beyond ten days after the close of the month for which allocated, or if he fails to place an order for such material before the end of such month."

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, and may issue special directions to any such person with respect to preparing and filing Form PD-602 or certificates required by paragraph (f).

(h) *Notification of customers.* Each producer and fabricator is requested to notify his regular customers as soon as possible of the requirements of this order and of all amendments hereto, but failure to receive such notice shall not excuse

any person from complying with the terms hereof.

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

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

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref. M-305.

Issued this 22d day of April 1943.

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

[F. R. Doc. 43-6262; Filed, April 22, 1943;
12:13 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-230]

J. SEPENUK & SONS, INC.

J. Sepenuk & Sons, Inc., a New Jersey corporation located at 171 Provost Street, Jersey City, New Jersey, buys and sells nonferrous metals. During the period from November 16, 1942, through January 14, 1943, J. Sepenuk & Sons, Inc. accepted delivery of approximately 97,445 lbs. of copper base alloy ingots without authorization of the Director General for Operations as required by Supplementary Order M-9-b. The Company believed, because of an unreasonable interpretation of the order, that it was entitled to accept such deliveries; and continued to do so after it had been put on notice that the interpretation was incorrect.

The acceptance of delivery of copper alloy ingots was a wilful violation of Supplementary Order M-9-b and has impeded and hampered the war effort of the United States by diverting copper to uses unauthorized by the War Production Board. In view of the foregoing facts, *it is hereby ordered, That:*

§ 1010.230 *Suspension Order S-230.*

(a) Deliveries of material or equipment to J. Sepenuk & Sons, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be applied or assigned to such delivery by any preference rating certificate, preference rating order, general preference order, or any other orders or regulations of the War Production

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Board, except as hereafter specifically authorized in writing by the War Production Board.

(b) No allocation to J. Sepenuk & Sons, Inc. shall be made of any material, the supply or distribution of which is governed by any order of the War Production Board, except as hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve J. Sepenuk & Sons, Inc., its successors and assigns, from any restriction, prohibition or provision contained in any other order of regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 25, 1943, and shall expire July 25, 1943, at which time it shall have no further force or effect.

Issued this 22d day of April 1943.

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

[F. R. Doc. 43-6288; Filed, April 22, 1943;
4:08 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-282]

ESSAM LAMP SHADE CO.

Sam Miller and Anne G. Bress, a partnership doing business as the Essam Lamp Shade Company, Chicago, Illinois, is engaged in the manufacture of lamp shades. On September 12, 1942 the partnership purchased the trade name "Style-Rite Lamp Shade Company," and proceeded between that date and November 30, 1942 to manufacture and assemble under that trade name 35,901 lamp shades, although no quota had been established for the manufacture by the respondents of lamp shades under such trade name by the provisions of General Limitation Order L-33, and Priorities Regulation 7-A. The respondents, as the Essam Lamp Shade Company, also manufactured during the period from May 1, 1942 to September 30, 1942, 1,221 lamp shades in excess of the quota established for them under the provisions of General Limitation Order L-33. The respondents were aware of the limitations affecting their business and acted in reckless disregard of such limitations. This production and assembly of 37,122 lamp shades was a wilful violation of General Limitation Order L-33.

This wilful violation has hampered and impeded the war effort of the United States by diverting scarce material to uses unauthorized by the War Production Board.

In view of the foregoing facts, *it is hereby ordered, That:*

§ 1010.282 *Suspension Order S-282.*

(a) Neither Sam Miller or Anne G. Bress, individually, or doing business as the Essam Lamp Shade Company, or Style-Rite Lamp Shade Company, or otherwise, directly or indirectly, or their successors and assigns, shall put in process, process, manufacture or assemble

any silk, metal in any form, phenolic plastics or any other material, the supply or distribution of which is subject to the control of the War Production Board, to make lamp shades or portable lamps, as defined in General Limitation Order L-33, or parts thereof, except as specifically hereafter authorized in writing by the War Production Board.

(b) Deliveries of material to Sam Miller and Anne G. Bress, individually or doing business as the Essam Lamp Shade Company, or Style-Rite Lamp Shade Company, or otherwise, directly or indirectly, or their successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, except as specifically hereafter authorized in writing by the War Production Board.

(c) No allocation shall be made to Sam Miller and Anne G. Bress, individually or doing business as the Essam Lamp Shade Company, or Style-Rite Lamp Shade Company, or otherwise, directly or indirectly, or their successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board except as specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve Sam Miller or Anne G. Bress, individually or doing business as Essam Lamp Shade Company, or the Style-Rite Lamp Shade Company, or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on April 24, 1943, and shall expire on July 24, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 22d day of April 1943.

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

[F. R. Doc. 43-6290; Filed, April 22, 1943;
4:08 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-290]

ARTISTIC BRONZE TABLET CO., INC.

The Artistic Bronze Tablet Company, Inc., a corporation organized under the laws of the State of New York, doing business at 25-27 Bainbridge Street, Brooklyn, New York, engages chiefly in the business of furnishing bronze memorial tablets and name plates to charitable institutions. Respondent furnishes patterns and finishes the product, the actual casting being done by others. During the period June through August, 1942, the company delivered approximately 2,785 lbs. of copper scrap to a foundry to be

cast under an unauthorized toll agreement in wilful violation of Supplementary Order M-9-b, and during the period January through August, 1942, used approximately 10,295 lbs. of copper base alloy in the manufacture of memorial tablets and name plates in wilful violation of Conservation Order M-9-c.

These violations of Supplementary Order M-9-b and Conservation Order M-9-c have impeded and hampered the war effort of the United States by diverting copper to uses unauthorized by the War Production Board.

In view of the foregoing facts, *It is hereby ordered, That:*

§ 1010.290 *Suspension Order No. S-290.* (a) Deliveries of material to Artistic Bronze Tablet Company, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be applied or assigned to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, and any other order or regulation of the War Production Board except as hereafter specifically authorized by the War Production Board.

(b) No allocation shall be made to Artistic Bronze Tablet Company, Inc., its successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, except as hereafter specifically authorized by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Artistic Bronze Tablet Company, Inc., its successors and assigns, from any restrictions, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 24, 1943, and shall expire on October 24, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 22d day of April 1943.

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

[F. R. Doc. 43-6289; Filed, April 22, 1943;
4:08 p. m.]

PART 1147—COLLAPSIBLE TUBES

[Conservation Order M-115 as Amended April 23, 1943]

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

§ 1147.1 *Conservation Order M-115—*(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regu-

lations of the War Production Board, as amended from time to time.

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

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Tube" means any collapsible container in the shape of a tube, including but not limited to any such container made in whole or in part of tin, lead, or any combination thereof and includes closures, crowns and caps for such tubes.

(3) "Class I tube" means a tube used or intended to be used to pack any product listed on Table I annexed hereto within such limitations, including but not limited to tube size and end use, as may be specified with respect to any such product in said table.

(4) "Class II tube" means a tube used or intended to be used to pack any product listed on Table II, annexed hereto.

(5) "Class III tube" means a tube used or intended to be used to pack any product listed on Table III, annexed hereto.

(6) "Non-essential tube" means any tube other than a tube described in subparagraphs 3, 4 and 5 above.

(7) "Tube user" means any person, whether or not he is also a tube manufacturer, engaged in the business of packing or filling tubes with any product of any kind for sale to others.

(8) "Retailer" means a person other than a distributor who sells or distributes tubes to the ultimate purchaser.

(9) "Distributor" means a person who sells or distributes tubes to retailers, including, but not limited to, wholesalers, jobbers, tube users, and tube manufacturers when they are engaged in such sale or distribution.

(10) "Ultimate purchaser" means a person who acquires filled tubes for the satisfaction of personal needs (with or without paying any consideration therefor), as distinguished from one acquiring tubes for industrial or other business purposes or for further distribution.

(c) *Restrictions upon the manufacture, sale and delivery of blanks and tubes and upon the use of tubes for packing—*(1) *Non-essential tubes.* No person shall manufacture or sell, for non-essential tubes, blanks containing any tin (but not including tin present as an impurity amounting to 0.5% or less); no tube manufacturer shall manufacture or sell non-essential tubes containing any tin (but not including tin present as an impurity amounting to 0.5% or less); and no tube user shall use any tubes containing any tin (but not including tin present as an impurity amounting to 0.5% or less) to pack any product not listed on Tables I, II, or III.

(2) *Class I tubes.* Notwithstanding the provisions of Conservation Order M-43-a, as amended, and until further order by the War Production Board there shall be no restriction upon the percentage of tin which may be used in the manufacture of Class I tubes, nor on the number of such tubes manufactured or used for packing products listed on Table I.

(3) *Class II tubes.* No person shall manufacture or sell for Class II tubes blanks containing more than 7½% of tin by weight; no tube manufacturer shall manufacture or sell Class II tubes containing more than 7½% of tin by weight; and no tube user shall use any tube containing more than 7½% of tin by weight to pack any product listed on Table II.

(4) *Class III tubes for period prior to April 1, 1943.* Until April 1, 1943, no person shall manufacture or sell for Class III tubes blanks containing more than 5% of tin by weight; and no tube manufacturer shall manufacture or sell Class III tubes containing more than 5% of tin by weight; and no tube user shall use any tube containing more than 5% of tin by weight to pack any product listed on Table III.

(5) *Class III tubes after April 1, 1943.* On and after April 1, 1943, no person shall manufacture or sell for Class III tubes blanks containing more than 3% of tin by weight; and no tube manufacturer shall manufacture or sell Class III tubes containing more than 3% of tin by weight; and no tube user shall use any tube containing more than 3% of tin by weight to pack any product listed on Table III.

(6) *Quota for Table III products.* No tube user shall pack in tubes, during the calendar year 1943, more than 75% of the amount of products listed on Table III which he packed in tubes during the calendar year 1942: *Provided further,* That no tube user shall pack in tubes during each of the three-month periods beginning January 1, 1943, April 1, 1943, July 1, 1943, and October 1, 1943, respectively, more than 25% of the amount of products listed in Table III of this order which he is permitted to pack in tubes during the entire calendar year 1943 pursuant to the preceding provisions of this subparagraph. All percentages above mentioned shall be based upon volumetric weight. Said percentages shall be in addition to the products listed on Table III which are packed in tubes and sold and delivered to the Army or Navy of the United States or the United States Coast Guard (including but not limited to post exchanges, ships' stores, ships' service stores, and marine exchanges), or to the American Red Cross, and in addition to products listed on Table III which are packed in tubes having no greater tin content than that prescribed in paragraph (c) (1) of this order for non-essential tubes.

(d) *Further conservation of tin.* (1) All manufacturers and users of all the kinds of tubes covered by this order shall cooperate in effectuating as rapidly and as completely as possible a program of reducing the thickness of the tin coating on such tubes to the minimum thickness which will be sufficient for satisfactory packing of the particular product packed.

(2) All manufacturers of all kinds of tubes permitted to be manufactured or filled by this order and all tube users packing products in such tubes are ordered to concentrate to the greatest extent practicable upon the larger-size

tubes and to manufacture and to use for tube filling respectively as high a proportion of larger-size tubes (as compared with smaller-size tubes) as may be feasible and practicable. All such manufacturers and tube users are further ordered to substitute, for all tubes made in whole or in part of tin, containers made of other materials to the extent that such substitution may be feasible and practicable.

(3) No retailer shall sell or deliver any filled metal tube containing dental cleansing or shaving preparations to any ultimate purchaser (except as bona fide samples, manufactured prior to the 15th day of June, 1942, which are distributed indiscriminately and without any conditions) unless such purchaser delivers to such retailer concurrently with his purchase one used metal tube of any kind for each metal tube delivered to such purchaser. All such used tubes, together with any other used tubes held by retailers, shall be held by such retailers and shall not be disposed of by them except as follows:

(i) To the Tin Salvage Institute, 411 Wilson Avenue, Newark, New Jersey, as agent for Metals Reserve Company;

(ii) To any wholesaler of products packed in tubes, who is a duly authorized representative of the Tin Salvage Institute as agent for the Metals Reserve Company; or

(iii) To any other person who is such a representative.

Such deliveries may be made by such retailers at any time and in any manner consented to by the person to whom delivery is to be made, and shall be made, upon demand of such person and at the expense of such person, in such manner and at such time as such person may request. In no case shall any consideration be paid or received for any used tubes so delivered and no person (including, but not limited to, wholesalers of products packed in tubes and dealers in scrap metal and junk) shall, except as otherwise expressly permitted by this paragraph (d) (3), deliver any used tube of any kind to any person except those designated above. Damaged or unused tubes shall, at the option of the holder, be returned for credit to the party from whom they were purchased or delivered to the Tin Salvage Institute as agent for Metals Reserve Company.

(4) Nothing in this order shall prevent the manufacture, sale, delivery, purchase, acceptance of delivery, or use of tubes, made from blanks manufactured on or before the dates hereinafter specified and containing no more than the permitted tin content respectively specified, within the limits set forth opposite each such date.

Date of manufacture of blank	Permitted tin content	Permitted use
April 1, 1942..... October 5, 1942.....	Unrestricted..... 7½ percent by weight.	Unrestricted. For packing products listed in Table III and shaving preparations.
The 13th day of January 1943.	1½ percent by weight.	For packing shaving preparations.

Provided, however, That the volumetric weight of any products listed in Table III which are packed in accordance with the provisions of this subparagraph shall be subtracted from the quota allowed to the tube user pursuant to paragraph (c) (6) of this order.

(5) Notwithstanding any other provisions of this order, gift kits or combination set boxes holding multiple units, including filled Class III or shaving preparation tubes, the value of which comprises not over 25 percent of the total value of the package, may be disposed of without complying with the used tube exchange provision set forth in paragraph (d) (3) hereof; provided that any such boxes are delivered or sent direct by the seller to a member of the Army or Navy of the United States or of the United States Coast Guard.

(6) Compliance with the used tube exchange provision set forth in paragraph (d) (3) hereof shall not be required in connection with the sale or distribution of Class III or shaving preparation tubes when made by the following agencies or instrumentalities of the United States Government; namely, army exchanges, ships stores, ships service stores, and marine exchanges; if made under any of the following circumstances:

(i) Distributions or sales, made aboard ship, in the Territory of Alaska, or outside the continental limits of the United States.

(ii) Distributions or sales made at ports of embarkation, induction centers, receiving stations, receiving ships, to newly inducted selectees or enlistees or other persons designated by the commanding officer.

(iii) Sales or distributions made in hospitals under the jurisdiction of the armed forces of the United States to casualties of war.

Provided, however, That no tubes containing more than 7½% tin shall be sold or delivered pursuant to the subparagraph: And further provided, That the exemption, provided by this subparagraph shall be subject to such conditions as shall be prescribed by the appropriate authorities of that branch of the Government under whose jurisdiction the above named agencies or instrumentalities respectively operate.

(7) Compliance with the used tube exchange provision set forth in paragraph (d) (3) hereof shall not be required in connection with the free distribution of Class III or shaving preparation tubes by the American Red Cross; Provided, however, That no tubes containing more than 7½% tin shall be distributed pursuant to this paragraph (d) (7).

(e) Certificates and reports relating to all kinds of tubes covered by this order—(1) Certificates of tube users. Each tube user who purchases any tubes shall furnish to the tube manufacturer from whom he buys, a certificate, in substantially the form attached hereto as Exhibit A, that such tube user is familiar with the terms of this order (in its present form or as it may be amended from time to time) and that, during the life

of this order, he will not use any tubes purchased from such tube manufacturer in violation of its terms. Only one such certificate covering all present and future purchases from a given tube manufacturer need be furnished by a tube user to that tube manufacturer (who shall retain such certificate), but no tube manufacturer shall be entitled to rely on any such certificate if he knows, or has reason to believe it to be false.

(2) Certificates of retailers. Each retailer who purchases any filled Class III or shaving preparation tubes shall furnish to the manufacturer or distributor from whom he buys a certificate, in substantially the form attached hereto as Exhibit B, that such retailer is familiar with the terms of this order (in its present form or as it may be amended from time to time) and that, during the life of this order, he will not use any tubes purchased from such manufacturer or distributor in violation of its terms. Only one such certificate covering all present and future purchases from a given manufacturer or distributor need be furnished by a retailer, but no manufacturer or distributor shall be entitled to rely on any such certificate if he knows, or has reason to believe, it to be false; Provided, however, That such certificates shall not be required in connection with the export of filled Class III or shaving preparation tubes from the forty-eight states of the United States of America and the District of Columbia.

(3) Reports. Each tube manufacturer and each tube user shall file such reports as the War Production Board may prescribe for the purpose of effective administration of the order, and no tube manufacturer or distributor shall sell any tubes except under contracts or orders validated by the certification required by this paragraph (e).

(f) Miscellaneous provisions—(1) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal.

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

(3) Sales of tin. No person shall hereafter sell or deliver tin to any tube manufacturer or tube user if he knows or has reason to believe that such tin is to be used in violation of the terms of this order.

(4) Communications to the War Production Board. All reports required to be filed hereunder and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C. Ref.: M-115.

(5) *Effect of other orders.* Except as provided in paragraph (c) (2) above, insofar as any other order of the War Production Board heretofore or hereafter issued limits or curtails to a greater extent than herein provided the use of any material used in the production of tubes, the limitations of such order shall control.

Issued this 23rd day of April 1943.

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

EXHIBIT A—TUBE USER'S CERTIFICATE

Certificate required by paragraph (e), subparagraph (1) of Conservation Order M-115. One copy of this certificate is to be delivered to each tube manufacturer from whom the tube user purchases tubes and is to cover all purchases present and future, so long as such conservation order, in its present form or as it may be amended from time to time, remain in effect.

(Tube user's address) (Date)

In accordance with paragraph (e), subparagraph (1) of Conservation Order M-115 of the War Production Board designed to conserve the amount of tin used in collapsible tubes the undersigned hereby certifies—and this shall constitute a certification to the War Production Board—that the undersigned is familiar with the terms of said Conservation Order, and any and all amendments thereto, and that the undersigned will not use any tubes purchased from

(Name of tube manufacturer) (Address of tube manufacturer)

in violation of the terms of said order and amendments.

(Legal name of tube user)

By (Authorized official)

(Title of official reporting)

Section 35A of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

EXHIBIT B—RETAILER'S CERTIFICATE

Certificate required by paragraph (e), subparagraph (2) of Conservation Order M-115. One copy of this certificate is to be delivered to each distributor from whom the retailer purchases tubes and is to cover all purchases present and future, so long as such conservation order, in its present form or as it may be amended from time to time, remains in effect.

(Retailer's address) (Date)

In accordance with paragraph (e), subparagraph (2) of Conservation Order M-115 of the War Production Board designed to conserve the amount of tin used in collapsible tubes, the undersigned hereby certifies—and this shall constitute a certification to the War Production Board—that the undersigned is familiar with the terms of said conservation order, and any and all amendments thereto, and that the undersigned will not use any tubes purchased from

(Name of tube manufacturer or distributor)

(Address of tube manufacturer or distributor)

in violation of the terms of said order and amendments.

(Legal name of retailer)

By (Authorized official)

(Title of official reporting)

Section 35A of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

TABLE I—CLASS I TUBES

1. Ointments and other preparations for ophthalmic use.
2. Sulfa drugs in ointment or jelly form.
3. Diagnostic extracts (allergens).
4. Morphine for hypodermic injection (limited to tubes containing individual doses only and sold directly to the Army or Navy of the United States).

TABLE II—CLASS II TUBES

1. (a) Medicinal and pharmaceutical ointments not included in Table I;
- (b) Preparations which are intended for introduction into body orifices (nasal, vaginal, rectal, surgical jelly, etc.), not included in Table I.

TABLE III—CLASS III TUBES

1. Dental cleansing preparations.
- [F. R. Doc. 43-6301; Filed, April 23, 1943; 11:12 a. m.]

PART 1222—EXPORTS UNDER LICENSE ISSUED BY THE BOARD OF ECONOMIC WARFARE

[Revocation of Supp. 1 to General Exports Order M-148 as Amended]

STEEL

Section 1222.2 *Supplement 1 to General Exports Order M-148* is hereby revoked.

Issued this 23d day of April 1943.

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

[F. R. Doc. 43-6298; Filed, April 23, 1943; 11:12 a. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L-157, Schedule II as Amended April 23, 1943]

FORGED AXES, FORGED HATCHETS, FORGED BROAD AXES, FORGED ADZES, AND FORGED LIGHT HAMMERS

§ 1293.3 *Schedule II to Limitation Order L-157*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures or otherwise fabricates forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers.

(2) "Forged light hammer" means a forged hammer weighing less than 4 pounds. (Handles not included in this weight).

(3) "Put into process" means the act by which a person first changes the form of material from that form in which it was received by him,

(4) "Lend-Lease Government" means the government of any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States". (Lend-Lease Act).

(b) *Simplified practices.* (1) Pursuant to Limitation Order No. L-157, the kinds, styles, sizes, weights and provisions set forth in Appendices A, B and C hereto, are hereby established as specifications for the manufacture of forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers. Notwithstanding such limitation a producer may manufacture or otherwise fabricate forged axes not conforming to the specifications set forth in Appendix A hereto, for export under a license issued by the Board of Economic Warfare or to fill an order of a Lend-Lease Government.

(2) Forged axes, forged hatchets, forged broad axes, forged adzes or forged light hammers may be supplied with or without handles. Handles shall be limited to not more than three grades, as selected by the producer, for any one pattern (irrespective of size) of axe, hatchet, broad axe, adze, or light hammer manufactured, forged, or otherwise fabricated in accordance with this paragraph (b). On or before May 15, 1943, each producer shall file on Form PD-754, with the War Production Board, Building Materials Division, Washington, D. C., a list of the three grades of handles selected by him for each pattern.

(c) *Effective date of simplified practices.* The provisions of this Schedule II, as amended, shall take effect on the 15th day of April, 1943. On and after the 15th day of April, 1943, no producer shall put into process any ferrous metal in the manufacture of a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer, which fails to conform to the specifications established by paragraph (b) of this Schedule II and as set forth in Appendices A, B, and C hereto. Notwithstanding the provisions of paragraph (b) of this Schedule II, a producer may at any time sell or deliver a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer manufactured prior to the 15th day of April, 1943.

(d) *Application to manufacture exceptions.* Application by a producer to manufacture a forged axe, forged hatchet, forged broad axe, forged adze or forged light hammer, not in accordance with the specifications as set forth in Appendices A, B and C of this schedule shall be made in writing to the War Production Board, Building Materials Division, Washington, D. C., Ref.: L-157. The War Production Board may thereupon take such action as it deems appropriate.

(e) *Records covering material, types and sizes, work in process, etc.* On or before May 15, 1943, each producer of forged axes, forged hatchets, forged broad axes, forged adzes and forged light hammers shall file on Form PD-754 with the War Production Board, Building Materials Division, Washington, D. C.,

a list of all items manufactured by him in conformance with this amended schedule.

Issued this 23d day of April 1943.

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

APPENDIX A—FORGED AXES

1. Patterns, bit styles and sizes shall be as specified in the following tables 1, 2 and 3, and patterns shall conform to a manufacturer's patterns as manufactured by him on March 23, 1943. Not more than one type of any one pattern as listed shall be manufactured.

2. A "plain" bit style means a forged axe having a bit in which the transverse surface is continuous.

3. The finish on all forged axes shall be a forge finish as follows: All flash and scale to be removed with a hard wheel from the head and the bit or bits. The striking face and bit or bits shall be ground and polished, but not to exceed a finish finer than the finish resulting from the use of an 80-grit emery wheel, dry, when good commercial technique is employed. The bit or bits shall be ground and polished for a distance not to exceed 2½ inches from the cutting edge. Surfaces having a polish finish shall be completely and heavily coated with an oil or grease compound, or a clear transparent lacquer for prevention of rust. The balance of the head may be covered with a coating of paint, lacquer, enamel or other rust-proof coating over the natural forge finish.

4. In cases where a substitute name is shown in the listing of pattern names, the name listed first shall be the name of the pattern, but a producer or distributor may use one of the substituted names for the pattern, providing such listing does not indicate it as a different pattern. Substitute names may not be used for patterns other than as listed.

5. A manufacturing tolerance of 3 ounces plus or minus shall be permitted in the sizes as listed, but any pattern may only be cataloged and listed in the sizes as shown in the tables.

6. No alloy steel shall be used in the manufacture of any forged axes.

TABLE 1—SINGLE-BIT AXES

Pattern	Bit style	Size (weight of head in lbs.)
Dayton (also known as Yankee or Maine)	Plain	3, 3½, 4
Michigan	Plain	3, 3½, 4
Jersey (also known as Baltimore-Jersey, Caroline-Jersey)	Plain	3, 3½, 4
Connecticut	Plain	3, 3½, 4
Kentucky (also known as Southern-Kentucky)	Plain	3, 3½, 4
Dock axes (Patterns listed above with hardened head)	Plain	3, 3½, 4

TABLE 2—DOUBLE-BIT AXES

Pattern	Bit style	Size (weight of head in lbs.)
Michigan (also known as Crown) 2½# (also known as Cedar and Cruiser)	Plain	2½, 3, 3½, 4
Western (also known as Pennsylvania)	Plain	3, 3½, 4
Reversible (also known as Half-Peeling)	Plain	3½, 4
Falling	Plain	4, 4½
Swamping	Plain	4, 4½

TABLE 3—MISCELLANEOUS AXES

Pattern	Bit style	Size (weight of head in lbs.)
Light weight axe (varying handle lengths)	Plain	1¾, 2¼
Firemen's	Plain	2¾, 6
Pulaski (Forestry)	Plain	3¾
Intrenching and belt axe	(To be made in accordance with Army Specifications to fill Government Orders only.)	

APPENDIX B—FORGED HATCHETS, BROAD AXES AND ADZES

[NOTE: Table 3 Amended April 23, 1943]

1. Patterns, sizes, widths of cutting edge and weight of head shall be as specified in the following tables 1, 2 and 3.

2. Patterns as specified shall conform to a manufacturer's patterns as manufactured by him on March 23, 1943, but not more than one type of any one pattern of hatchet, broad axe or adze as listed shall be manufactured.

(1) When "width of cutting edge in inches" for forged hatchets, forged broad axes, and forged adzes is specified in tables 1, 2 and 3 of this appendix, a tolerance of ⅛ inch plus or minus shall be permitted.

(ii) When "approximate weight of head in pounds" for forged broad axes is specified in table 2 of this appendix, a tolerance of 8 ounces plus or minus shall be permitted.

4. No alloy steel shall be used in the manufacture of any forged hatchets, forged broad axes or forged adzes.

5. The finish on all forged hatchets, forged broad axes and forged adzes, shall be a forge finish as follows: All flash and scale to be removed with a hard wheel from the head and the bit. The bit shall be, and striking face may be, ground and polished but not to exceed a finish finer than the finish resulting from the use of an 80-grit emery wheel, dry, when good commercial technique is employed. The bit shall be ground and polished for a distance not to exceed 1½ inches from the cutting edge. Surfaces having a polish finish shall be completely and heavily coated with an oil or grease compound, or a clear transparent lacquer for prevention of rust. The balance of the head may be covered with a coating of paint, lacquer, enamel or other rust-proof coating over the natural forge finish.

TABLE 1—FORGED HATCHETS

Pattern	Size	Width of cutting edge in inches
Standard patterns:		
Half	2	3½
Claw	2	3½
Broad	2	4½
Broad	4	5½
Special patterns:		
Half—(Octagon, square or round head) thin blade	2	3½
Underhill lath, milled head, 9 or 12 rows	1	2¼
Underhill fruit box, milled head, 12 rows, Coast pattern	1	2½
Underhill shingler—with gauge		
Produce, 12 ounces		
Packers or barrelling, 12 or 14 ounces		
Car or rig builders, plain or milled head	2	3½

*Choice of only one style or size.

TABLE 2—FORGED BROAD AXES

Pattern	Width of cutting edge in inches	Weight of head in pounds
Canada	12	7
Pennsylvania	11	6½
Pennsylvania	12	7

TABLE 3—FORGED ADZES

Pattern:	Width of cutting edges in inches
Half head	4
Full head	4
Full head (railroad)	5
Ship carpenters, plain	4
Ship carpenters, plain	4½
Ship carpenters, lipped	4½
Ship carpenters, lipped	5
Mine track, #3 eye	3
Railroad, A. R. E. A. design (9" Blade)	4

APPENDIX C—FORGED LIGHT HAMMERS

[NOTE: Table I Amended April 23, 1943]

1. Kinds, patterns and weights of forged light hammers shall be as specified in the following tables 1 and 2.

2. Octagon or hexagon patterns indicate a hammer having an octagonal or hexagonal neck or poll, or neck and poll.

3. The finish on all forged light hammers shall be a forge finish as follows: All flash and scale to be removed with a hard wheel. Only striking faces and peins to be ground and polished, but not to exceed a finish finer than the finish resulting from the use of an 80-grit emery wheel, dry, when good commercial technique is employed. Surfaces having a polish finish shall be completely and heavily coated with an oil or grease compound, or a clear transparent lacquer for prevention of rust. The balance of the head may be covered with a coating of paint, lacquer, enamel or other rust-proof coating over the natural forge finish.

4. Where weights are specified in tables 1 and 2, such weights are for heads only, and a tolerance of 2 ounces plus or minus shall be permitted.

5. No alloy steel shall be used in the manufacture of any forged light hammers or special purpose hammers except machinists and magnetic tack or bill-posters hammers. Alloy steels, such as are permitted at the time of manufacture by the Steel Division of the War Production Board, may be used in the manufacture of machinists and magnetic tack or bill-posters hammers.

6. Milled faces on nail and ripping hammers will be permitted on 16 ounce and 20 ounce sizes only.

TABLE 1—FORGED LIGHT HAMMERS

Kind	Pattern	Ounces	Pounds
Nail	Octagon or hexagon	13, 16, 20	
	Bell face	7, 13, 16, 20	
	Plain	16, 20, 24 or 28	(1)
Ripping	Bell face	16, 20	
	Cross pein		1½, 2, 2½, 3
	Plain or adze eye		1½
Engineers and blacksmiths ¹	Regular		3, 4
	Double face		2½, 3
	Octagon poll, driving	7, 10	
Farriers	Rd. poll, curved claw, driving	7, 10	
	Rd. poll, straight claw, driving	12	
	Turning		2¼
Machinists	Fitting		2¼
	Sharpening		2¼
	Ball pein	2, 4, 8, 12	1, 1½, 1½, 2, 2½
	Straight or Cross Pein		1½
	Plain eye	4, 9, 12	
	Riveting	8, 12	
Tinners	Paneling or setting	12	
	Raising	28	
	Body workers ²		

¹ In 24 and 28 ounce weights, one weight only to be manufactured.
² One style only.
³ May only be manufactured to fulfill a specific order of the Army, Navy, Maritime Commission or War Shipping Administration.

TABLE 2—SPECIAL PURPOSE HAMMERS

Kind	Weight	
	Ounces	Pounds
Boiler inspectors	9	
Hand drilling or stone cutters 4" head (#2 or #4 eye)		3
Pattern makers	5	
Prospecting pick	16, 24	
Saw setters	8	1½
Scaling hammers		1
Electricians	20	
Tack (magnetic or non-magnetic)	4, 7	
Bill posters (magnetic)	6, 8	
Tile setters	3	
Boilermakers, double face (*)		2, 3
Riveting (*)	18	
Timbers raising (*)	32	
Timbers drop forged, with claw tool (*)	7	
Welders chipping, with wire brush (*)		1
Blacksmiths hand (set hammer with handle) 1½" face (*)		3
Timbers riveting (*)	16	

(*) May only be manufactured to fulfill a specific order of the Army, Navy, Maritime Commission or War Shipping Administration.

[F. R. Doc. 43-6302; Filed, April 23, 1943; 11:12 a. m.]

PART 3161—SUN GLASSES

[General Limitation Order L-238]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of materials entering into the production of sun glasses and sun glasses cases; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3161.1 *General Limitation Order L-238—(a) Definitions.* For the purposes of this order:

(1) "Sun glasses" means spectacles or goggles designed primarily to protect the wearer's eyes from sun-glare and other harmful or discomforting rays of the sun.

(2) "Sun glasses case" means a case or container designed for carrying sun glasses when not being worn.

(3) "Aviation sun glasses" means sun glasses designed for use in aircraft by pilots, observers and other aircraft personnel.

(b) *Restrictions on the use of materials.* Except as provided in paragraph (c) of this order, no person shall incorporate any metal in the manufacture of sun glasses or sun glasses cases.

(c) *General exceptions.* (1) The provisions of paragraph (b) of this order shall not apply to the manufacture of sun glasses or sun glasses cases which are manufactured:

(i) From parts which were finished and ready for assembly on April 23, 1943, provided that such manufacture is completed on or before May 23, 1943; or

(ii) From metal to the extent permitted by Appendix A, attached to this order.

(2) The provisions of paragraph (b) of this order shall not apply to the manufacture of aviation sun glasses which are manufactured pursuant to a contract or purchase order for delivery to or for the account of (i) the Army or Navy of the United States, or (ii) any agency of the United States Government for delivery to or for the account of the Government of any country pursuant to

the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act), provided that the specifications of such contract or purchase order specify aviation sun glasses which cannot be manufactured within the limitations of paragraph (b) and (c) (1) of this order. Notwithstanding the provisions of Priorities Regulation 17, the foregoing provisions of this paragraph (c) (2) shall not apply to any contract or purchase order for delivery to or for the account of any United States Army or Marine Corps Post Exchange or any United States Navy Ship's Service Department. Aviation sun glasses which are manufactured in accordance with the foregoing provisions of this paragraph (c) (2) shall be sold or delivered only to the Army or Navy of the United States (not including United States Army or Marine Corps Post Exchanges or United States Navy Ship's Service Departments), or the appropriate agency of the United States Government for Lend-Lease purposes.

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

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

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

(g) *Communications.* All reports to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Safety and Technical Equipment Division, Washington, D. C., Ref: L-238.

Issued this 23d day of April 1943.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

Appendix A

Pursuant to the provisions of paragraph (b) and subdivision (c) (1) (ii) of this order, a person may incorporate the following metals in the manufacture of sun glasses to the extent indicated:

- (1) Steel for:
 - (i) Core wire in plastic temples, provided that such core wire is manufactured (a) from wire which was in his inventory on April 23, 1943, or (b) from wire obtained by him pursuant to a special sale, as defined in Priorities Regulation No. 13, and in accordance with the terms of that regulation;
 - (ii) Spring clips in slip-over type sun glasses;
 - (iii) Half-hinges, hinge pins, and rivets; and
 - (iv) Snaps for cases for aviation sun glasses.

(2) Brass for barrel-hinges, hinge pins, rivets, and screws to fill orders bearing preference ratings of AA-5 or higher.

(3) Copper (strike), zinc, silver, gold and palladium for electroplating.

[F. R. Doc. 43-6300; Filed, April 23, 1943; 11:12 a. m.]

PART 3208—CRITICAL COMMON COMPONENTS

[General Scheduling Order M-293, as Amended April 21, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the production of certain critical common components for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3208.1 *General Scheduling Order M-293—(a) Definitions.* For the purpose of this order:

(1) "Critical common component" means any new equipment or apparatus of the types, descriptions and classifications set forth on the schedule hereto annexed. Class X and Class Y critical common components are those components which are so designated on such schedule.

(2) "Manufacturer" means any person who constructs or manufactures a critical common component to the extent that he is engaged in such construction or manufacture and shall include sales and distribution outlets and agencies controlled by such manufacturer.

(b) *Operation reports.* Each manufacturer of a critical common component shall file the applicable form designated in Column 1 of the annexed schedule on the dates prescribed by such form. Such form as filed shall where called for show production capacity and orders unfilled, received, shipped, cancelled and scheduled for the period specified in the form.

(c) *Deliveries of Class X critical common components.* (1) Each manufacturer of Class X critical common components shall file the applicable form as specified in Column 2 of the annexed schedule on the dates prescribed by such form. Such form as filed shall show the manufacturer's delivery schedule for Class X critical common components for the period therein specified.

(2) On and after May 1, 1943 (or such later date as may be specified in the applicable form), notwithstanding any preference rating which other orders may bear or any directive, rule or regulation of the War Production Board, each manufacturer shall deliver Class X critical common components only in accordance with the schedule filed pursuant to paragraph (c) (1), as the same may be changed by the War Production Board.

(d) *Placing and acceptance of orders for Class Y critical common components.*

(1) Except as otherwise provided in the annexed schedule on and after May 1, 1943 no person shall place an order with a manufacturer, and no manufacturer shall accept an order, for any Class Y critical common component unless accompanied by a specific authorization

of the War Production Board. Such authorization may specify the manufacturer with whom the order may be placed. Applications for such authorization may be made to the War Production Board by the person seeking to place an order on the applicable form designated in Column 3 of the annexed schedule.

(2) Any order so authorized shall be accepted by the manufacturer with whom it is placed, provided it meets his regularly established prices and terms. Delivery shall be made in accordance with the terms of such order as authorized, notwithstanding any preference rating which other orders may bear or any directive, rule or regulation of the War Production Board.

(e) *Other allocation and scheduling action.* With respect to any critical common component, the War Production Board may, notwithstanding any other order, preference rating, directive, rule or regulation of the War Production Board:

(1) Direct the return or cancellation of any order on the books of a manufacturer

(2) Direct changes in the delivery or production schedule of a manufacturer

(3) Allocate orders placed with one manufacturer to another manufacturer

(4) Revoke any authorization to place an order granted by it pursuant to this order, or

(5) Take such other action, as it deems necessary, with respect to the placing of orders for, or the production or delivery of critical common components.

(f) *Application of other orders and regulations.* The listing of any product as a critical common component under this order does not relieve any person from complying with the provisions of any other order, directive, rule or regulation of the War Production Board, except as specifically provided in this order.

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

Issued this 21st day of April 1943.

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

SCHEDULE ANNEXED TO GENERAL SCHEDULING ORDER M-293

[This schedule amended in its entirety April 21, 1943]

1. *Designations.* Only those critical common components designated as Class X or Class Y are subject to the provisions of paragraphs (c) and (d) of this order. A critical common component may be both a Class X and Class Y component and thus be subject to all the provisions of the order.

2. *Applicable forms.* If no form is listed in any of the columns opposite a specific

item, no form is to be filed as to that item. If a form is listed opposite a general class of product, but not opposite a subclassification, the form shall be filed only for the class as a whole (or for such part of a class as the manufacturer produces). If a form is listed opposite a general class of product and also opposite a specific sub-classification, the form is to be filed both for the class as a whole (or for such part of a class as the manufacturer produces) and the specified subclassification, but if the manufacturer produces only a specified subclassification the form need be filed only for that item.

Subject to the provisions of the foregoing paragraph:

The applicable form shown in Column 1 is to be used in making the report required of manufacturers of all critical common components by paragraph (b) of this order.

The applicable form shown in Column 2 is to be used in making the report required of manufacturers of Class X critical common components pursuant to paragraph (c) of this order.

The applicable form shown in Column 3 is that on which a purchaser of the Class Y critical common component may apply to the War Production Board for authorization to place an order with a manufacturer pursuant to paragraph (d) of this order.

Where the same form number is specified in more than one column, the form should only be filed once. Where the form specified is filed pursuant to any other "E", "L", "M" or "P" order, the form should only be filed once.

3. *Reports and communications.* The list of critical common components is arranged so that the name of the Industry Division appears in parenthesis above the type of critical common component for which it is primarily responsible.

All reports and forms required by the order and all communications with respect to any critical common component should be addressed to the War Production Board, Washington, D. C., attention of the appropriate Industry Division as so listed.

Type of critical common component	Designation	Applicable forms column		
		1	2	3
(AIRCRAFT PRODUCTION BOARD RESOURCES CONTROL OFFICE)				
1. Parker type fittings and valves. (Tube, hose and pipe fittings and valves specially designed for use in aircraft plumbing by virtue of their inherent low weight, compact dimensions and other design characteristics peculiar to aircraft usage).	PD-902			
a. Parker type fittings (exclusive of valves): Adapters. Bushings. Caps. Cells. Collars. Connectors. Couplings. Crosses. Elbows. Hose assembly. Inserts. Liners. Manifolds. Nipples. Nuts (special). Parker flanges. Reducers. Rings. Sleeves. Snubbers. Supports. Tees. Unions.				
b. Parker type valves: All types including Adel.				
2. Gears, aircraft:	PD-843			
a. Aircraft engine gears.				
b. Aircraft propeller gears.				
c. Aircraft instrument gears.				
d. Airframe actuating gears.				
3. Aircraft engine accessories:	PD-902			
a. Generators: "E" type—12 volt, 50 amp. "L" type—24 volt, 25 amp. "M" type—24 volt, 50 amp. "O" type—24 volt, 100 amp. "P" type—24 volt, 200 amp. "R" type—30 volt, 300 amp.				
b. Spark plugs: Ceramic: Long reach shielded type. Short reach shielded type. Short reach unshielded type. Mica: Long reach shielded type. Short reach shielded type. Short reach unshielded type.	PD-902			
c. Starters: Electric inertia type. Hand inertia type. Direct crank type. Cartridge type.	PD-902			
d. Carburetors: Pressure injection type. Large float type (over 1,000 h. p.). Small float type (up to 1,000 h. p.).	PD-902			
e. Magnetos: 4 Cylinder—SF. 5 Cylinder—SF. 6 Cylinder—SF and SB. 7 Cylinder—SF, VMN and DF, MJT. 9 Cylinder—SF, DFN and VAG, SB and MJT. 12 Cylinder—DFLN and DFN. Single 12 Cylinder SF. 14 Cylinder—SF. 18 Cylinder—DF and low tension. 24 Cylinder—DFN.	PD-902			

Type of critical common component		Designation	Applicable forms column		
			1	2	3
(AIRCRAFT PRODUCTION BOARD RESOURCES CONTROL OFFICE)-- continued					
4. Hydraulic actuating cylinders. (A cylindrical chamber in which a piston is impelled by the pressure of a working fluid to provide the motive force required for the operation or control of some contiguous device.)			PD-902		
Classi- fica- tion	Bore	Stroke			
1	1 1/4" and under	Any.			
2	Over 1 1/4" up to and including 2"	Up to and including 10"			
3	Over 1 3/4" up to and including 2"	Over 10"			
4	2" up to and including 3"	Up to and including 10"			
5	2" up to and including 3"	Over 10"			
6	Over 3"	Up to and including 15"			
7	Over 3"	Over 15"			
5. Aircraft type pumps. a. Fuel pumps, engine driven. b. Hand fuel pumps. c. Hydraulic pumps, engine driven. (ALUMINUM AND MAGNESIUM DIVISION)			PD-902		
1. Forgings (aluminum) a. Propellers. b. Crank cases. c. Pistons. d. Large hammer forgings (10,000 lbs. and over). e. Small hammer forgings (less than 10,000 lbs). f. Press forgings. (AUTOMOTIVE DIVISION)		X	WPB-63 CMP-12	WPB-2251	
1. Crankshafts, finished, drop-forged		X	WPB-878C. 1	WPB-878C. 1	
2. Diesel and gas (not gasoline) engines (non-marine only): a. Over 750 r. p. m.		X	WPB-878	WPB-878	
3. Gasoline engines (except aircraft propulsion): a. Air-cooled. b. Liquid-cooled.		X X	WPB-878 WPB-878	WPB-878 WPB-878	
4. Engine mounted accessories: a. Magnetos (except types used on aircraft propulsion engines) b. Fuel injection equipment: 1. One-cylinder pumps 2. Multi-cylinder pumps 3. Nozzles and holders c. Carburetors—gasoline (except types used on aircraft propulsion engines).		X X X X X	WPB-878A. 2 WPB-878A. 1 WPB-878A. 1 WPB-878A. 1	WPB-878A. 2 WPB-878A. 1 WPB-878A. 1 WPB-878A. 1	
(BUILDING MATERIALS DIVISION)					
1. Marine fittings hardware a. Forged shackles—all types & sizes. b. Forged and fabricated rope sockets—all sizes. c. Rope thimbles—for wire or manila rope—1/4" diameter and larger. d. Forged, fabricated and pipe turnbuckles—all styles and sizes (except aircraft). e. Tackle blocks—all types, maximum lifting capacity 200 lbs. to maximum lifting capacity 100 tons. f. Wire rope clips and clamps.		Y	PD-902		FD-867
2. Electrical connectors (plugs and receptacles) a. A. N. type (Army-Navy standard). b. Types generally similar to A. N., including British standard and ultra low loss connectors for coaxial cables. c. Miscellaneous types not manufactured under general "A. N." specification, excluding telephone type plugs and jacks and/or plugs and receptacles and similar wiring devices ordinarily used in building construction.			PD-902		
(GENERAL INDUSTRIAL EQUIPMENT DIVISION)					
1. Fans, blowers and exhausters as defined under Limitation Order L-280			PD-900		
2. a. Compressors and dry vacuum pumps, reciprocating air and gas as defined in L-100 (excluding compressors for air conditioning, ice making, food and beverage cooling, processing and preservation and cold storage systems, compressors as part of air braking systems). b. All others having piston displacement of over 1 cubic foot per minute (excluding compressors for air conditioning, ice making, food and beverage cooling, processing and preservation and cold storage systems, compressors as part of air braking systems).		XY	PD-900	PD-416	PD-41
3. Conveying machinery and mechanical power transmission equipment, as defined in Limitation Order L-193. a. Speed reduction units and unmounted gears (except main marine propulsion and ship engine room auxiliary equipment gears, and aircraft gears).			PD-900		
4. Flexible couplings			PD-843 PD-902		

1 As required under L-100.

Type of critical common component	Designation	Applicable forms column		
		1	2	3
(GENERAL INDUSTRIAL EQUIPMENT DIVISION)—continued				
5. Heat exchangers as defined in Limitation Order L-172.....		PD-900		
a. 12" diameter and over.....	XY		¹ PD-615B	¹ PD-615
b. Under 12" diameter.....	X		¹ PD-615B	
6. Pumps, industrial (except measuring and dispensing, and reciprocating compressors and dry vacuum pumps):				
a. Pumps, reciprocating (except compressors and dry vacuum pumps).....				
b. Pumps, centrifugal.....		PD-900		
c. Pumps, rotary (including vane, screw, lobe and gear).....		PD-900		
d. Fluid power systems (hydraulic).....		PD-900		
7. High pressure blowers, compressors, exhausters, and vacuum pumps of the rotative type, for pressure differential of 1½ lbs. or over (including diesel superchargers and scavengers, but excluding all other blowers for shipboard use, and excluding centrifugal refrigeration compressors and aircraft engine superchargers):				
a. Centrifugal type—20 h. p. and above.....	XY	PD-616B	PD-616B	² PD-616
Single stage.....				
Multi-stage.....				
Axial.....				
Blast furnace.....				
b. Rotary type—20 h. p. and above.....	XY	¹ PD-616B	PD-616B	¹ PD-616
Lobe.....				
Sliding vane.....				
Liquid piston.....				
c. Major repairs and spares for "a" and "b" having sales value of \$1,000 and above.....	XY	PD-616B	PD-616B	PD-616
d. Rotary and centrifugal—below 20 h. p.....	X	PD-901	PD-901	
8. Welding rods and electrodes:				
a. Welding rods for gas welding:				
Bronze welding rods.....		PD-900		
b. Electrodes for arc welding:				
Carbon steel electrodes (Flux coated).....	X	PD-900	PD-901	
Stainless steel electrodes for armor plate welding.....	X	PD-900	PD-901	
Stainless steel electrodes for corrosion and heat resisting.....	X	PD-900	PD-901	
Copper base alloy electrodes for resistance welding.....	X	PD-900	PD-901	
9. Motors and generators, electric:				
Fractional and integral sizes—all types (except internal combustion engine mounted accessories, generators for aircraft, power frequency changers (62½ cycles and below), hydro-electric generators, steam turbine generators, marine auxiliary steam turbine generators, gas turbine generators, steam engine generators, and non-marine diesel engine and natural gas engine generators 750 r. p. m. or less).....		PD-738		
a. Aircraft type electric motors (including gear motors).....	X		PD-854	
b. Integral horsepower motors to meet Navy shock, Maritime shipboard specifications, ABS steel, or equivalent steel construction.....	X		PD-853	
c. Integral generators (except marine auxiliary steam turbine generator sets, and steam engine generator sets) to meet Navy shock, Maritime shipboard specifications, A. B. S. steel or equivalent steel construction.....	X		PD-853	
10. Electric motor control equipment—all sizes and types (except for internal combustion engine mounted accessories).....		PD-900		
a. Navy shipboard type.....	X		PD-855	
b. Maritime shipboard type.....	X		PD-855	
11. Small air circuit breakers types AB, E/T or similar.....		PD-900		
12. Pressure vessels. Any sealed metallic vessel or shell subjected to internal or external pressure designed for the purpose of retaining one or more fluids (liquids, gases, or vapors), excluding: (a) Direct-fired vessels, such as locomotives or boilers; (b) Vessels for containing only water under pressure for domestic supply, or those containing air, the compression of which serves only as a cushion as in air-lift pumping systems; (c) Vessels for storage or transportation designed for pressure below 30 lbs. per square inch and for vessels of less than 30 cubic feet in volume regardless of pressure; (d) Vessels designed as heat exchangers of the surface type, or enclosures therefor; (e) Vessels designed for cooking foodstuffs or used directly in preparing foodstuffs for packaging.....	X	PD-900	PD-839	
(MISCELLANEOUS MINERALS DIVISION)				
Jewel bearings:				
a. Vee jewels.....		¹ PD-235	¹ PD-235	¹ PD-236
b. Large instrument ring jewels.....		¹ PD-235	¹ PD-235	¹ PD-236
(POWER DIVISION)				
1. Generators: (Limited to those driven by steam turbines other than marine propulsion, hydraulic turbines, steam engines, non-marine diesel engines and natural gas engines (750 r. p. m. or less), gas turbines; and those driven by steam turbines for marine auxiliary use).....	X	PD-738	(⁹)	
2. Power frequency changers (62½ cycles and below).....	X	PD-738	¹ PD-665	

¹ As required under L-172.
² As required under L-103.
³ As required under Order M-50.
⁴ As required under Order M-76.
⁵ As required under Order L-117.

Type of critical common component	Designation	Applicable forms column		
		1	2	3
(POWER DIVISION)—continued				
3. Steam turbine generator sets (except for ship propulsion).....	X	(9)	(9)	-----
4. Hydro electric turbine generator sets.....	X	(9)	(9)	-----
5. Turbines (except for ship propulsion):				
a. Steam turbines for generator drive.....	X	(9)	(9)	-----
b. Steam turbines for mechanical drive.....	X	(9)	(9)	-----
c. Hydraulic turbines.....	X	(9)	(9)	-----
6. Circuit Breakers:				
a. Indoor oil breakers, 2200 volts and above, complete with all components necessary to enclose, control, and assemble complete operating units.....	X	1 PD-665	1 PD-665	-----
b. Air breakers except types AB, ET or similar, complete with all components necessary to enclose, control, and assemble complete operating units.....	X	1 PD-665	1 PD-665	-----
7. Power boilers—all land boilers 100 lbs. design pressure and above including water tube and fire tube (excluding boilers for locomotive use).....	XY	1 PD-665	1 PD-665	(9)
8. Coal pulverizers for power boilers.....	X	1 PD-665	1 PD-665	-----
9. Coal stokers above 36 ft. of grate area.....	X	1 PD-665	1 PD-665	-----
10. Diesel and gas (not gasoline) engines (non-marine only). a. 750 r. p. m. and less.....	X	WPB-878	WPB-878	-----
a. Hammer, press forged, and cast.....	X	WPB-878C.2	WPB-878C.2	-----
12. Transformers, reactors, and chokes, for non-power (electronic) applications only.....		PD-902		-----
(RADIO AND RADAR DIVISION)				
1. Capacitors (fixed).....		PD-902		-----
a. Ceramic capacitors.				
b. Electrolytic capacitors.				
c. Mica capacitors.				
d. Paper capacitors.				
2. Coaxial cable—radio frequency.....		PD-902		-----
a. Solid-dielectric synthetic-insulation.				
b. Solid-dielectric rubber-insulation.				
c. Gas or air-filled rigid lines.				
d. Modulator high voltage cables (surge).				
3. Industrial type instruments (as classified L-234).....		PD-750		-----
a. Control valves (as defined L-272); purchase orders of \$5,000 or more.....	Y	PD-750		PD-556
b. Liquid level controllers (as defined L-272); purchase orders of \$5,000 or more.....	Y	PD-750		PD-556
c. Purchase orders having a combination of a. and b., above, of \$5,000 or more..... A person shall not subdivide his purchase orders or requirements for the purpose of avoidance of the provisions of 3a, 3b, and 3c, above.	Y	PD-750		PD-556
4. Electrical indicating instruments ("combat measuring instruments"), as classified in L-203.....		PD-676		(9)
5. Resistors, fixed and variable.....		PD-902		-----
6. Test equipment—electronic:				
a. Generators of audio and radio frequency signals, except rotary type..... Radio frequency signal generators. Radio frequency oscillators. Audio frequency signal generators. Audio frequency oscillators.	XY	PD-902	PD-901	PD-556
b. Frequency measuring equipment, including standards. Primary and secondary standards, and associated measuring equipment: Interpolation oscillators. Heterodyne detectors. Audio frequency meters. Electronic frequency meters. Electronic deviation meters. Wave meters, wave analyzers.	XY	PD-902	PD-901	PD-556
c. Waveform measuring equipment..... Harmonic analyzers. Cathode ray oscilloscopes.	XY	PD-902	PD-901	PD-556
d. Power supplies (electronic) and voltage regulators.....		PD-902		-----
e. Impedance, inductance, capacitance, voltage, amperage and resistance measurement equipment (excluding instruments controlled by orders L-203 and L-234)..... Impedance bridges, Wheatstone bridges. Capacitance bridges. Precision condensers. Vacuum-tube bridges. Inductance bridges. Megohm bridges and megohmmeters. Vacuum tube voltmeters. Electronic tube-testers. Output meters. Q-meters. Electronic volt ohmmeters. Vohm milliamperage analyzers. Noise and field strength meters.	XY	PD-902	PD-901	PD-556
f. Precision standards of items in e. above.....		PD-902		-----
g. Electronic speed regulating and measuring equipment. Electronic stroboscopic devices.	XY	PD-902	PD-901	PD-556
h. Electronic recording devices, graphical and visual..... Oscillograph recorders.		PD-902		-----
7. Vacuum tubes, electronic (excluding X-ray tubes and tungar type rectifiers).....		WPB-1093		-----

1 As required under Order M-76.
 2 As required under Order L-117.
 3 As required under Order L-203.

Type of critical common component	Designation	Applicable forms column		
		1	2	3
(SAFETY AND TECHNICAL EQUIPMENT DIVISION)				
1. Fire extinguishers, carbon dioxide, high and low pressure (portable, wheeled, and systems), including fire extinguishers using extinguishing agents which are converted into carbon dioxide when expelled. These fire extinguishers are classified on the basis of the weight of the extinguishing agent contained in the cylinders or by the capacities or dimensions of same in either standard or special order sizes.		PD-900		
a. Hand type, portable (all sizes).				
b. Wheeled type (all sizes).				
c. High pressure systems (using cylinders).				
d. Low pressure systems (using refrigeration tanks).				
2. Oxygen equipment:				
a. Air-borne oxygen equipment.				
b. Medical oxygen equipment.				
c. Safety oxygen equipment.				
(SHIPBUILDING DIVISION)				
1. Valves, including all valves such as industrial, marine, hydrant, sluice gate, drilling, flow line, cocks, etc., except refrigeration, aircraft, automotive, instrument, regulating and control valves:				
a. Steel valves:				
Safety and relief		PD-900		
Turbine (including strainers, throttle or overspeed, cross-over, maneuvering and manifold)		PD-900		
All other steel valves		PD-900		
b. Iron valves:				
Safety and relief		PD-900		
All other iron body		PD-900		
c. Bronze valves:				
Safety and relief		PD-900		
Compressed gas and cylinder		PD-900		
All other bronze valves 100 lbs. W. S. P. and over		PD-900		
2. Pipe fittings:				
All steel fittings		PD-900		
3. Turbines, main marine propulsion	X	WPB-1826	WPB-1826	
4. Diesel engines (marine only)	X	WPB-878	WPB-878	
Main propulsion.				
Auxiliary drive.				
Emergency generator drive.				
5. Gears (marine only):				
Main reduction gears (turbine propulsion)	X	WPB-1826	WPB-1826	
Main reduction and reverse gear units (diesel and gasoline propulsion engine)		PD-902		
Speed reduction units (engine room auxiliary equipment)		PD-843		
(TOOLS DIVISION)				
1. Bearings, ball and roller		WPB-1314		
2. Mechanic's hand service tools		WPB-2387		
a. Adjustable wrenches (crescent type).		WPB-2057		
b. Socket wrenches.				
c. Monkey wrenches.				
d. Pliers, side cutting.		WPB-39		
3. Metal cutting tools				
a. Machine broaches, flat and spline.				
b. Threading chasers for die heads and collapsible taps.				
c. High speed taper shank drills, 1" diameter and larger.				
d. Ground gear hobs, 48 pitch and finer.				
e. Ground multiple thread milling cutters and hobs.				
4. Precision measuring tools		WPB-2009		
a. Micrometers.				
b. Internal micrometers.				
c. Calipers, pocket slide.				
d. Planer gages.				
e. Thickness gages.				
f. Telescope gages.				
g. Precision levels.				
h. Parallels.				
i. Protractors.				
j. Solid squares.				
k. Steel rules.				
l. Vernier calipers.				
m. Vernier, gear tooth.				
n. V blocks.				
5. Hammers, forging		()	()	()
6. Presses, mechanical and hydraulic (metal working)		()	()	()
7. Extruding machines (metal)		()	()	()
8. Machine tool attachments and accessories.				
a. Lathe chucks		PD-902		
b. Die heads		WPB-39		
c. Collapsible taps		WPB-39		
9. Machine tools		()	()	()
a. Surface broaching machines (5 to 15 tons).				
b. Planers, double housing (48" and up).				
c. Thread milling machines.				
d. Thread grinding machines (8" and up).				
e. Cylindrical grinding machines.				
f. Precision boring machines.				
g. Special and way drilling machines.				
h. Spur and helical gear shaping machines.				
i. Special machines (various types).				

PART 3233—FOUNDRY EQUIPMENT AND ELECTRIC METAL MELTING FURNACES
[General Preference Order E-11]

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

§ 3233.1 *General Preference Order E-11—(a) Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of individuals, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of foundry equipment, or electric metal melting furnaces.

(3) "Foundry equipment" means those types of equipment listed on Schedule A attached hereto, which are designed for foundry use and which have a retail sales price of two hundred dollars or more.

(4) "Electric metal melting furnace" means any metal melting furnace of the electric arc or induction types having a kilowatt input of 50 or over except those furnaces which are designed primarily for laboratory operations and are subject to the provisions of Limitation Order L-144.

(b) *Restrictions on sales and purchases of foundry equipment and electric metal melting furnaces.* (1) From and after June 1, 1943, no person shall sell, transfer, or deliver any foundry equipment or electric metal melting furnaces except on orders bearing a preference rating of AA-4 or higher.

(2) From and after June 1, 1943, no person shall purchase, acquire, or accept delivery of any foundry equipment or electric metal melting furnaces by the application of any preference rating assigned on Form PD-25A, PD-25F, or by CMP Regulation No. 5 or 5A; nor shall any person fill any such order which he knows or has reason to believe bears a preference rating assigned on Form PD-25A, PD-25F, or by CMP Regulation No. 5 or 5A.

(c) *Schedules to be filed.* From and after April 23, 1943, any producer, when specifically required to do so by the War Production Board, shall file on such form as may be required in accordance with instructions attached to such form, such producer's proposed schedule of production and deliveries of foundry equipment or electric metal melting furnaces, for such period or periods as may be required by the War Production Board. In any such proposed schedule of production and delivery, the sequence of production and deliveries shall be scheduled in accordance with the terms of Priorities Regulation No. 1 and other applicable regulations of the War Production Board.

¹ As required under order E-1-b.

(d) *Specific modification of schedules.* (1) Notwithstanding any other provision of this order, the War Production Board may direct or change any schedule of production or delivery of foundry equipment or electric metal melting furnaces, or direct the delivery of any foundry equipment or electric metal melting furnace to any other person in accordance with prices and terms regularly established for sales by the supplying producer to such a purchaser.

(2) The production and delivery schedules established by any specific direction which may be issued from time to time pursuant to paragraph (d) (1) above shall be maintained without regard to any preference ratings already assigned or hereafter to be assigned to particular contracts, commitments, or purchase orders, and may be altered only upon specific directions of the War Production Board.

(3) If it becomes impossible for any producer to maintain production and delivery of foundry equipment or electric metal melting furnaces in accordance with any such schedule, he shall immediately notify the War Production Board and, unless otherwise directed by the War Production Board, he shall continue to produce and deliver such foundry equipment or electric metal melting furnaces in the order set forth in such schedule and shall postpone production and delivery of any such foundry equipment or electric metal melting furnaces only to the extent required by the circumstances causing his failure to maintain production and delivery as required by such schedule.

(e) *Repair parts.* Nothing in this order shall be deemed to prevent the sale and delivery of any part manufactured for use in the repair or maintenance of foundry equipment or electric metal melting furnaces. Purchase and delivery of such repair parts shall be in accordance with current regulations and orders of the War Production Board.

(f) *Applicability of regulations.* All transactions affected by this order are subject to applicable provisions of the regulations of the War Production Board, as amended from time to time.

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

(h) *Reports.* All producers affected by this order shall execute and file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time prescribe, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed

from and stating fully the grounds of the appeal.

(j) *Communications.* All reports to be filed, appeals and other communications, concerning this order, should be addressed to: War Production Board, Tools Division, Washington, D. C., Ref: E-11.

Schedule A to General Preference Order E-11

1. Blast cleaning equipment, sand or shot.
2. Core-making and crushing machinery.
3. Cupolas.
4. Dust collectors.
5. Flasks.
6. Ladles.
7. Metal molding machines.
8. Ovens, core, mold.
9. Sand preparing equipment.
10. Shakeout equipment.
11. Tumbling barrels or tumbling mills.

Issued this 23d day of April 1943.

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

[F. R. Doc. 43-6299; Filed, April 28, 1943;
11:12 a. m.]

PART 3243—SHIPPING CONTAINERS

WOODEN SHIPPING CONTAINERS FOR FRESH FRUITS AND VEGETABLES

[Limitation Order L-232, as Amended April 23, 1943]

Section 3144.1 *Limitation Order L-232, of Part 3144—Wooden Shipping Containers for Fresh Fruits and Vegetables—is hereby transferred to Part 3243—Shipping Containers.*

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of materials entering into the manufacture of wooden shipping containers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

[NOTE: "Wooden shipping container/s" substituted for "wooden container/s" April 23, 1943.]

§ 3243.6 *General Limitation Order L-232—(a) Definitions.* For the purpose of this order:

(1) "Wooden shipping container" means any new box, case, crate, hamper, round stave basket, splint basket, climax basket, till basket, or berry cup which (i) is made wholly or partially of lumber, veneer, or plywood, and (ii) is designed for use in packing fresh fruits and vegetables for sale and/or shipment.

(2) "Hamper", "round stave basket", and "splint basket" have the same meanings as in rules and regulations¹ of The Secretary of Agriculture issued under the United States Standard Container Act of 1928.² "Climax basket", "till basket", and "berry cup" mean baskets and containers of the type subject to rules and regulations³ of The Secretary

¹ U. S. Department of Agriculture Service and Regulatory Announcements No. 116, as amended.

² 45 Stat. 685; 15 U.S.C. 257.

³ U. S. Department of Agriculture Service and Regulatory Announcements No. 104, revised.

tary of Agriculture issued under the United States Standard Container Act of 1916,⁴ as amended.⁵

(b) *Restrictions—(1) Manufacture and assembly of containers.* No person shall commercially manufacture or assemble any wooden shipping container which does not conform with the specifications of Schedule A of this order;

(2) *Manufacture of container parts.* No person shall commercially manufacture any wooden parts designed for any wooden shipping container which, when assembled will not conform with those specifications;

(3) *Coloring.* No manufacturer of, dealer in, or commercial user of wooden shipping containers shall dye, stain, or otherwise color such containers or parts.

(4) *Printing.* No manufacturer of, dealer in, or commercial user of wooden shipping containers shall imprint or stamp, or cause to be imprinted or stamped, on such containers any names, words, or figures not required by law. No such imprinted or stamped item shall appear more than once on any wooden shipping container, unless required by law, in which event it may appear the minimum number of times so required. The restrictions of this paragraph (b)

(4) shall not apply to the attachment of paper or other labels or to the placing of any markings which:

(i) Designate the capacity of the container in terms of whole or fractional pints, quarts, pecks, or bushels; or

(ii) In the case of baskets and hampers only, are identifying markings provided for in rules and regulations¹ of the Secretary of Agriculture issued under the United States Standard Container Act of 1928.²

(c) *Exceptions.* The restrictions of paragraph (b) above shall not apply to:

(1) The manufacture or assembly of wooden shipping containers by any person from wooden parts cut to size by him before March 4, 1943: *Provided*, Such manufacture or assembly is completed by August 31, 1943;

(2) The assembly of wooden shipping containers by any person from cut-to-size wooden parts bought and received by him before April 1, 1943: *Provided*, Such assembly is completed by August 31, 1943;

(3) The manufacture or assembly of wooden shipping containers, or the manufacture of wooden parts for wooden shipping containers, to be delivered:

(i) To or for the account of the Army, the Navy, the Coast Guard, the Maritime Commission, the War Shipping Administration, or the Department of Agriculture (for Lend-Lease purposes): *Provided*, The government agency's specifications require wooden shipping containers which do not comply with paragraph (b);

(ii) To any person for use in packing fresh fruits or vegetables for delivery to or for the account of such government

⁴ 39 Stat. 673; 15 U.S.C. 251.

⁵ 45 Stat. 930; 15 U.S.C. 251.

agencies: *Provided*, The government agency's specifications require wooden shipping containers which do not comply with paragraph (b): *And provided further*, Such person furnishes the container or container-parts supplier with a written certification in substantially the following form, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7:

This is to certify that specifications of orders received by the undersigned from (designate government agency) require wooden containers not conforming with Order L-232. The material ordered herewith is for that purpose only.

Company.....
By.....
Title..... Date.....

Such certification shall constitute a representation to the supplier and to the War Production Board as to the truth of the facts stated therein. The supplier may rely upon such representation unless he has knowledge or reason to believe that it is not true.

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

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

(f) *Communications*. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Containers Division, Washington, D. C., Ref.: L-232.

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

Issued this 23d day of April, 1943.

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

SCHEDULE A—SPECIFICATIONS FOR WOODEN SHIPPING CONTAINERS

TABLE I—HAMPER, BASKETS, BERRY CUPS

[NOTE: Paragraph (a) and specifications therein amended April 23, 1943.]

(a) Specifications for the types and dry capacities of permitted hampers, baskets, and berry cups are as follows:

Type (1)	Dry capacity (2)
1. Hampers.....	1/2, 3/4, 1 bu.
2. Round stave baskets.....	1/2, 1 bu.
3. Splint baskets.....	8, 12, 16, 24 qts.
4. Climax baskets.....	4, 12 qts.
5. Till baskets.....	1, 2, 3, 4 qts.
6. Berry cups.....	1/2, 1 pt., 1 qt.

TABLE II—OTHER WOODEN SHIPPING CONTAINERS

[NOTE: Paragraph (c) and specifications in paragraph (d) amended April 23, 1943.]

(a) Specifications for the inside dimensions of wooden shipping containers, other

than those subject to Table I above, are set out under paragraph (d) below. "Inside depth" and "inside width" of the container are the width and length, respectively, of the end pieces or end frames, exclusive of any cleats. "Inside length" of the container shall be its outside length minus the combined thickness of both ends and of the center piece (if any).

(b) An optional variation of up to 1/8" under or up to 1/4" over the specified inside lengths is allowed. A tolerance of up to 1/8", plus or minus, in the specified inside depths and inside widths is allowed for shrinkage and mismanufacture.

(c) No cleats may be so used as to increase inside dimensions except where an asterisk appears in Column (1) of the table below or where, and as, specified in any footnote after that table. Where an asterisk appears in Column (1) of the table below, a single cleat 1/4", 3/8", 1/2", 5/8", 11/16", or 3/4" thick may be attached to the top of each end piece or end frame, provided such cleat does not increase the inside dimensions of the container by more than the specified thickness of the cleat.

(d) Specifications for wooden shipping containers subject to this table are as follows (the designation in column (1) is merely for identification and shall not be construed as restricting usage):

REVISED TABLE FOR PARAGRAPH (D) OF TABLE II

Usual name (1)	Inside depth (inches) (2)	Inside width (inches) (3)	Inside length (inches) (4)
1. Apple box.....	10 1/2	11 1/2	18.
2. Apple box.....	11	12 1/2	16.
3. Apple box.....	11	13	17.
4. Apricot lug.....	4 5/8	12 1/2	16.
5. Artichoke box.....	9 3/4	11	20 5/8.
6. Asparagus crate.....	10 1/2	9 or 9 1/4 top, 11 bottom.....	17 1/2 or 18.
7. Asparagus crate.....	12 5/8	9 3/4 top, 10 1/2 bottom.....	17 1/4.
8. Asparagus crate.....	11	9 3/4 top, 12 bottom.....	16 3/4.
9. Avocado box.....	4 1/2	13 1/2	16.
10. Berry crate.....	2 3/4	16 1/2	21 1/2.
11. Berry crate.....	2 3/4	13 1/2	18.
12. Berry crate.....	3 1/2 or 3 3/8	13 1/2	18.
13. Berry crate.....	9 or 9 1/2	9	18.
14. Berry crate.....	7 1/2	11	22.
15. Berry crate.....	9	11	22.
16. Berry crate.....	11	11	21 1/4 to 22.
17. Bushel crate.....	12	12	15.
18. Cantaloupe pony crate.....	11	11	22.
19. Cantaloupe standard crate.....	12	12	22.
20. Cantaloupe jumbo crate.....	13	12	22.
21. Cauliflower crate.....	8 1/2	18	21 3/4 to 22.
22. Cauliflower crate.....	12 3/4	14 3/4	23.
23. Celery crate.....	20	11	20 5/8.
24. Celery crate.....	5 3/4	16	20 5/8.
25. Celery crate.....	5 3/4	18	21 3/8.
26. Celery crate.....	8	18	12 3/4.
*27. Cherry, apricot, prune lug.....	3 3/4	11 1/2	14.
*28. Cherry, apricot, prune lug.....	3 3/4	10 1/2	14.
*29. Cherry, apricot, prune lug.....	3 3/4	10 1/2	15.
30. Cranberry box.....	9 1/4	10 1/2	15.
31. Cranberry box.....	9 1/2	11	13 1/2 to 14.
32. Fig box.....	1 1/2	11	16.
*33. Fruit box.....	3	11 1/2	16.
*34. Fruit box.....	4	11 1/2	16.
*35. Fruit box.....	4 1/2	11 1/2	16.
*36. Fruit box.....	5	11 1/2	16.
37. Four-basket crate.....	4 1/4	16	16.
*38. Four-basket crate.....	4 1/2	16	16.
*39. Four-basket crate.....	4 3/4	16	16.
*40. Four-basket crate.....	5	16	16.
41. Honey dew standard crate.....	6 3/4	16	22.
42. Honey dew jumbo crate.....	7 1/4	16	22.
43. Lemon box.....	9 3/4	13	25.
44. Lettuce crate.....	13 3/4	17 1/2	21 3/4 to 22.
45. Lime box.....	6	12	12.
*46. Lug box.....	5 3/4	13 1/2	16.
*47. Lug box.....	4 3/4	13 1/2	16.
*48. Lug box.....	3 3/4	13 1/2	16.
49. Melon crate.....	6 3/4	12	22.
50. Melon crate.....	7 3/4	14	22.
51. Orange and grapefruit box.....	11 1/2	11 3/4	24.
52. Orange and grapefruit box.....	12	12	24.
53. Half orange and grapefruit box.....	9 1/2	9 1/4	19.
54. Pear box.....	8 1/2	11 1/2	18.
55. Half pear box.....	5 1/2	11 1/2	18.
*56. Pear lug.....	6 3/4	13 1/2	20 5/8.
57. Pepper crate.....	13 3/4	11	22.
58. Produce box (1 bushel).....	7 1/4	17 1/2	17 1/4.
59. Produce box (1/2 bushel).....	7 1/4	12 3/8	12 3/8.
60. Pineapple crate.....	10 1/2	12	33.
61. Rhubarb box.....	9	11 1/2	24 5/8.
62. Rhubarb box.....	3 3/4	11 1/2	18.
63. Sweetpotato crate.....	12 1/2	12 1/4 top 13 1/4 bottom.....	15 top, 16 bottom, 16 3/4.
64. Sweetpotato crate.....	12	12	16 3/4.
65. Vegetable crate.....	13	17 1/2	21 3/4 to 22.
66. Vegetable crate.....	9	13	21 3/4 to 22.
67. Vegetable crate.....	8	12	22.
68. Vegetable crate.....	7 1/2	15 or 15 1/2	18 3/4.

* The inside depth of this box may be increased up to 11 1/2", either by the addition of cleats of any thickness or by the use of a solid end.

[F. R. Doc. 43-6297; Filed, April 23, 1943; 11:12 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 323, Amendment 2]

ASPHALT AND ASPHALT PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 323 is amended in the following respects:

1. Section 1340.353 (b) is amended to read as follows:

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

(b) *Limitation on the price of roofing flux and oxidized asphalt.* Normally, a seller is permitted to charge his maximum f. o. b. refinery price as determined by Table I or II, even though the laid-down cost to the buyer may exceed what his laid-down cost would have been had he purchased from some other refinery. To this general principle there is one exception, namely, a refiner must make a reduction in his maximum f. o. b. refinery bulk price when all of the following circumstances are present.

(1) The sale is of roofing flux or oxidized asphalt; and

(2) The refinery nearest the destination has a different reference point from the refinery making the shipment; and

(3) The sum of the maximum f. o. b. price at the refinery from which a shipment is made plus the rail freight cost from that refinery to the destination exceeds the sum of the maximum f. o. b. price at the refinery producing roofing flux or oxidized asphalt nearest to that destination plus the rail freight cost from that nearest refinery to that destination.

Under the above circumstances the reduction in his maximum f. o. b. refinery price as determined by Table I or II shall be the amount necessary to make the laid-down cost from the refinery making the shipment the same as it would be from the refinery producing roofing flux or oxidized asphalt nearest the destination. However, the required reduction need never exceed 20% of the maximum f. o. b. refinery price.

For example: A buyer in Wisconsin desires to purchase roofing flux. The refinery nearest to him producing roofing flux uses Chicago as its reference point. Assume that the laid-down cost on the Indiana purchase is \$10.50 plus \$1.00 freight, or \$11.50. Suppose the same buyer wishes to purchase from a Texas refinery. The Texas refinery uses Ft. Worth, Texas, as its reference point; the maximum price for the Texas refinery is \$7.50. Assume the freight from the Texas refinery to the same buyer in Wisconsin is \$7.00. This would mean a laid-down cost to the buyer of \$14.50. To equalize this with the laid-down cost from Indiana of \$11.50 would mean a reduction in the f. o. b. Texas refinery price of \$3.00. But this is more than 20% of the Texas f. o. b. price of \$7.50. Therefore, the reduction by the Texas refiner would be \$1.50 (20% of \$7.50) making his maximum f. o. b. refinery price for the Wisconsin destination \$6.00 and the buyer's laid-down cost from the Texas refinery would be \$13.00.

2. Section 1340.353 (c) is amended by (a) removing Somerset, Kentucky, from the list of reference points in Table I and the prices for liquid asphalt under such reference point, (b) inserting in Table I a price of .0525 for liquid asphalt S. C. 1-5 under reference point West Branch, Michigan, and (c) amending footnote 1 to Table I to read as set forth below:

Footnote 1. Notwithstanding this table, the maximum delivered bulk price for flux to the roofing and floor covering industry at the points designated below shall be as follows: In the city limits of St. Paul and Minneapolis, Minnesota, \$13.25 per ton. Within the State of Louisiana, \$10.00 per ton.

3. Paragraph (d) of § 1340.353 is redesignated as (e) and a new paragraph (d) is added to read as follows:

(d) *Roofing flux converters.* If a seller purchases roofing flux and con-

verts or processes it to a product of a melting point of not less than 110 and not more than 220, his maximum bulk price f. o. b. his plant shall be his maximum price for oxidized asphalt of the same melting point as determined by the tables in paragraph (c) of this section plus \$1.00 per ton.

4. Section 1340.354 is amended to read as set forth below:

§ 1340.354 *Maximum bulk prices for special products.* The maximum bulk price f. o. b. refinery for special products as defined in §1340.360 (b) shall be as follows:

(a) *Special products, the specifications of which will meet those of a standard product but sold for different uses.* (1) If a seller delivered a special product having the specifications that will meet those of a standard product during the period August 1-November 1, 1941, such seller's maximum price shall be the highest price charged by the seller for a delivery of that product during such period to a purchaser of the same class: *Provided, however,* That a price charged under a contract entered into prior to said period need not be maintained unless such contract price reflected current market conditions during said period. If a seller's bulk prices for standard products are governed by Table II of § 1340.353, he may add \$1.40 per ton to the price of any special product calculated under this subparagraph (1).

(2) If the seller is unable to determine his maximum bulk price for a special product under (1) he shall set a tentative maximum price f. o. b. his refinery taking into consideration the two products which he sells which are nearest in specifications to the product to be priced, one having the next lower maximum price to the chosen tentative price and one having the next higher maximum price. He shall then complete Form No. 652.166 below.

If the seller has no product of similar specifications, he shall take into consideration the prices of the two products which his nearest geographical competitor sells which are nearest in specifications to the product to be priced, one having the next lower maximum price and one having the next higher maximum price.

Such a seller shall then complete Form No. 652.166 below with reference to such products of that nearest competitor. Space for name and address of nearest competitor must then be added to the form.

The seller shall within 15 days after setting a tentative maximum price, file with the Office of Price Administration a written request for approval of such tentative maximum price. In connection with such request, the seller shall file with the Petroleum Branch of the Office of Price Administration at its principal office in Washington, D. C., the information required in Form No. 652.166 below:

Budget Bureau No. 08-S. T. 153

REPORT OF TENTATIVE MAXIMUM PRICE SPECIAL ASPHALT PRODUCT

	Product nearest in specification having a lower maximum price	New product	Product nearest in specification having a higher maximum price
	A	B	C
1. a. Identification.....			
b. Maximum price and unit of sale including container if packaged.....			
2. Delivery cost of ingredients used in the manufacture of products shown above, Item 1a, Columns A, B, and C:			
a. Crudes or residuum.....			
b. Asphalt.....			
c. Other ingredients (list each).....			
3. The percentage of weight of finished product of ingredients used in the manufacture of the product shown above, Item 1a, Columns A, B, and C and detailed in Items 2a, b, and c:			
a. Crudes or residuum.....			
b. Asphalt.....			
c. Other ingredients (list each).....			
Total (add a, b, and c).....	100.0	100.0	100.0
4. Container shipments:			
a. Type of container (i. e. barrel, drum, carton, etc.).....			
b. Material from which container is fabricated.....			
c. Capacity of container.....			
d. Unit cost of container.....			
5. Penetration of finished product:			
a. At 32° F.....			
b. At 77° F.....			
c. At 115° F.....			
6. Ductility of finished product, 77° F.....			
7. Flash point of finished product, degrees F.....			
8. Melting point of finished product, degrees F.....			
9. Percent soluble of finished product:			
a. In carbon disulphide.....			
b. In carbon tetrachloride.....			
10. Percent loss on heating of finished product.....			

NOTE: All tests shall be conducted in accordance with the latest methods as set forth by the A. S. T. M.

- 11. Has the new product been requested by a buyer? (Answer "yes" or "no").....
- 12. Identify products replaced by new product.....
- 13. Identify product supplemented by new product.....

Filed by _____
 Name of company _____
 Address _____
 Date _____

NOTE: Where a new special product is liquid, and where the tests required above are not applicable, then standard detailed specifications should be supplied.

Where the information required is submitted, a tentative price shall be the seller's maximum price for the particular product unless it is disapproved in writing by the Office of Price Administration within 30 days from the date it is filed as above provided or a substitute price is set. If a substitute price is set, then such price shall be the maximum price. A tentative price which has been approved as a maximum price hereunder may subsequently be changed by order of the Price Administrator.

(b) *Special products having different specifications from those of any standard product.* (1) If the seller delivered a special product during the period August 1–November 1, 1941 having different specifications from those of any standard product, such seller's maximum price shall be either (i) the highest price charged by such seller for a delivery of that product during such period to a purchaser of the same class except that if a seller's bulk prices for standard products are governed by Table II of § 1340.353 he may add \$1.40 per ton to such highest price or (ii) the maximum bulk price of that standard product having the specifications nearest to those of such special product: *Provided, however,* That if the only delivery of a special product was made under a contract negotiated prior to said period and the price charged for such delivery did not reflect current market conditions during such period the seller's maximum price shall be determined under subparagraph (2) below.

(2) If the seller is unable to determine his maximum bulk price for a special product having different specifications from those of a standard product under (1) such seller's maximum prices shall be either (i) the maximum bulk price of that standard product having specifications nearest to those of such special product or (ii) tentative maximum price established in accordance with the provisions of subparagraph (2) of paragraph (a).

5. Section 1340.356 is amended to read as set forth below:

§ 1340.356 *Packaged asphalt.* (a) Except as provided in (b) below, when the seller supplies a container, the maximum price for packaged asphalt in carload quantities shall be the sum of the following:

(1) The maximum bulk price as determined by this regulation but without reference to the adjustment provided for by § 1340.353 (b).

(2) (i) If the container supplied by the seller is not returnable, a charge for the container of an amount equal to the cost of acquisition, including the cost of transportation to the seller's refinery or plant but not including the cost of assembling such container, of the initial shipment of the same kind of container received at such refinery or plant after February 20, 1943. If, however, at any time the cost of acquisition of a particular kind of container amounts to 10% more or less than the amount that is currently being charged purchasers

of packaged asphalt, the amount chargeable thereafter for the container shall be, the cost of acquisition at such time. The maximum amount chargeable for a particular kind of container is not adjustable either up or down merely because of a change in the cost of acquisition of such container not amounting to as much as 10%.

(ii) If the container supplied by the seller is returnable, 2.5 cents per gallon. The seller, however, shall pay for the cost of returning, cleaning and repairing such container.

(3) The following packaging differentials:

Reference point:	Packaging differential per ton
New York, N. Y.	\$2.00
Charleston, S. C.	2.00
Buffalo, N. Y.	3.00
Columbus, Ohio	3.00
Chicago, Ill.	3.00
St. Louis, Mo.	4.00
El Dorado, Ark.	4.00
New Orleans, La.	3.00
Kansas City, Mo.	4.00
Wichita, Kans.	4.00
Oklahoma City, Okla.	4.00
Dallas, Tex.	4.00
Houston, Tex.	4.00
Cody, Wyo.	4.00
Great Falls, Mont.	4.00
Dodge City, Kans.	4.00
Salt Lake City, Utah	4.00
San Francisco, Cal.	4.00
Bakersfield, Cal.	4.00
Los Angeles, Cal.	4.00
Santa Maria, Cal.	4.00
Yazoo City, Miss.	3.00
West Branch, Mich.	3.00

Either the seller shall in every case separately show the above charges in invoicing the purchaser or the seller shall at the time of the initial shipment of the packaged asphalt after April 28, 1943, to a particular purchaser send the purchaser a letter separately stating the maximum amount of each of the above charges that he is permitted to make. If the seller adopts the latter alternative he shall, thereafter, notify the purchaser of any changes in the maximum amount of any charge that he is permitted to make.

(b) *Special products.* If a seller did not deliver a special product in bulk during the August 1–November 1, 1941 period, but such seller did deliver such a special product in packages during such period, his maximum price for such packaged asphalt shall be either (1) the highest price charged by the seller for such packaged asphalt during such period to a purchaser of the same class except that if a seller's bulk prices are governed by Table II of § 1340.353 he may add \$1.40 per ton to such highest price or (2) a price determined in accordance with the provisions of (a) above.

(c) When the seller uses a form to congeal hot asphalt, then removes the form and ships the molded asphalt without packaging it, the maximum price for such asphalt in carload quantities shall be determined in the same manner as the seller would determine his maximum price for packaged asphalt and such seller shall comply with all the provisions of (a) above, except that in lieu of

a charge for the container the seller may charge an amount equal to the actual cost of all materials used and operations performed which would not have been necessary if the asphalt had been shipped in a package: *Provided, however,* That the total amount so chargeable by the seller shall never exceed \$1.50 per ton.

(d) When the purchaser supplies the container, the seller's maximum price for packaged asphalt in carload quantities shall be the maximum bulk price as determined by this price regulation plus the packaging differential specified under (a) (3) above.

(e) The seller's maximum price for packaged asphalt for less than carload quantities shall be his maximum price for carload quantities plus \$2.00 per ton.

6. Section 1340.357 is amended to read as set forth below:

§ 1340.357 *F. o. b. warehouse and bulk plant sales.* The maximum price for asphalt of any dealer, reseller, or refiner who receives shipments at a warehouse or a bulk plant other than a terminal as defined in § 1340.360 (e) in carload or truckload quantities shall be determined by adding to the cost delivered at the warehouse or bulk plant an amount sufficient to give the seller the same dollars and cents mark-up that he had during the major portion of the period August 1–November 1, 1941. If such a seller did not carry inventory or receive shipments of asphalt at a warehouse or bulk plant during the period specified above, then his maximum price in carload or truckload quantities shall be determined by adding to the cost delivered at the warehouse or bulk plant an amount sufficient to give the seller the same dollar and cents mark-up that his most closely competitive seller had during the major portion of the period August 1–November 1, 1941. For the purposes of this section "mark-up" means the dollars and cents difference between the selling price of the asphalt and the cost thereof delivered at the warehouse or bulk plant.

A seller who maintains and does business through a warehouse or bulk plant, other than a terminal, may make shipment direct from the production point to a consumer and add the same dollars and cents mark-up above the delivered cost to any destination as he did during the major portion of the period August 1–November 1, 1941.

The "mark-up" computed under this section must be reported to the Petroleum Branch of the Office of Price Administration at Washington, D. C. within 15 days after April 28, 1943.

7. Section 1340.360 (b) (4), (c) and (f) are amended to read as set forth below:

(4) *Liquid asphalt.* "Liquid asphalt" means any grade of asphalt having a penetration in excess of 300 at 77° F. when used for road construction or similar ground surfacing.

S. C. (Slow curing)
M. C. (Medium curing)
R. C. (Rapid curing)

(c) "Special product" means any asphalt or asphalt product not included under standard products with the exception of those products which have been specially processed by the roofing or paint industry by the addition of another ingredient.

(f) "Ton" means a "net ton" of 2,000 pounds, provided, however, that if a seller normally sold packaged asphalt during the period August 1–November 1, 1941 on a gross ton basis, then "ton" means a gross ton (includes weight of package) of 2,000 pounds.

8. Section 1340.362 is amended to read as set forth below:

§ 1340.362 *Tank truck sales.* An additional charge of 75¢ per ton may be added for filling tank trucks.

9. Section 1340.363 is amended to read as set forth below:

§ 1340.363 *Maximum prices on delivered basis.* If a seller wishes to quote a delivered price, the delivered price shall never result in a higher laid-down cost to a particular buyer than the sum of his maximum price f. o. b. his refinery, terminal or warehouse and his actual transportation cost incurred from that point to the destination except that when the seller transports by his own vehicles, the transportation cost shall be the applicable rates of a common carrier performing like transportation service. In the event there is no applicable common carrier rate the seller should add his own actual cost of transportation.

This amendment shall become effective April 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6276; Filed, April 22, 1943;
12:20 p. m.]

PART 1340—FUEL

[RPS 88, Amendment 94]

PETROLEUM AND PETROLEUM PRODUCTS

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

Revised Price Schedule No. 88 is amended in the following respects:

1. Section 1340.159 (c) (1) (viii) (a) is amended by adding a new field and establishing a maximum price per barrel for black oils produced therefrom, as follows:

Elk Basin (Tensleep Crude)----- \$.90

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

¹ 8 F.R. 3718, 3795, 3845, 4130, 4131, 3841, 4252, 4334, 4783, 4840.

2. Section 1340.159 (c) (1) (xvi) is added to read as follows:

(xvi) *Illinois.* (a) The maximum price at the receiving tank for crude petroleum produced in the Plymouth Pool, McDonough County, Illinois, shall be \$1.15 per barrel.

This amendment shall become effective April 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6275; Filed, April 22, 1943;
12:21 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 271, Amendment 10]

CERTAIN PERISHABLE FOOD COMMODITIES, SALES EXCEPT AT RETAIL

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

Section 1351.1001b is added to read as follows:

§ 1351.1001b *Who may remove tags on selected white seed potatoes.* Notwithstanding any other provision of this regulation, any seller who has selected seed potatoes tagged or labeled as seed for planting, and who cannot resell the same for planting purposes may be granted permission by the nearest authorized office of the Office of Price Administration to remove the tags or labels from such seed potatoes and resell the same as tablestock potatoes at tablestock prices.

(a) *Delegation of authority.* Any regional office of the Office of Price Administration and such other offices as may be authorized by order issued by the appropriate regional office, are hereby authorized to grant permission to remove tags or labels from selected seed potatoes and resell the same as tablestock potatoes at tablestock prices pursuant to this section.

This amendment shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CHESTER C. DAVIS,
Administrator of Food
Production and Distribution.

[F. R. Doc. 43-6272; Filed, April 22, 1943;
12:21 p. m.]

¹ 7 F.R. 9179, 10715; 8 F.R. 233, 1748, 1981, 3397, 3733, 3853, 4718, 4725.

PART 1416—COAL TAR

[Rev. MPR 192]

IMPORTED TAR ACIDS

Maximum Price Regulation No. 192 is amended to read as set forth below:

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

§ 1416.51 *Maximum prices for imported tar acids.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Revised Maximum Price Regulation No. 192 (Imported Tar Acids), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1416.51 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

REVISED MAXIMUM PRICE REGULATION NO. 192— IMPORTED TAR ACIDS

CONTENTS

Sec.

- 1 Prohibition against sales of imported tar acids at higher than maximum prices.
 - 2 Less than maximum prices.
 - 3 Adjustable pricing.
 - 4 Relationship of this to other maximum price regulations.
 - 5 Geographical applicability.
 - 6 Records and reports.
 - 7 Evasion.
 - 8 Enforcement and licensing.
 - 9 Definitions.
 - 10 Petitions for amendment.
 - 11 Effective dates.
- Appendix A; Maximum prices for imported A. D. F. cresylic acid.
Appendix B; Maximum prices for finished tar acids imported from the United Kingdom, other than A. D. F. cresylic acid.

SECTION 1 *Prohibition against sales of imported tar acids at higher than maximum prices.* On and after April 28, 1943, regardless of any contract or other obligation:

No person shall sell or deliver imported tar acids at prices higher than the maximum prices established by this regulation;

No person in the course of trade or business shall buy or receive imported tar acids at prices higher than those so established; and

No person shall agree, offer, or attempt to do any of the foregoing.

SEC. 2 *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid, or offered.

SEC. 3 *Adjustable pricing.* It is permissible under this regulation to provide in a contract that the price shall be adjustable to a price not higher than the maximum price in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant

permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

SEC. 4 Relationship of this to other maximum price regulations.—(a) *General Maximum Price Regulation.* The provisions of this regulation supersede the provisions of the General Maximum Price Regulation¹ (including Revised Supplementary Regulation No. 12²—Imported Commodities) with respect to sales and deliveries of imported tar acids for which maximum prices are established by this regulation.

(b) *The second revised maximum export price regulation applicable.* The maximum prices at which a person may export imported tar acids shall be determined in accordance with the provisions of the second revised maximum export price regulation.³

SEC. 5 Geographical applicability. The provisions of this regulation shall be applicable to the forty-eight states of the United States and the District of Columbia.

SEC. 6 Records and reports. (a) Every person making sales or purchases of imported tar acids for which maximum prices are established by this regulation, after April 27, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect; accurate records of each such purchase or sale, showing the date, the name and address of the buyer and the seller, the price contracted for or received, the quantity of each type and grade of imported tar acids purchased or sold, and the type of container in which such acids were purchased or sold.

(b) Such persons shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required by paragraph (a) of this section as the Office of Price Administration may from time to time require.

SEC. 7 Evasion. The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to imported tar acids, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement, or other trade understanding, or by transactions with or through the agency of subsidiaries or affiliates, or otherwise.

SEC. 8 Enforcement and licensing. (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Supplementary Order No. 11⁴ licenses all sellers under this regulation who are distributors as the term "dis-

tributor" is defined in the order. This order, in brief, provides that a license is necessary for such distributors to make sales under this regulation. A license is automatically granted to these sellers. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942, as amended, and Supplementary Order No. 11 describe the circumstances under which licenses may be suspended.

SEC. 9 Definitions. (a) When used in this Revised Maximum Price Regulation No. 192, the term:

"Distributor" means a person designated by Defense Supplies Corporation to purchase tar acids other than A. D. F. cresylic acid imported from the United Kingdom from that Corporation and to resell the same to industrial consumers.

"Finished tar acids" means distilled coal tar acids in a form in which they may be utilized by an industrial consumer without further processing, except imported A. D. F. cresylic acid.

"Imported A. D. F. cresylic acid" means refined cresylic acid produced outside of the United States which is not subject to customs duty upon importation into the United States.

"Person" means an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any of its political subdivisions, or any other government or any agency of any of the foregoing.

"Private importer" means a person, other than Defense Supplies Corporation or any government agency, who has purchased imported A. D. F. cresylic acid located outside the United States for shipment into the United States.

"Reseller of imported A. D. F. cresylic acid" means a person selling imported cresylic acid which he has not imported. Some sources from which a "reseller" may obtain such acid are, for example: private importers, Defense Supplies Corporation, other resellers.

"Shipping point" means the point from which actual shipment is made.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this Revised Maximum Price Regulation No. 192.

SEC. 10 Petitions for amendment. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.⁵

SEC. 11 Effective dates. This Revised Maximum Price Regulation No. 192 shall become effective April 28, 1943, *Provided*, That Maximum Price Regulation No. 192 shall remain in effect until this Revised Maximum Price Regulation No. 192 becomes effective April 28, 1943.

APPENDIX A: MAXIMUM PRICES FOR IMPORTED A. D. F. CRESYLIC ACID

(a) *Sales by private importers.* Maximum prices for sales of imported A. D. F. cresylic acid in quantities of 60 gallons or more by the private importer thereof, shall be the sum of the items listed below, f. o. b. importer's shipping point:

(1) Net amount paid for cresylic acid naked ex works, which amount with respect to pur-

chases made after August 5, 1942, shall not be computed at a price in excess of \$.728 per U. S. gallon.

(2) The following items of cost insofar as actually incurred by private importer prior to clearance by customs inspectors of the United States, in no case in excess of a reasonable amount:

(i) Commission, not in excess of 5 per cent of the item set forth in subparagraph (1) of this paragraph (a), paid to foreign exporters or brokers, to the extent that such commission does not inure to the benefit of importer, directly or indirectly;

(ii) Filling charges in foreign country;

(iii) Transportation charges in foreign country, including all cartage and insurance charges incurred in connection with such transportation;

(iv) U. S. consular fees;

(v) Containers;

(vi) Ocean freight;

(vii) Marine insurance;

(viii) War risk insurance;

(ix) Duty on containers;

(x) Entry charges.

(3) The following items of cost insofar as actually incurred by importer after clearance by customs inspectors of the United States, in no case in excess of a reasonable amount:

(i) Demurrage on pier;

(ii) Transportation charges, including all cartage and insurance charges incurred in connection with such transportation;

(iii) Storage charges, including warehouse insurance.

(4) Leakage loss actually borne by private importer, to be computed percentage-wise upon the basis of the cost to importer prior to clearance by customs inspectors of the United States of the particular shipment with respect to which such loss is claimed.

(5) A mark-up not to exceed \$.10 per U. S. gallon.

(b) *Sales by Defense Supplies Corporation.* Maximum prices for sales by Defense Supplies Corporation of A. D. F. cresylic acid imported from the United Kingdom shall be the sum of the items listed below, ex dock, port of entry:

(1) Net amount paid for imported A. D. F. cresylic acid naked ex works, not to be computed at a price in excess of \$.728 per U. S. gallon.

(2) War risk insurance at rates no greater than whichever of the following rates is applicable:

(i) If purchased by Defense Supplies Corporation c. i. f. a port in the continental United States, the actual sums incurred for such insurance by the supplier;

(ii) If the risks are borne by Defense Supplies Corporation, rates no higher than those established by the War Shipping Administration.

(3) The following items of cost insofar as actually incurred by Defense Supplies Corporation prior to sale by that corporation, in no case in excess of a reasonable amount:

(i) Commission, not in excess of 5 per cent of the item set forth in subparagraph (1) of this paragraph (b), paid to exporters or brokers in the United Kingdom, to the extent that such commission does not inure directly or indirectly to the benefit of Defense Supplies Corporation;

(ii) Filling charges in United Kingdom;

(iii) Transportation charges in United Kingdom, including all cartage, loading, and insurance charges incurred in connection with such transportation;

(iv) U. S. consular fees;

(v) Containers;

(vi) Ocean freight;

(vii) Marine insurance;

(viii) Entry charges;

(ix) Leakage loss actually borne by De-

fense Supplies Corporation, to be computed percentage-wise upon the basis of the cost to Defense Supplies Corporation, ex dock, United States port of entry, of the particular ship-

¹ 8 F.R. 3096, 3849, 4347, 4486.

² 7 F.R. 10532, 8 F.R. 6111, 2035.

³ 8 F.R. 4132.

⁴ 7 F.R. 6167, 11007.

⁵ 7 F.R. 8961, 8 F.R. 3313, 3533.

ment with respect to which such loss is claimed;

(x) Demurrage on pier;
(xi) Transportation charges in the United States, including all cartage and insurance charges incurred in connection with such transportation;

(xii) Storage charges, including warehouse insurance.

(4) A mark-up not to exceed \$.03 per U. S. gallon.

(c) *Sales by resellers.* Maximum prices for sales by resellers of A. D. F. cresylic acid imported by private importers or by Defense Supplies Corporation shall be the sum of the items listed below, f. o. b. reseller's shipping point:

(1) Net amount paid for such imported cresylic acid by reseller.

(2) The following additional items of cost in so far as actually incurred by reseller, in no case in excess of a reasonable amount:

(i) Transportation charges, including all cartage and insurance charges incurred in connection with such transportation;

(ii) Storage charges, including warehouse insurance.

(3) Leakage loss actually borne by reseller, to be computed percentage-wise upon the basis of delivered cost to reseller of the particular lot with respect to which such loss is claimed.

(4) A total mark-up of not more than \$.05 per U. S. gallon which may not be exceeded regardless of the number of resales of the particular quantity of acid.

(d) *Invoice requirement.* No charge may be made by any private importer or reseller of imported cresylic acid which is not itemized in accordance with the designations set forth in paragraphs (a) or (c) of this Appendix A, as the case may be, on an invoice furnished to buyer prior to payment by him.

APPENDIX B: MAXIMUM PRICES FOR FINISHED TAR ACIDS IMPORTED FROM THE UNITED KINGDOM, OTHER THAN A. D. F. CRESYLIC ACID

(a) *Sales by Defense Supplies Corporation to distributors.* Maximum prices for sales by Defense Supplies Corporation to distributors of finished tar acids imported from the United Kingdom shall be the sum of the items listed below, ex dock port of entry:

(1) Net amount paid for finished tar acid naked, ex works, not to be computed at a price in excess of the maximum price applicable to such payment under Statutory Rules and Orders 1942 No. 2509 (Coal Tar Products Prices Order of the British Minister of Fuel and Power).

(2) War risk insurance at rates no greater than whichever of the following rates is applicable.

(i) If purchased by Defense Supplies Corporation c. i. f. a port in the continental United States, the actual sums incurred for such insurance by the supplier;

(ii) If the risks are borne by Defense Supplies Corporation, rates no higher than those established by the War Shipping Administration.

(3) The following items of cost in so far as actually incurred by Defense Supplies Corporation prior to sale by that corporation, in no case in excess of a reasonable amount:

(i) Commission, not in excess of 5 per cent of the item set forth in paragraph (a) (1) of this section, paid to exporters or brokers in the United Kingdom, to the extent that such commission does not inure directly or indirectly to the benefit of Defense Supplies Corporation;

(ii) Filling charges in United Kingdom;

(iii) Transportation charges in United Kingdom, including all cartage, loading, and insurance charges incurred in connection with such transportation;

(iv) U. S. consular fees;

(v) Containers;

(vi) Ocean freight;

(vii) Marine insurance;

(viii) Entry charges;

(ix) Leakage loss actually borne by Defense Supplies Corporation, to be computed percentage-wise upon the basis of the cost to Defense Supplies Corporation, ex dock, United States port of entry, of the particular shipment with respect to which such loss is claimed;

(x) Demurrage on pier;

(xi) Transportation charges in the United States, including all cartage and insurance charges incurred in connection with such transportation;

(xii) Storage charges, including warehouse insurance.

(4) A mark-up not to exceed \$.01 per U. S. gallon.

(b) *Sales by Defense Supplies Corporation to industrial consumers.* Maximum prices for sales by Defense Supplies Corporation to industrial consumers of finished tar acids imported from the United Kingdom shall be the maximum prices established by paragraph (a) of this Appendix B, plus \$.02 per U. S. gallon, ex dock, port of entry.

(c) *Sales by distributors to industrial consumers.* Maximum prices for sales by distributors to industrial consumers of finished tar acids imported from the United Kingdom shall be the sum of the items listed below, delivered to industrial consumers:

(1) Net amount paid for such finished tar acid by the distributor, not to exceed the maximum price established by paragraph (a) of this Appendix B.

(2) Leakage loss actually borne by distributor, to be computed percentage-wise upon the basis of delivered cost to the distributor of the particular lot with respect to which such loss is claimed.

(3) Transportation charges in the United States, including all cartage and insurance charges in connection therewith, actually incurred by distributor.

(4) A mark-up not to exceed \$.06 per U. S. gallon.

(5) Minus \$.01 per U. S. gallon in the event the sale does not include containers.

(d) *Invoice requirement.* No charge may be made by any distributor for any finished tar acid subject to maximum prices established by this Appendix B which is not itemized in accordance with the designations set forth in paragraph (c) of this Appendix B on an invoice furnished to the industrial consumer prior to payment by such consumer.

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

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6274; Filed, April 22, 1943;
12:21 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS [MPR 373]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

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

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

§ 1418.151 *Maximum prices in the Territory of Hawaii.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 373 (Maximum Prices in the Territory of Hawaii), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1418.151 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 373—MAXIMUM PRICES IN THE TERRITORY OF HAWAII

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Article I—Prohibitions and Scope of Regulation

SECTION 1. *Prohibition against dealing in certain commodities at prices above the maximum.* (a) Maximum prices are established as follows:

(1) On and after April 20, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation or order heretofore issued by the Office of Price Administration, no person shall sell or deliver, and no person shall buy or receive, in the Territory of Hawaii the following commodities at prices higher than the maximum prices set forth in sections 14 to 39, Tables I to XXVI, inclusive; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 2. *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 373 may be charged, demanded, paid, or offered.

SEC. 3. *To what transactions, commodities and persons these ceilings apply—*

(a) *What transactions are covered.* This regulation covers sales within the Territory of Hawaii, unless otherwise provided herein, of the commodities enumerated in the tables set forth below. The type of transaction covered, whether wholesale, retail, or both, is specified in each table.

(b) *What products are covered.* This regulation covers the commodities enumerated in the tables set forth below.

(c) *What persons are covered.* Any person who sells or, in the usual course of business buys, any commodity enumerated in the tables set forth below is subject to this regulation. The term "person" includes an individual, corporation, partnership, association, or any other organized group; their legal successors or representatives; the United States, or any government or any of its political subdivisions; or any agency of any of the foregoing.

SEC. 4. *Relation to other regulations.* (a) The sale of commodities not otherwise governed by this Maximum Price Regulation No. 373 shall be covered by the General Maximum Price Regulation for Hawaii and other price regulations applicable to sales within the Territory of Hawaii.

(b) This Maximum Price Regulation No. 373 supersedes the applicable provisions of General Order No. 49.²

SEC. 5. *Geographical applicability.* (a) The provisions of this Maximum Price Regulation No. 373 shall be applicable in the territory of Hawaii unless otherwise provided herein.

Article II—Terms of Sale

SEC. 6. *Prohibited practices—*(a) *General.* Any device to obtain a higher-than-ceiling price without actually rais-

ing the dollar-and-cents price is as much a violation of this Maximum Price Regulation No. 373 as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, combination sales, trade understandings and the like.

(b) *Adjustable pricing.* A price may not be made adjustable to a maximum price which will be in effect at some time after delivery of any commodity covered by this regulation has been completed, but the price may be adjustable to the maximum price in effect at the time of delivery.

SEC. 7. *Fractional prices for commodities sold at retail.* (a) Whenever provision is made in this regulation for the calculation of a maximum price not otherwise specified in dollars and cents, for the sale of a commodity at retail, and such calculation results in a fraction of a cent, then the amount so calculated shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent, if the fraction is one-half cent or more.

Article III—Miscellaneous

SEC. 8. *Petitions for amendment.* (a) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 373 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1;³ *Provided, however,* That any such petition shall be filed with the Director of the Office of Price Administration for the Territory of Hawaii, Honolulu, T. H.

SEC. 9. *Applications for adjustment.* (a) Adjustment of a maximum price, for any commodity subject to this regulation, heretofore granted by the Office of the Military Governor for Hawaii, shall continue in full force and effect until revoked or modified by the Office of Price Administration.

(b) Any seller or group of sellers may apply for adjustment of a maximum price of a commodity established for him or them by this Maximum Price Regulation No. 373, or any order issued thereunder, when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of such commodity which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such commodity; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

(c) Except as otherwise provided in this section 9, all applications for adjustment shall be filed in accordance with Procedural Regulation No. 7;⁴ *Provided, however,* That the action to be taken thereunder by the Regional Administrator may be taken in like manner by the Director of the Office of Price Administration for the Territory of Hawaii.

SEC. 10. *Records and reports—*(a) *Records to be kept.* (1) Every person making sales at other than retail of the Commodities subject to this Maximum Price Regulation No. 373 shall, on and after the date any such commodity becomes subject to this regulation, keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each purchase and each sale made by such person, showing the date thereof, the name and address of the buyer and seller, the direct cost thereof, the price paid or received, the markup charged and the quantity purchased or sold.

(2) Every person making sales at retail of the commodities subject to this Maximum Price Regulation No. 373 shall, on and after the date of any such commodity becomes subject to this regulation, keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each purchase made by the seller, the date thereof, the name and address of the person selling to the seller, the direct cost thereof, the price paid, the quantity purchased, and the mark-up charged by the seller to the buyer.

(b) *Prices to be marked and posted.*

(1) On and after the date any commodity becomes subject to this Maximum Price Regulation No. 373, every person offering to sell at retail any such commodity, shall mark the maximum price of such commodity in a manner plainly visible to and understandable by the purchasing public. The maximum prices may be marked on the commodities themselves or may be posted at the place in the establishment where the commodities are offered for sale, and may be posted by price lines if the selling price of each commodity is marked thereon. The maximum prices shall be indicated in the form "Ceiling Price \$-----," or "Our Ceiling \$-----."

(c) *Sales slips and receipts.* (1) Every seller at retail of the commodities subject to this Maximum Price Regulation No. 373, who has customarily given purchasers sales slips or receipts, shall continue to do so. Upon request from a purchaser, every such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the commodity sold, and the price received for it.

(d) *Notification of maximum retail prices by persons selling to retailers.* (1) Every person selling any of the commod-

² 8 F.R. 3076.

³ 7 F.R. 8961; 8 F.R. 3313, 3533.

⁴ 7 F.R. 4779; 8 F.R. 970.

ities enumerated in the tables below, for which dollar-and-cents prices are established at retail, on and after the effective date of maximum prices established by this Maximum Price Regulation No. 373, before or at the time of the first delivery to each purchaser, shall supply the purchaser with a statement of the maximum retail prices set forth below for the commodity or commodities delivered.

SEC. 11. Enforcement and licensing. (a) Persons violating any provision of this Maximum Price Regulation No. 373 are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest office of the Office of Price Administration.

(c) The registration and licensing provisions of sections 15 and 16 of the General Maximum Price Regulation for Hawaii are herein made applicable to every person selling, at wholesale or retail, any commodity for which a maximum price is now, or may hereafter, be established by this Maximum Price Regulation No. 373, or by any amendment thereto. The General Maximum Price Regulation for Hawaii in effect, therefore, provides that a license is necessary for persons to make wholesale or retail sales of commodities as defined and covered by this Maximum Price Regulation No. 373. A license is automatically granted to all such sellers making these sales. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942, as amended, sets forth the circumstances under which licenses may be suspended. The license cannot, of course, be transferred.

SEC. 12. Definitions. (a) When used in this Maximum Price Regulation No. 373, except as otherwise provided herein, the terms:

(1) "Sale at retail" means a sale or selling to an ultimate consumer.

(2) "Sale at wholesale" means a sale by a person who receives delivery of a commodity and resells it, without substantially changing its form, to any person other than an ultimate consumer and shall include any sale to the United States, any other government, or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, commercial or industrial user, or any agency of any of the foregoing.

(3) "To deliver" means to transfer actual possession of the commodity to the purchaser or to any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(4) "Records" includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

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

SEC. 13. Effective date. This Maximum Price Regulation No. 373 shall become effective April 20, 1943.

Article IV—Maximum Prices

SEC. 14. Table I; Maximum prices for rice. (a) Maximum prices for rice sold in the Island of Oahu:

Rice	Maximum price at wholesale per 100 lbs.	Maximum price at retail per lb.
		Cents
1. U. S. No. 1	\$7.80	9
2. U. S. No. 2	7.70	9
3. U. S. No. 3	7.75	9
4. U. S. No. 4	7.50	9
5. U. S. No. 5	7.50	9
6. Brown	7.75	9

(b) The maximum prices of all other grades or kinds of rice are governed by the General Maximum Price Regulation for Hawaii.

SEC. 15. Table II, Maximum prices for certain food products. (a) Maximum prices for certain food products:

	Maximum price at wholesale	Maximum price at retail
(1) Peas, canned (sales in the Territory of Hawaii):		<i>Per can</i>
Extra Std. #2 can	\$3.65 per case of 24 cans	19 cents (37 cents for 2 cans).
Ungraded #2 can	\$3.65 per case of 24 cans	19 cents (37 cents for 2 cans).
(2) Tomato Jules, canned (sales in the Territory of Hawaii):		
Grade A, 46 oz. can	\$3.07 per case of 12 cans	32 cents (63 cents for 2 cans).
Grade A, #2 can	\$2.84 per case of 24 cans	15 cents (29 cents for 2 cans).
Grade C, 46 oz. can	\$2.78 per case of 12 cans	29 cents (57 cents for 2 cans).
Grade C, #2 can	\$2.61 per case of 24 cans	14 cents (27 cents for 2 cans).
Grade C, #2½ can	\$3.42 per case of 24 cans	18 cents (35 cents for 2 cans).
Grade C, 13½ oz. can	\$4.12 per case of 48 cans	11 cents (21 cents for 2 cans).
Grade C, 12 oz. can	\$4.00 per case of 48 cans	10 cents
Grade C, #1 can, tall	\$3.65 per case of 48 cans	10 cents (19 cents for 2 cans).
Grade C, 8 oz. can	\$4.23 per case of 72 cans	7 cents
Grade A, 96 oz. can	\$3.02 per case of 6 cans	62 cents.
Grade C, 96 oz. can	\$2.73 per case of 6 cans	56 cents.
(3) Prunes, dried (sales in the Territory of Hawaii):		<i>Per package</i>
1 lb. package—50/60	\$2.94 per case of 24 pkgs.	15 cents (29 cents for 2 pkgs.).
1 lb. package—30/40	\$3.21 per case of 24 pkgs.	16 cents.
(4) Raisins, dried (sales in the Territory of Hawaii):		
Grade A, 15 oz. package	\$4.91 per case of 48 pkgs.	13 cents (25 cents for 2 pkgs.).
Grade C	\$2.49 per 25-lb. box	12 cents per lb.
(5) Salmon, canned (sales in the Territory of Hawaii):		<i>Per can</i>
Red, #1 can	\$17.50 per case of 48 cans	42 cents.
Medium red, #1 can	\$14.20 per case of 48 cans	36 cents (71 cents for 2 cans).
Pink, #1 can	\$9.95 per case of 48 cans	25 cents (49 cents for 2 cans).
(6) Sardines, canned (sales in the Territory of Hawaii):		
(Maine) Oil, 3¼ oz. can	\$5.46 per case of 100 cans	7 cents (13 cents for 2 cans).
(Maine) Tomato, 9 oz. can	\$4.75 per case of 48 cans	14 cents (27 cents for 2 cans).
(Maine) Tomato, 3¼ oz. can	\$5.52 per case of 100 cans	7 cents (13 cents for 2 cans).
(Maine) Tomato, 10 oz. can	\$3.75 per case of 48 cans	15 cents (29 cents for 2 cans).
(Calif. Pilehards) Nat. #1 can, tall	\$4.43 per case of 48 cans	11 cents.
(Calif. Pilehards) Tomato, #1 can, oval	\$5.58 per case of 48 cans	14 cents.
(Calif. Pilehards) Tomato, #1 can, tall	\$4.83 per case of 48 cans	12 cents.
(7) Onions (sales in the Territory of Hawaii):		<i>Per lb.</i>
All varieties	\$2.30 per 50-lb. bag	7 cents (13 cents for 2 lbs.).
(8) Potatoes (sales in the Territory of Hawaii):		
All varieties	\$3.95 per 100-lb. bag	6 cents (11 cents for 2 lbs.).
(9) Evaporated milk, canned (sales in the Territory of Hawaii) at wholesale:		
<i>Terms of sale.</i>	<i>Per case of 48 #14½ oz. cans</i>	<i>14½ oz. can</i>
C. O. D. delivered to retailer, in lots of 25 cases or more.	\$4.60	11 cents.
C. O. D. delivered to retailer, in lots of less than 25 cases.	\$4.65	11 cents.
Credit sale, delivered to retailer, in lots of 25 cases or more.	\$4.70	11 cents.
Credit sale, delivered to retailer in lots of less than 25 cases.	\$4.75	
No. 10 cans per case of 6, in all instances.	\$4.80	
(10) Peaches, canned (sales in the Territory of Hawaii):		<i>Per can</i>
Grade B, sliced, #2 can	\$3.72	18 cents.
Grade B, sliced, #2½ can	\$5.38	26 cents.
Grade C, halves, #2½ can	\$5.38	26 cents.
Grade C, sliced, #2 can	\$3.33	17 cents (33 cents for 2 cans).
Grade C, sliced, #2½ can	\$4.83	24 cents.
Grade C, halves, #2 can	\$4.07	20 cents (39 cents for 2 cans).
Grade C, halves, #2½ can	\$4.83	24 cents.
Grade D, sliced, #2½ can	\$4.50	22 cents.
Grade D, halves, #2½ can	\$4.50	22 cents.
Grade D, mixed, #2½ can	\$4.50	22 cents.
Grade C, halves, #10 can	\$4.44 per case of 6 cans	87 cents.
(11) Canadian herring, canned (sales in the Territory of Hawaii):		
Tomato, #1 can, oval	\$5.98 per case of 48 cans	15 cents for 1 can.

	Maximum price at retail per No. 1 can unless otherwise indicated
(12) Soups, canned (sales in the Island of Oahu only):	
(i) Campbell's old style soups:	
Chicken.....	14½¢ (2 cans for 29¢).
Bouillon.....	14½¢ (2 cans for 29¢).
Consomme.....	14½¢ (2 cans for 29¢).
Vegetable.....	13¢.
Pea.....	12½¢ (2 cans for 25¢).
Cream of potato.....	12½¢ (2 cans for 25¢).
Vegetable-beef.....	12½¢ (2 cans for 25¢).
Beef.....	12½¢ (2 cans for 25¢).
Black bean.....	12½¢ (2 cans for 25¢).
Assorted.....	12½¢ (2 cans for 25¢).
Chicken-noodle.....	12½¢ (2 cans for 25¢).
Asparagus.....	12½¢ (2 cans for 25¢).
Celery.....	12½¢ (2 cans for 25¢).
Clam chowder.....	12½¢ (2 cans for 25¢).
Mock turtle.....	12½¢ (2 cans for 25¢).
Oxtail.....	12½¢ (2 cans for 25¢).
Tomato.....	10¢.
Pepper pot.....	12½¢ (2 cans for 25¢).
(ii) Campbell's new formula condensed soups:	
Chicken.....	19½¢ (2 cans for 39¢).
Vegetable beef.....	18¢.
Beef.....	18¢.
Bouillon.....	18¢.
Chicken gumbo.....	18¢.
Chicken noodle.....	17½¢ (2 cans for 35¢).

	Maximum price at retail per No. 1 can unless otherwise indicated
(12) Soups, canned (sales in the Island of Oahu only):	
(ii) Campbell's new formula condensed soups—Con.	
Clam chowder.....	14½¢ (2 cans for 29¢).
Mock turtle.....	14½¢ (2 cans for 29¢).
Oxtail.....	14½¢ (2 cans for 29¢).
Pepper pot.....	14½¢ (2 cans for 29¢).
Scotch broth.....	14½¢ (2 cans for 29¢).
Vegetarian-vegetable.....	14½¢ (2 cans for 29¢).
Consomme madrilene.....	14½¢ (2 cans for 29¢).
Vegetable soup.....	14½¢ (2 cans for 29¢).
Tomato.....	11¢.
(iii) Van Camp's soup:	
Vegetable No. 300 tall can.....	14½¢ (2 cans for 29¢).
Tomato No. 300 tall can.....	13¢.
Asparagus.....	9¢.

(iv) Maximum retail price for any canned soup not listed above shall be computed on the basis of 17% on selling price over retailer's invoice cost. This maximum price shall be arrived at by dividing invoice cost in cents per can by 0.83. For example, assume brand X carries an invoice cost per can to the retailer of \$0.11. Divide \$0.11 by 0.83 = \$0.132. Adjusting this to the nearest cent results in a maximum retail price of \$0.13 per can. For fractional prices derived from this computation see Section 7 of this Maximum Price Regulation No. 373.

	Maximum price at wholesale	Maximum price at retail
(13) Corned beef, canned (sales in the Territory of Hawaii):		
12 oz. can.....	\$0.77 per case of 24 cans. \$13.54 per case of 48 cans.	34 cents (67 cents for 2 cans).
(14) Luncheon meat, canned (sales in the Territory of Hawaii):		
12 oz. can.....	\$16.37 per case of 48 cans.	41 cents.
(15) Dried beans (sales in the Territory of Hawaii):		
Baby limas.....	\$9.26 per 100-lb. bag.....	11 cents.
Large limas.....	\$11.96 per 100-lb. bag.....	15 cents (29 cents for 2 lbs.).
Red kidney.....	\$9.26 per 100-lb. bag.....	11 cents.
(16) Flour (sales in the Territory of Hawaii):		
All-purpose family.....	\$2.40 per case of 10-4.9-lb. sacks.....	\$0.30 per 4.9-lb. bag.
All-purpose family.....	\$1.91 per 49-lb. sack.....	\$2.42 per 49-lb. bag.
Baker's bread.....	\$3.98 per 98-lb. sack.....	
Cake and pastry.....	\$3.62 per 98-lb. sack.....	
Special cake.....	\$3.85 per 98-lb. sack.....	
Cracker.....	\$3.76 per 98-lb. sack.....	

(17) *Certain Birdseye frozen foods* (Sales in the Territory of Hawaii).

(i) The maximum price shall be the maximum price as determined or to be determined in accordance with section 2 or 3 of the General Maximum Price Regulation for Hawaii, or as permitted by any authorized subsequent adjustment thereof, plus the following permitted increases:

	Permitted increase (cents per carton)
Peaches.....	2
Raspberries.....	1
Strawberries.....	3
Asparagus tips.....	2
Lima beans.....	2½
Broccoli.....	2
Brussels sprouts.....	2
Cauliflower.....	2½
Peas.....	1½
Strawberries 10 #.....	3

Sec. 16. *Table III: Maximum prices for canned fruits, juices and berries.*

(a) The provisions of the General Maximum Price Regulation for Hawaii shall apply to all sales and deliveries of any kind, grade, brand and container size of canned fruits and canned berries of the 1941 pack or any earlier pack. This section 16 applies only to sales and deliveries of canned fruits and canned berries of the 1942 pack.

(b) *Definitions.* (1) When used in this Table III the term:

(i) "Canner" means a person who preserves by heating and hermetically sealing in containers of metal, glass or any other material any of the products defined herein as canned fruits or canned berries.

(ii) "Canned fruits" means the following fruits and products preserved by heat and hermetically sealed in containers of metal, glass, or any other material (except those which have been purchased from the Federal Surplus Commodities Corporation in Hawaii):

- Apricots.
- Cherries, red sour-pitted.
- Cherries, sweet.
- Figs.
- Fruit cocktail.
- Fruits for salad.
- Fruit juices and nectars, plain or mixed, made from the fruits listed in this paragraph.
- Peaches, clingstone (including clingstone nectarines).
- Peaches, freestone (including freestone nectarines).
- Pears.
- Pineapples.
- Plums.
- Prunes, fresh.

(iii) "Canned berries" means the following berries and products preserved by heat and hermetically sealed in containers of metal, glass, or any other materials (except those purchased from the

Federal Surplus Commodities Corporation in Hawaii):

- Berry juices made from the berries listed in this paragraph.
- Blackberries.
- Blueberries.
- Boysenberries.
- Cranberries.
- Gooseberries.
- Huckleberries.
- Loganberries.
- Raspberries, black.
- Raspberries, red.
- Strawberries.
- Youngberries.

(iv) "1942 pack" of any canned fruits or canned berries shall be that pack, the major portion of which was processed and hermetically sealed in containers of metal, glass, or any other material during the calendar year 1942.

(v) "Kind," when referring to any canned fruits or canned berries, also refers to the style of the pack of such canned fruits or canned berries.

(c) *Wholesalers maximum prices for sales in the Territory of Hawaii of canned fruits, canned juices and canned berries of the 1942 pack.* (1) Except as otherwise provided in this Maximum Price Regulation No. 373 the wholesalers' maximum price per dozen for each kind, grade, brand and container size of canned fruits or canned berries of the 1942 pack, except canned pineapple and canned pineapple juice, shall be:

(i) The wholesalers' maximum price per dozen for such kind, grade, brand and container size computed in accordance with the General Maximum Price Regulation for Hawaii, or as permitted by any subsequent authorized adjustment thereof, plus

(ii) The amount reported by the wholesaler's supplier as the permitted increase for such kind, grade, brand and container size pursuant to the provisions of § 1341.106a of Maximum Price Regulation No. 185' of the Office of Price Administration.

(2) If at the time of computing his maximum price for any kind, grade, brand and container size of such canned fruits or canned berries, the wholesaler has purchased or contracted to purchase the same kind, grade, brand and container size from two or more canners, he shall use as the amount to be added pursuant to paragraph (c) (1) (ii) of this section the amount reported as the permitted increase by the canner from whom the largest amount of such kind, grade, brand and container size was purchased.

(d) *Retailers maximum prices for sales in the Territory of Hawaii of canned fruits, canned juices and canned berries of the 1942 pack.* (1) Except as otherwise provided in this Maximum Price Regulation No. 373 the retailers' maximum price per can or container for each kind, grade, brand and container size of canned fruits or canned berries of 1942 pack, except canned pineapple and canned pineapple juice, shall be:

(i) His maximum price per can or container, as determined or to be determined in accordance with section 2 or

* 7 F.R. 5772, 5988, 7530, 8948, 10684, 11075; 8 F.R. 490, 1133, 2998.

3 of General Maximum Price Regulation for Hawaii, or as permitted by an authorized subsequent adjustment thereof, for each kind, grade, brand and container size; plus;

(ii) The amount reported by his supplier as the permitted increase per can or container for such kind, grade, brand, and container size, pursuant to the provisions of paragraph (f) of this section 16, or one-twelfth of the amount reported by his supplier as the permitted increase per dozen cans or containers for such kind, grade, brand and container size, pursuant to the provisions of § 1341.106a of Maximum Price Regulation No. 185. The permitted increase per can or container shall be adjusted to the next lower cent for fractions of less than one-half cent and to the next higher cent for fractions of one-half cent or more.

(e) *Maximum prices for sales in the Territory of Hawaii of canned pineapple and canned pineapple juice.* (1) Except as otherwise provided in the Maximum Price Regulation No. 373, the wholesaler's maximum price per dozen for each grade, brand and container size of canned pineapple or pineapple juice shall be:

(i) The wholesaler's maximum price per dozen for such grade, brand, and container size computed in accordance with the General Maximum Price Regulation for Hawaii, or as permitted by any authorized subsequent adjustment thereof; plus

(ii) The difference between the price for such grade, brand and container size, f. o. b. canner's shipping point, on the canner's price list for November 1941, and such canner's maximum price, f. o. b. canner's shipping point.

(2) Except as otherwise provided in this Maximum Price Regulation No. 373, the retailer's maximum price per can or container for each grade, brand and container size of canned pineapple or pineapple juice shall be:

(i) His maximum price per can or container as determined or to be determined in accordance with sections 2 and 3 of the General Maximum Price Regulation for Hawaii, or as permitted by any subsequent authorized adjustment thereof, for each grade, brand and container size; plus

(ii) In the case of a retailer purchasing directly from a canner, the amount of the difference between the price per can or container for such grade, brand and container size, f. o. b. canner's shipping point of the canner's price list for November 1941 and such canner's maximum price, f. o. b. canner's shipping point, adjusted to the next lower cent for fractions of less than one-half cent and adjusted to the next higher cent for fractions of one-half cent or more; or

(iii) In the case of a retailer purchasing from a wholesaler, the amount of the permitted increase for such grade, brand and container size, as reported by the wholesaler pursuant to the provisions of paragraph (f) of this section 16.

(f) *Information to purchasers from wholesalers.* (1) Within thirty days after establishing his maximum price per dozen for any kind, brand and container size of canned fruits or berries of the 1942 pack under the provisions of paragraph (a) of this section 16, each wholesaler shall

(i) Prepare a statement in writing showing his maximum price under the provisions of the General Maximum Price Regulation for Hawaii or as permitted by any subsequent adjustment thereof which shall be designated as the "base price," his maximum price as computed under the provisions of this regulation, which shall be designated as the "maximum price," and the amount of the difference between such prices, which shall be designated as the "permitted increase," and

(ii) File a copy of each such statement with this office.

(2) Each wholesaler, before or at the time of his first delivery to any retailer of any kind, grade, brand and container size of canned fruits or canned berries, after the wholesaler's maximum price therefor has been established pursuant to the provisions of paragraph (a) of this section 16, shall supply to such retailer a written statement identifying each such item included in the sale and shall clearly indicate for each such item the permitted increase per can or container which the retailer is entitled to add to his maximum price established under the General Maximum Price Regulation for Hawaii in order to compute the retailer's maximum price under this regulation. The permitted increase so reported shall be one-twelfth of the amount reported to the wholesaler by his supplier as the permitted increase, or, in the case of canned pineapple and canned pineapple juice, one-twelfth of the increase determined by the wholesaler pursuant to sub-paragraph (1) of this paragraph (a). Such permitted increase per can or container shall be adjusted to the next lower cent for fractions of less than one-half cent and to the next higher cent for fractions of one-half cent or more. In every such statement the information prescribed by this paragraph shall be preceded by the following statement:

Your new ceiling price for each item noted is your March ceiling price plus the permitted increase per retail package. The Office of Price Administration requires you to keep this information for examination.

Although this regulation requires no special form for listing items and permitted increases, an example of an approved form which may be helpful to many wholesalers is set forth below.

NOTICE OF RETAILER'S PERMITTED INCREASE

To: _____
Address: _____

Your new ceiling price for each item noted is your April ceiling price plus the permitted increase per retail package. The Office of Price Administration requires you to keep this information for examination.

Kind	Grade	Brand	Container size No.	Permitted Increase per retail pkg.
ITEM				
Apricots, unpeeled halves.	Standard	Star	2½	1
Apricots, peeled halves.	Choice	Moon	2½	1
Peaches, sliced, etc.	Fancy	Sun	10	2

Wholesaler: _____
Address: _____
By: _____
Date: _____

This statement may also contain similar information for any other items covered by this Regulation even though they are not included in the sale.

(g) *Marking, posting and filing by retailers; applicability of the marking, posting and filing provisions of the General Maximum Price Regulation for Hawaii.* (1) The marking, posting and filing provisions of section 13 of the General Maximum Price Regulation for Hawaii are applicable to every person selling at retail any canned fruits or canned fruit juices referred to in that Section or in Appendix A of the General Maximum Price Regulation for Hawaii.

(2) Each retailer who adjusts his maximum price on canned peaches, canned pears, canned pineapple or canned pineapple juice, pursuant to the provisions of this section 18, shall file with this office a statement or statements showing each such adjustment. Such statement or statements shall be filed on or before the 10th day of the month following the month in which the maximum price was so adjusted. Each such statement may contain the required information for one or more of such commodities and shall contain an appropriate description or identification of each such commodity.

Sec. 17. *Table IV: Maximum prices for sugar—(a) Definitions.* When used in this Table IV the term:

(1) "Primary distributor" means any person who manufactures fine granulated sugar or granulated sugar, or the agent of any such person. The term "agent" shall be deemed to include a broker, factor, commission merchant, or a person who takes title but actually performs functions commonly performed by brokers, factors, or commission merchants.

(2) "Canner" means a canner of pineapples.

(3) "Class of purchaser" refers to the practice adopted by the primary distributor in setting different prices for sales to different purchasers or kinds of purchasers (for example, jobber, wholesaler, Army, Navy, canner), or for purchasers located in different areas, or for different quantities or grades, or under different conditions of sale.

(b) *Maximum prices for sales by primary distributors located on the Island of Oahu—(1) Sales of granulated sugar*

to canners. (i) \$5.25 per one hundred pounds on orders placed by the canner with the primary distributor before June 25 of any calendar year for deliveries to be made during the same calendar year.

(ii) \$5.45 per one hundred pounds on orders placed by the canner with the primary distributor on and after June 25 of any calendar year for deliveries to be made during the same calendar year.

(iii) The containers shall be in good sound condition of such material as is available, preferably jute with cotton liners.

(iv) These maximum prices include delivery by the primary distributor f. o. b. cars of the Oahu Railway & Land Company at the buyer's cannery in Honolulu, or the depot or wharf of the Oahu Railway & Land Company in Honolulu, or f. a. s. Inter-Island Steamer, at the buyer's option.

(v) There shall be deducted from these maximum prices an amount equal to two per cent thereof for cash within five days. As to when the five-day period commences, this shall be determined in accordance with the usage existing between the primary distributor and canners prior to the effective date of this regulation.

(vi) These maximum prices are for a quality and polarization of granulated sugar not below the average quality and polarization delivered to canners by the primary distributor during the calendar year 1942.

(2) *Sales of fine granulated sugar to persons other than canners.* (i) \$5.45 per one hundred pounds.

(ii) Containers shall be in good sound condition of such material as is available; and in the case of 100-lb. bags, preferably jute with cotton liners.

(iii) This maximum price shall be adjusted in accordance with the grade and package differentials employed by the primary distributor in December 1942.

(iv) This maximum price includes delivery by the primary distributor to the customary receiving points of the respective purchasers or classes of purchasers in accordance with the practice in existence during December 1942. However, if during December 1942 the primary distributor charged a premium for delivery to a particular purchaser or class of purchasers, there may be added to the maximum price for that purchaser or class of purchasers an amount not in excess of the premium so charged.

(v) On the other hand, the primary distributor shall not reduce his discounts and allowances to a particular purchaser or class of purchasers below those which he had in effect as to deliveries during December 1942 to the same purchaser or class of purchasers. Such discounts and allowances shall be deducted from the maximum price.

(vi) This maximum price is for a quality and polarization of fine granulated sugar not below the average quality and polarization delivered to persons other than canners during the calendar year 1942.

(c) *Maximum prices for sales by primary distributors located on the Island of Maui—*(1) *Sales of granulated sugar*

to canners. (i) \$5.25 per one hundred pounds less,

(ii) An amount equal to two per cent thereof for cash within five days.

(iii) Twenty-five cents per one hundred pounds.

(iv) As to when this five-day period commences, this shall be determined in accordance with the usage existing between the primary distributor and canners prior to the effective date of this regulation.

(v) The containers shall be in good sound condition of such material as is available, preferably jute with cotton liners.

(vi) This maximum price is f. o. b. railroad cars or buyers' conveyances Paia.

(vii) This maximum price is for a quality and polarization of granulated sugar not below the average quality and polarization delivered to canners by the primary distributor during the calendar year 1942.

(2) *Sales of fine granulated sugar to persons other than canners.* (i) \$5.20 per one hundred pounds.

(ii) Containers shall be in good sound condition of such material as is available and in the case of 100-lb. bags, preferably jute with cotton liners.

(iii) This maximum price shall be adjusted in accordance with the grade and package differentials employed by the primary distributor in December 1942.

(iv) This maximum price includes delivery by the primary distributor to the customary receiving points of the respective purchasers or classes of purchasers in accordance with the practice in existence during December 1942. However, if during December 1942 the primary distributor charged a premium for delivery to a particular purchaser or class of purchaser, there may be added to the maximum price for that purchaser or class of purchasers an amount not in excess of the premium so charged.

(v) On the other hand, the primary distributor shall not reduce his discounts and allowances to a particular purchaser or class of purchasers below those which he had in effect as to deliveries during December 1942 to the same purchaser or class of purchasers. Such discounts and allowances shall be deducted from the maximum price.

(d) Maximum prices for sales of sugar by persons in the Territory not covered by this Table IV shall continue to be those established by the General Maximum Price Regulation for Hawaii or any applicable price schedule, regulation, or order issued by the Office of Price Administration.

Sec. 18. *Table V: Maximum prices for sales of fats and oils and canned meats in the Island of Oahu only.* (a) This Table V is applicable to all fats and oils and canned meats sold in the Island of Oahu, except such of these commodities as are covered by this Maximum Price Regulation or other orders or regulations issued by the Office of Price Administration.

(b) *Sales at wholesale.* (1) The wholesaler shall calculate his maximum price for each item (that is, kind, brand, grade

and container size) of a commodity covered by this Table V as follows: (i) The wholesaler shall calculate the base price by adding the amounts permitted in paragraph (c) below; (ii) To this base price he may add the applicable margin set forth in paragraphs (g), (h) and (i) below; (iii) In appropriate cases he may add an additional amount as specified in paragraph (f) below.

(c) *Base price.* (1) In the case of purchases other than purchases from the Federal Surplus Commodities Corporation, "base price" means an amount not in excess of the sum of the following. Of course, if any of the items specified in subdivision (ii) through (vii) have already been included in the amount specified in subdivision (i) it may not again be added.

(i) An amount equal to the price which the wholesaler agreed to pay the mainland seller before deducting any cash discount, swell allowance or promotional allowance.

(ii) An amount equal to the transportation charges, if any, actually incurred by the wholesaler for transportation from the mainland point at which the wholesaler received delivery to the mainland port of shipment, including transportation taxes, terminal charges, and extra charges for shipment of less than carload lots.

(iii) An amount equal to mainland storage charges, and insurance in connection therewith, actually incurred by the wholesaler, but charges for storages, and insurance in connection therewith, in excess of six months shall not be included.

(iv) An amount computed at the rate of \$1.20 per ton, weight or measurement, to cover cartage from warehouse to dock in port of shipment, whether or not actually incurred.

(v) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the wholesaler.

(vi) An amount equal to cartage charges in Honolulu from dock to warehouse computed at a rate not in excess of \$1.20 per ton, weight or measurement, provided that the commodity is moved from the dock at the wholesaler's expense.

(vii) With respect to packaged oleomargarine and lard only, and if the packaged oleomargarine or lard is placed in public cold storage in Honolulu at the wholesaler's expense, then an amount therefor computed at a rate not in excess of \$.0033 per pound, net weight: *Provided*, That, no amount may be included for the first month's storage. Public cold storage charges for the first month's storage in Honolulu shall be absorbed by the wholesaler.

(2) In the case of purchases from the Federal Surplus Commodities Corporation, the base price shall be the net price paid plus an amount equal to cartage charges computed at a rate not in excess of \$1.20 per ton, weight or measurement.

(3) If an identical item of the same grade in the wholesaler's inventory on hand has two or more different base prices, then the base price for that item

may be determined by calculating a weighted average base price for that item.

(4) If the actual amount for a charge is not in hand with respect to a particular shipment of any item, the wholesaler may estimate the amount of the charge for the purpose of determining the base price, but upon the following conditions:

(i) That he set up an "error account," which he shall keep and maintain for inspection by the Office of Price Administration for a period of not less than one year;

(ii) That when the actual amount becomes known he immediately include in this account the difference between the actual amount and the estimated amount;

(iii) That if the difference is an amount in excess of the actual amount, then such difference shall be deducted in calculating the base price for any item on hand or received in the next shipment;

(iv) That if the difference is an amount less than the actual amount, then such difference may be added in calculating the base price for any item on hand or received in the next shipment;

(v) That the error account show how the differences are applied.

(d) These maximum prices contemplate distribution by only one wholesaler on the Island of Oahu. In the event that in the course of distribution of any commodity covered by this regulation after arrival in Honolulu, such commodity moves through the hands of more than one wholesaler, then the wholesalers shall distribute between them the margins set forth in appendices annexed hereto. In such event the primary wholesaler making the importations shall furnish the wholesaler purchasing from him a statement of the base price determined in accordance with this section.

(e) No extra charge may be added for delivery in the City of Honolulu.

(f) In the case of a sale to a buyer who does not have a gross income tax license, the seller may add to the maximum price one and one-quarter (1¼%) per cent of it.

(g) *Oleomargarine, shortening and lard.* The maximum margins which may be added to the base price shall not be higher than the following:

(1) Bulk shortening and lard, \$.0175 per lb. net weight.

(i) "Bulk shortening and lard" means shortening and lard in drums, cans over 6 pounds net weight, tubs, tierces or barrels, and includes the following:

(a) Standard shortening such as Jewel, Pearl, Sance, Vegetale, Advance, Flakewhite, Fluffo, Seoco, Kneedit, Crustene, Hydora, Durkee's, Superia, Ore, Diamond Head;

(b) Hydrogenated and high ration shortening such as Primax and Sweetex, Cove and Cove Super Mix, Heavy Duty MFB and Quik Blend, Vream and Vreamay, Kremmit and Kremer, Bakerite and Bakerite 140.

(c) Lard.

(2) Packaged shortening and lard \$.02 per lb. net weight.

(i) "Packaged shortening and lard" means shortening and lard in containers of six pounds net weight or less, and includes the following:

(a) Standard and hydrogenated shortening, such as Spry, Crisco, Jewel, Snowdrift, Fermay and Fluffo;

(b) Lard and lard compounds or substitutes.

(3) *Oleomargarine.*

(i) Bulk, \$.03 per lb. net weight.

(ii) Packaged.

(a) Base price 20 cents per pound, net weight or over, \$.0475 per lb. net weight.

(b) Base price under 20 cents per pound, net weight, \$.0425 per lb. net weight

(h) *Cooking and salad oils.* (1) The maximum margins for all cooking and salad oils other than olive oil and Planters peanut oil which may be added to the base price shall not be higher than the following:

(i) Bulk.

(a) Containers over 5 gallons, \$.018 per lb. net weight.

(b) 5-gallon containers, \$.80 per 5 gallons.

(ii) Packaged.

(a) 1-gallon containers, \$1.00 per case of 6 containers.

(b) ½-gallon containers, \$.55 per case of 6 containers.

(c) 23-oz. containers, \$.50 per case of 12 containers.

(d) 1-qt. containers, \$.70 per case of 12 containers.

(e) 1-pt. containers, \$.70 per case of 24 containers.

(2) The maximum margins for olive oil and Planters peanut oil which may be added to the base price shall not be higher than the following:

(i) *Planter's peanut oil 10% on selling price*

(ii) *Olive oil*

(a) Containers of one pint or more 10% on selling price

(b) Containers of less than one pint 15% on selling price

(3) *Items not covered.* The maximum margin for any cooking or salad oil not covered above shall be 10 per cent on selling price over the base price.

(4) "Cooking and salad oils" shall mean all vegetable oils, whether pure or mixed such as "77", Angela Mia, Puritan, Fluffo, Jewel, Star, Certified Crustene, Primrose, Wesson, Mazola; but shall not include prepared dressings.

(i) *Canned meats.* (1) The maximum margin for canned meats shall be 11 per cent on selling price over base price, except that when packed in glass, the maximum margin shall be 13 per cent on selling price over base price.

(2) The term "canned meats" includes canned meats and meats in combination with other foods, such as luncheon meats, spreads, sausages and sausage meats, frankfurters, hamburger, loaf goods, brains, tongues, bacon, corned beef, dried beef, sliced dried beef, hash, potted and deviled meats, spaghetti and meat balls, spaghetti sauce with meat, noodles and meat, vegetables and meat, stews, chill con carne, prepared hot tamales, chicken, turkey and other poultry, and similar items which are customarily considered shelf goods, and are not stored under refrigeration.

(j) *Sales at retail.*

Commodity	Maximum Price (net weight)
1. Shortening:	
Crisco, Snowdrift & Spry-----	\$.30 per 1-lb. container .85 per 3-lb. container 1.70 per 6-lb. container
Formay-----	.80 per 3-lb. container 1.60 per 6-lb. container
All other brands-----	.05 per lb. over retailer's invoice cost
2. Lard-----	.05 per lb. over retailer's invoice cost
3. Oleomargarines:	
Nucoa and Allsweet-----	.33 per lb.
All others-----	.06 per lb. over retailer's invoice cost
4. Salad oils:	
Wesson oil-----	.65 per 1-quart container 1.10 per ½-gal. container 2.02 per 1-gal. container
Mazola-----	.35 per 1-pint container .65 per 1-quart container 1.20 per ½-gal. container 2.30 per 1-gal. container
Primrose and Jewel-----	1.93 per 1-gal. container 1.05 per ½-gal. container .43 per 23-oz. bottle
Planters Peanut Oil (Hi-Hat)-----	.73 per 1-quart container 1.25 per ½-gal. container
Olive Oil:	
California olive oil:	
Lindsay-----	.98 per 16-oz. bottle .56 per 8-oz. bottle .28 per 4-oz. bottle .18 per 2-oz. bottle .69 per 8-oz. bottle
Olive Tree-----	.73 per 8-oz. bottle
S & W-----	
Imported olive oil:	
Star-----	2.19 per 32-oz. tin 1.15 per 16-oz. tin
Don Juan-----	.65 per 8-oz. bottle

NOTE: The maximum price for containers not listed in item 4 shall be computed on a basis of 16% on selling price over retailer's price cost, except that in the case of olive

oil, it shall be 20% on selling price. In computing 16% on selling price over retailer's invoice cost, the maximum price shall be arrived at by dividing invoice cost in cents per

pound by 0.84. For example, assume Brand "X" carries an invoice cost to the retailer of twenty cents per pound, dividing \$.20 by 0.84 equals \$.238. Adjusting this to the nearest cent gives a maximum retail price of twenty-four cents per pound. For fractional prices derived from this computation, see section 7 of this Maximum Price Regulation No. 373.

Sec. 19. Table VI: Maximum prices for sales of meats, poultry and certain dairy products in the Island of Oahu only. (a) When used in this Table VI, the term "Sale at wholesale" means a sale by a person who customarily distributes the commodities covered by this regulation for resale by retail outlets, or to commercial, industrial or institutional users, or to the armed forces of the United States. A person making such a sale may hereinafter sometimes be referred to as a "wholesaler."

(b) Sales at wholesale; mainland meats, poultry and certain dairy products. This paragraph (b) applies only to meats, poultry and certain dairy products imported from the continental United States.

(1) How a wholesaler calculates his maximum price. The wholesaler shall calculate his maximum price for each item (that is, kind, brand, grade and container size) of a commodity covered by this regulation as follows:

(i) The wholesaler shall calculate the base price by adding the amounts permitted in paragraph (c) below.

(ii) To this base price he may add the applicable margin set forth in paragraph (d) below.

(iii) In appropriate cases he may add an additional amount as specified in paragraph (g) below.

(c) Base price. (1) In the case of purchases other than purchases from the Federal Surplus Commodities Corporation, "base price" means an amount not in excess of the sum of the following. Of course, if any of the items specified in subdivision (ii) through (vii) have already been included in the amount specified in subdivision (i) it may not again be added.

(i) An amount equal to the price which the wholesaler agreed to pay the mainland seller for the meat, poultry, or dairy product prepared for shipment; or, if the wholesaler must prepare the meat, poultry or dairy product covered by this regulation for shipment on his own account subsequent to purchase from the mainland seller, then an amount equal to the price which the wholesaler agreed to pay the mainland seller, plus the charges actually paid or incurred by the wholesaler in the preparation of the meat, poultry or dairy product for shipment.

(ii) An amount equal to the transportation charges, if any, actually incurred by the wholesaler for transportation from the mainland point at which the wholesaler received delivery to the mainland port of shipment, including such charges in connection therewith as were theretofore customarily included, such as icing charges, switching, demurrage and the like.

(iii) An amount equal to cold storage charges, and insurance in connection therewith, in the port of shipment computed at a rate not in excess of forty cents per one hundred pounds net weight, provided that the commodity is stored at the wholesaler's expense; except that, in the case of poultry, it may be an amount equal to the charges actually incurred by the wholesaler for cold storage, and insurance in connection therewith, in the port of shipment.

(iv) An amount computed at the rate of thirteen cents per one hundred pounds net weight to cover cartage from warehouse to dock in port of shipment, whether or not actually incurred.

(v) An amount for ocean freight, war risk and marine insurance which, however, shall not be higher than the following:

	Per 100 lbs. Net weight
<i>Refrigerated—</i>	
1. Beef, lamb, veal, hogs, in bales, bone-in	\$3.56
2. Mutton	3.40
3. Boned carcass beef in cases	3.84
4. Pork cuts in cases and barrels	3.90
5. Fancy meats:	
<i>Liver:</i>	
Veal in pails	4.50
Calf in pails	4.31
Calf in boxes	4.06
Beef in boxes	3.90
Pork in boxes	3.80
Lamb, Boxes or pails	3.71
<i>Sweetbreads.</i>	
Veal in pails	4.32
Calf in paddies	3.86
Beef in pails	4.10
Lamb in boxes	3.84
Pork tongues, tails and feet in boxes, oxtails in boxes, and beef tripe in boxes	3.71
Hearts in boxes	3.75
Kidneys in boxes	3.67
Brains in pails	3.84
6. Fresh smoked sausage in cases or barrels including franks and bologna, and prepared meat loaves, but not including dry sausages	3.96
7. Smoked meats, whole and sliced	3.95
8. Canned hams	4.55
9. Luncheon meat, canned, 6 lb. tin	4.15
10. Turkeys, regular	4.00
Turkeys, table dressed	4.23
11. Broilers and fryers, regular and table dressed	4.13
12. Other poultry, regular and table dressed	3.95
13. Disjointed rabbits, quick frozen	3.25
14. Canned eggs, frozen:	
Whites, naked tins	3.75
Whites, tins in cartons	3.96
Whole, naked tins	3.85
Whole, tins in cartons	4.06
Sugared yolk, naked tins	3.94
Sugared yolk, tins in cartons	4.15
15. Butter	3.44
<i>Unrefrigerated—</i>	
1. Smoked meats:	
Hams and picnics	1.25
Other smoked meats	1.20
Canned hams	1.30
Canned luncheon meats in 3 lb. tins and over	1.16
Dry salt bellies	1.25
<i>Dry sausage:</i>	
Fiber cases	1.60
Wood cases	1.70
Pork cuts and beef tongue in barrels in brine	1.43
Bologna and Franks	1.56

Unrefrigerated—Con.

	Per 100 lbs. Net weight
<i>Cheese:</i>	
Cheddar and granulated type cheese except New York	
Martin	\$1.06
Cheese, processed, 5 lb loaf	1.15
New York Martin	1.24
Processed cheese, packaged	1.09
Powdered milk	1.23
Shell eggs	.90
Gelatine, bulk	1.87

(vi) An amount equal to cartage charges in Honolulu from dock to warehouse or cold storage computed at a rate not in excess of twelve cents per one hundred pounds net weight, provided that the commodity is moved from the dock at the wholesaler's expense.

(vii) An amount equal to public cold storage charges actually incurred by the wholesaler for public cold storage in Honolulu in excess of the first month's charges. All storage charges for the first month's storage in Honolulu shall be absorbed by the wholesaler. Such charges shall be computed according to the customary practices of the trade in prorating such costs.

(2) In the case of purchases from the Federal Surplus Commodities Corporation, the base price shall be the net price paid plus an amount equal to cartage charges computed at a rate not in excess of twelve cents per one hundred pounds net weight.

(3) If an identical item of the same grade in the wholesaler's inventory on hand has two or more different base prices, then the base price for that item may be determined by calculating a weighted average base price for that item.

(4) If the actual amount for a charge is not in hand with respect to a particular shipment of any item, the wholesaler may estimate the amount of the charge for the purpose of determining the base price, but upon the following conditions:

(i) That he set up an "error account"; which he shall keep and maintain for inspection by the Office of Price Administration for a period of not less than one year;

(ii) That when the actual amount becomes known he immediately includes in this account the difference between the actual amount and the estimated amount;

(iii) That if the difference is an amount in excess of the actual amount, then such difference shall be deducted in calculating the base price for any item on hand or received in the next shipment;

(iv) That if the difference is an amount less than the actual amount, then such difference may be added in calculating the base price for any item on hand or received in the next shipment;

(v) That the error account show how the differences are applied.

(d) Maximum margins. The maximum margins which may be added to the base price shall not be higher than the following:

Commodity	Maximum margin case lots (cents per lb.)	Maximum margin less than case lots (cents per lb.)
1. All F. S. C. C. frozen meats	2	3
2. Fresh frozen mainland beef carcasses	2	3
Forequarters	3 1/2 under carcass price.	
Hindquarter	5 over carcass price.	
3. Beef cuts, mainland	2 1/2	3 1/2
4. Fresh frozen pork carcasses	2	3 1/2
5. Fresh frozen pork cuts, mainland	2 1/2	3 1/2
6. Fresh frozen lamb and mutton	2	3
7. Fresh frozen lamb and mutton cuts, mainland	2 1/2	3 1/2
8. Chilled or frozen poultry, regular	2 1/2	4
9. Chilled or frozen poultry, table dressed	3	4 1/2
10. Smoked meats, hams, bacon, and dry salt meats, etc.	3	4
11. Boiled hams	3	4
12. Canned hams and luncheon meat and corned beef, 3 lb. cans and over	3 1/2	4 1/2
13. All canned meat items in 3 lb. cans and over, other than shelf items	3 1/2	4 1/2
14. Fresh and smoked sausage in cases or bbls., including franks and bologna and meat sausage loaves, but not including dry sausage.	2 1/2	3 1/2
15. Dry sausage (not tinned) except dried Chinese	5	5
16. Dried Chinese sausage, mainland or domestic	5	5
17. Dried Chinese sausage, Canadian	10	12
18. Sweet pickled meats such as spareribs, pork feet, pork tail, beef tongues, etc.	3	4
19. Fancy meats, base price 30 cents or over	3	4
20. Fancy meats, base price under 30 cents	2	3
21. Disjointed rabbits	2	2
22. On any meat items not covered by this order the margin shall be 2 cents per lb.		
23. Powdered milk, bulk	2	3
24. Cheese:		
Triplets	3	4
5-lb. loaf, processed	3	4
1 and 2-lb. packages	4	5
1 1/2-lb. packages	5	5
New York Martin and Jack cheeses	4	5
25. Unsalted butter in cubes	2	3
26. Table butter, 1 or 2-lb. cartons or prints	2 1/2	3 1/2
27. Shell eggs, medium and large, loose	\$1.05 per case	\$1.20 per case.
28. Shell eggs, medium and large, cartoned by wholesaler	\$1.65 per case	\$1.80 per case.
29. Powdered whole eggs, in 5 oz. jars	\$.50 per doz.	None.
30. Powdered whole eggs, in bulk	8	None.
31. Canned eggs, frozen	2 1/2	None.
32. Gelatine, in bulk	3	4

(e) These maximum prices contemplate distribution by only one wholesaler on the Island of Oahu. In the event that in the course of distribution of any commodity covered by this regulation after arrival in Honolulu, such commodity moves through the hands of more than one wholesaler, then the wholesalers shall distribute between them the margins set forth in paragraph (d) above. In such event the primary wholesaler making the importations shall furnish the wholesaler purchasing from him a statement of the base price determined in accordance with this section.

(f) No extra charge may be added for delivery in the City of Honolulu.

(g) In the case of a sale to a buyer who does not have a gross income tax license, the seller may add to the maximum price one and one-quarter per cent (1 1/4%) of it.

(h) Sales at wholesale; Island meats. This paragraph (h) applies only to meats originating in the Territory of Hawaii.

ISLAND BEEF		
Island carcass beef	Maximum price per lb.	
	Grade A	Grade B
Steers and heifers	\$.23 1/2	
Cows		\$.17
Bulls		
Island veal		
	Maximum price per pound	
Veal		\$.24 1/2
Quartered beef and veal		
	Maximum price per pound	
Hindquarters	5¢ over carcass price.	
Forequarters	3 1/2¢ under carcass price.	

(i) Definitions—(1) Steer or heifer beef. All top-grade or grade A steer or heifer beef shall have a blocky or good conformation, no bruises, and shall not weigh over 650 pounds. Chine bones must show a distinct red coloration and must contain a sizeable amount of soft, white cartilage "button" bones.

(1) Steer or heifer beef not having such qualifications must be priced lower depending upon its condition of finish and conformation.

(2) Cow and bull beef. All top-grade cow beef must have a blocky or good conformation, no bruises, and must not weigh over 650 pounds. Chine bones must show some evidence of white cartilage "button" bones.

(1) Cow beef not having such qualifications must be priced lower depending upon its condition of finish and conformation.

(3) One quarter of a cent per pound reduction must be allowed for any beef weighing between 650 and 700 pounds. One-half cent per pound reduction must be allowed for any beef weighing over 700 pounds and up to 749 pounds. Three-fourths of a cent per pound reduction must be allowed for any beef weighing above 749 pounds. All steers and heifers shall be stamped "A". Cows and bulls shall be stamped "B".

(4) Veal. All top-grade veal must have a blocky or good conformation, no bruises, and must weigh between 50 and 250 pounds. Veal heavier than 250 pounds must be classed as beef.

(1) Veal not having such qualifications must be priced lower, depending upon its condition of finish and conformation.

ISLAND PORK	
	Maximum price per pound
Live hogs, Grade A:	
175-240 lbs.	\$.22
241-275 lbs.	.21

ISLAND PORK—Continued

	Maximum price per pound
Live hogs, Grade A—Con	
276-300 lbs.	\$.20
301 and over	.18
Sows, young stags and young boars, Grade B	.14
Old boars, poor stags and sows	.07
PORK CARCASSES	
Whole or half carcasses, Grade A:	
140-180 lbs.	.30
181-210 lbs.	.29
211-230 lbs.	.28
231-245 lbs.	.26
246 and over	.24
Hind quarter, Grade A:	
140-180 lbs.	.32
181-210 lbs.	.31
211-230 lbs.	.30
231-245 lbs.	.28
246 and over	.26
Fore quarter, Grade A:	
140-180 lbs.	.29
181-210 lbs.	.28
211-230 lbs.	.27
231-245 lbs.	.25
246 and over	.23
Sows, young stags and young boars, Grade B:	
Whole or half carcasses	.20
Hind quarter	.22
Fore quarter	.19
Old boars, poor stags and sows:	
Whole or half carcass	.10

Island pork cuts. No cuts shall be offered for sale or sold other than those shown below:

	Maximum price	
	Grade A per lb.	Grade B per lb.
Leg of pork—boneless, mainland style	\$.46	\$.30
Leg of pork—bone in, mainland style	.41	.23
Shoulder pork—boneless (4 rib-cut)	.45	.24
Shoulder pork—bone in (4 rib-cut)	.38	.19
Pork chops—not over 1/2 inch fat, mainland style	.46	.30
Spare ribs—meaty	.43	.26
Pork bellies—rib bone on	.33	.17
Pork belly with pork chops attached	.33	.17
Pig feet	.30	.17
Pork jowl	.21	.17
Boneless, skinless, lean pork	.46	.35
Pig head—boneless	.22	.13
Pig head—bone in	.15	.10
Pig tail	.30	.17
Pork liver	.30	.30

(j) Sales at retail—Mainland meats. This paragraph (j) applies only to imports from the continental United States.

Mainland beef. (1) The maximum prices listed below are for cuts from choice or Grade A steers and heifers, approved as such by the United States Department of Agriculture. Grade classification is marked on the carcass, box or other container as received by the retailer, or can be ascertained by him from the wholesaler's invoice.

(2) For cuts from all other grades, the maximum prices shall be determined as follows:

(i) For cuts from Grade AA steers and heifers, add 2 cents per pound to the price listed below for each individual cut.

(ii) For cuts from Grade B steers and heifers, subtract 2 cents per pound from the price listed below for each individual cut.

(iii) For cuts from Grade C steers and heifers, subtract 4 cents per pound from the price listed below for each individual cut.

(iv) For all Federal Surplus Commodities Corporation boneless meat and Army-specification boneless cuts, take the same maximum prices as mainland carcass boneless Grade A cuts.

(3) For cuts from grades of cows, the maximum prices shall be determined as follows: (These grades shall be as approved by the United States Department of Agriculture)

(i) For cuts from Grade A cows, subtract 3 cents per pound from the price listed below for each individual cut.

(ii) For cuts from Grade B cows, subtract 5 cents per pound from the price listed below for each individual cut.

(iii) For cuts from Grade C cows, subtract 8 cents per pound from the price listed below for each individual cut.

Cut	Mainland carcass, bone in, maximum price (cents per lb.)	Mainland carcass, boneless, maximum price (cents per lb.)
1. Filet steak or tenderloin	42	100
2. Flank steak	42	42
3. Sirloin tip steak	60	60
4. Sirloin steak	65	65
5. New York cut		75
6. Porterhouse steak	65	65
7. Market steaks		75
8. Round steaks	55	55
9. Top round steaks	60	60
10. Bottom round steaks		55
11. Prime rib roast	45	45
12. Primerib roast, boned and rolled	65	65
13. Rib steak	55	55
14. Chuck roast	38	38
15. Chuck roast, boneless	49	49
16. Chuck steak	43	53
17. Round bone shoulder roast	42	42
18. Boneless cross rib	50	50
19. Trimmed rump	40	55
20. Plate beef	25	30
21. Short ribs	30	30
22. Pound brisket	30	35
23. Soup bones:		
Center shank	20	20
Knuckle bones	2	2
24. Boneless lean stew meat	45	45
25. Hamburger	30	30
26. Lean ground beef	49	49
27. Kidneys	21	21
28. Corned beef, boneless brisket	40	40

NOTE: The maximum price of beef corned from beef other than boneless brisket shall be the maximum price of the original cuts listed above.

MAINLAND PORK

Cut	Maximum price (cents per lb.)
1. Pork loin roast, either end	43
2. Pork loin center chops or roast	49
3. Spare ribs:	
Under 3 lbs	36
3-5 lbs	33
Over 5 lbs	31
4. Boneless butts	56
5. Boston butts, 4-8 lbs	50
6. Boston butts, 4-8 lbs, sliced	53
7. Bulk pork sausage meat	52
8. Legs, skin on, whole or half (fresh or corned)	46
9. Legs, skinless, whole or half (fresh or corned)	48
Center leg steaks	53
10. Fresh clear bellies, 8-12 lbs	38
11. Shoulder roasts, bone in	46
12. Steaks	49
13. Shank	30
14. Dry salt bellies, 12 lbs. or over	35
15. Pork feet, fresh	19
16. Pork tails, fresh	27
17. Pork tenders	56
18. Pork sausage meat (bulk)	52

MAINLAND PORK—Continued

	Maximum price (cents per lb.)	
	1st grade	2nd grade
19. Smoked meats:		
Hams:		
Regular, bone in, No. 1, whole under 14 lbs.	50	48
Half (without wrapper)	50	48
Skinned, bone in, No. 1, whole 14-18 lbs.	53	51
Half (without wrapper)	53	51
Center slices	75	75
Shanks, under 3 lbs.	28	26
Shanks, 3-4 lbs.	40	38
Butt end, sliced	50	48
Ready to serve:		
Regular	56	
Picnics	52	
Boneless butts	63	

	Maximum price (cents per lb.)
Bacon:	
Slab No. 1, half or whole, under 10 lbs.	48
Slab No. 1, sliced (skinless)	56
Slab No. 2, half or whole	44
Slab No. 2, sliced	52
Packaged, 1st Grade	58
Packaged, 2nd Grade	54
Bellies, square cut and seedless, 12 lbs. and over	37
Bellies, square cut and seedless, 12 lbs. sliced	41
Pork sausage, link, all types—the maximum retail price shall not exceed the net cost to the retailer plus 12¢ per lb.	

NOTE: The maximum retail price of any mainland pork cuts not listed above shall be computed on the basis of 24% on selling price over retailer's invoice cost. This maximum price shall be arrived at by dividing invoice cost in cents per lb. by 0.76 e. g. Assume mainland pork cut "X" carries an invoice cost price to the retailer of 50¢ per lb. Dividing 50.00¢ by 0.76=65.7¢. Adjusting this to the nearest cent gives a maximum retail price of 66¢ per lb.

(4) **Mainland lamb and mutton.** The maximum prices listed below are for cuts from Grade A lambs, approved as such by the Department of Agriculture. For all cuts from all other grades, the maximum prices shall be determined as follows:

(i) For cuts from Grade AA lamb, add 2 cents per pound to the price listed below for each individual cut.

(ii) For cuts from Grade B lamb, subtract 2 cents per pound from the price listed below for each individual cut.

(iii) For cuts from Grade C lamb, subtract 4 cents per pound from the price listed below for each individual cut.

Cut	Mainland lamb (¢ per lb.)	Mainland mutton (¢ per lb.)
1. Rib chops	50	30
2. Shoulder chops	45	25
3. Small loin	60	32
4. Legs	50	25
5. Large loin	32	30
6. Breast and neck shanks	24	16

(5) **Mainland veal.** The maximum prices listed below are for cuts from Grade A veal, approved as such by the United States Department of Agriculture. For cuts from all other grades, the maximum prices shall be determined as follows:

(i) For cuts from Grade AA veal, add 2 cents per pound to the price listed below for each individual cut.

(ii) For cuts from Grade B veal, subtract 2 cents per pound from the price listed below for each individual cut.

(iii) For cuts from Grade C veal, subtract 4 cents per pound from the price listed below for each individual cut.

Cut:	Maximum price (cents per lb.)
1. Rump roast	45
2. Leg cutlet	70
3. Leg roast	42
4. Sirloin butt	58
5. Rib chops	53
6. Loin chops	58
7. Shoulder roast	40
8. Breast stew	22
9. Trimming	30
10. Round bone shoulder roast	43
11. Loin steak, large	60
12. Shoulder chops	43

MAINLAND POULTRY

DRESSED

Commodity	Grade	Weight (lbs. per dozen, as delivered to retailer)	Maximum price (¢ per pound)	
Turkeys	Prime	Under 16 lbs.	57	
		16-20	56	
	Choice	20 lbs. & up	55	
		Under 16 lbs.	55	
	Commercial	16-20	54	
		20 lbs. & up	53	
Ducks, Long Island, Fryers	Prime	Under 16 lbs.	52	
		16-20	50	
	Choice	20 lbs. & up	49	
		Under 16 lbs.	44	
Broilers	Prime	12-18 lbs.	58	
		18-24	57	
	Choice	12-18 lbs.	56	
		18-24	55	
	Roasters	Prime	43-47 lbs	56
		Choice	43-47 lbs	54
Fowl, colored	Prime	43-47 lbs	57	
		48-54	57	
	Choice	43-47 lbs	57	
		48-54	57	
	Fowl, white	Prime	43-47 lbs	51
		Choice	43-47 lbs	49
Stags (old roosters), Squabs, Geese, Capons, choice	Prime	26-30 lbs	43	
		30-42	46	
	Choice	43-47 lbs	48	
		48 lbs. & up	49	
	Prime	26-30 lbs	40	
		30-42	43	
Choice	43-47	44		
	48 lbs. & up	46		
			50	
			77	
			47	
			51	

TABLE DRESSED

Commodity:	Maximum price (cents per lb.)
Turkeys	70
Ducks	59
Prime fryers	75
Prime broilers	75
Prime roasters	75
Prime fowl	67
Disjointed fryers	75

NOTE: The maximum price for any poultry not listed above, or for grades not specified herein shall be computed on the basis of 20% on selling price over retailer's invoice cost. This maximum price shall be arrived at by dividing invoice cost in cents per lb. by 0.80. Assume poultry commodity "X", not listed above, carries an invoice cost price to the retailer of 51¢ per lb. dividing 51.00¢ by

0.80=63.7¢. Adjusting this to the nearest cent gives a maximum retail price of 64¢ per lb.

MAINLAND FANCY MEATS

Commodity	Maximum price (cents per lb.)
Selected veal liver.....	94
Calf liver, 2½ lbs. & under per liver.....	74
Calf liver, 4 lbs. & under per liver.....	68
Calf liver, 6-7 lbs. each.....	59
Baby beef liver.....	56
Beef liver, regular.....	46
Pork liver.....	35
Lamb liver.....	39
Beef sweatbreads:	
1. Beef.....	49
2. Veal.....	72
3. Calf, in paddies.....	45
4. Lamb.....	39
Pork tongues.....	31
Ox tongues, fresh.....	44
Oxtails.....	28
Porktails.....	27
Hearts:	
Beef.....	29
Lamb.....	30
Calf.....	29
Pork.....	32
Kidneys:	
Pork.....	30
Beef.....	28
Pork feet.....	23
Brains:	
Veal.....	27
Sheep.....	22
Pork.....	28
Cooked beef tripe.....	24

NOTE: The maximum price of fancy meats other than those listed above shall be computed on the basis of 25% on selling price over retailer's invoice cost. This maximum price shall be arrived at by dividing invoice cost in cents per lb. by 0.75. Assume that a fancy meat "X" not listed above carries an invoice cost to the retailer of 40¢ per lb. Dividing 40.00¢ by 0.75=53.3¢. Adjusting this to the nearest cent gives a maximum retail price of 53¢ per lb.

MAINLAND COLD CUTS—TABLE READY MEATS

Commodity	Maximum price (cents per lb.)
Boiled ham, sliced.....	90
Bologna, 1st Grade (such as Swift's Premium, Armour's Star, Wilson's Certified or Cudahy's Puritan).....	41
2nd Grade (all others than specified above).....	39
Army and Navy specification.....	47
Frankfurters, 1st Grade (including Army and Navy).....	49
2nd Grade.....	41
Liver sausage, fresh.....	46
Smoked.....	50
Cooked salami.....	47
Mettworst sausage and garlic sausage.....	46
Head cheese.....	43
Whole canned hams, midget or large.....	75
Half canned hams.....	80
Quarter canned hams.....	90
Dried Chinese sausage, lean, pure pork.....	130
Portuguese sausage, beef and pork.....	70
Portuguese sausage, pure pork.....	90
Spiced ham and luncheon meat, canned.....	115

NOTE: The maximum prices of any mainland cold cuts not listed above shall be computed on the basis of 30% on selling price over the retailer's invoice cost. This maximum price shall be arrived at by dividing invoice cost in cents per lb. by 0.70 e. g. Assume that mainland cost cut "X" carries an invoice cost price to the retailer 25¢ per

¹ Over cost.

lb. Dividing 25.00¢ by 0.70=35.7¢. Adjusting this to the nearest cent results in a maximum retail price of 36¢ per lb.

MAINLAND SLICED & PACKAGED CHEESE

Commodity	Maximum price (cents per lb.)
Wheel cheese, natural, cheddar or granular type except Jack, Mount Hope, Chantelle, New York Martin & Cheeses aged 18 months or over.....	50
Jack, Mount Hope, and Chantelle.....	52
New York Martin.....	60
Loaf: 5 lb. processed, American, pimento, Swiss, brick & Neopolitan.....	50
Wisconsin Swiss, wheel or loaf.....	60
Cents per pkg.	
1 lb. package, processed.....	50
2 lb. package, processed.....	93
½ lb. package, processed.....	28
Old English, ½ lb.....	30

NOTE: The maximum retail price of any mainland sliced cheese or packaged cheese not listed above shall be computed on the basis of 25% on selling price over the retailer's invoice cost. This maximum price shall be arrived at by dividing invoice cost in cents per lb. by 0.75 e. g. Assume that mainland cheese "X" is not listed above and is invoiced to the retailer at 35¢ per lb. Dividing 35.00¢ by 0.75=46.6¢ per lb. Adjusting the fraction of a cent in accordance with Section 7 results in a maximum retail price of 47¢ per lb.

MAINLAND BUTTER AND EGGS

Commodity	Maximum price (cents per lb.)
Butter:	
All table butter.....	6¢ per lb. over retailer's cost per lb., according to invoice.
Eggs:	
Shell eggs, loose or delivered to retailer in cartons.....	7¢ over retailer's cost per dozen.
Shell eggs, cartoned by retailer.....	9¢ over retailer's cost per dozen.
Powdered whole eggs, 8 oz. jar.....	80¢ per jar.

(k) *Island meats and poultry.* This paragraph (k) applies only to meats and poultry originating in the Territory of Hawaii.

(1) *Island beef.* Grade A beef is beef from Island steers or heifers; Grade B, Island cows.

Cut	Grade A maximum price (cents per lb.)	Grade B maximum price (cents per lb.)
1. Flank steak.....	37	32
2. Sirloin tip steak.....	49	44
3. Sirloin steak.....	60	45
4. Porterhouse steak.....	55	50
5. Round steaks.....	45	40
6. Top round steaks.....	48	44
7. Prime rib roast.....	37	32
8. Prime rib roast, boned and rolled Rib steak.....	48	42
9. Chuck roast.....	45	40
10. Chuck roast, boneless.....	38	33
Chuck steak.....	33	28
11. Round bone shoulder roast.....	32	30
12. Boneless cross rib.....	40	35
13. Trimmed rump.....	37	32
14. Plate beef.....	18	15
Short ribs.....	25	20
15. Pound brisket.....	22	17
16. Soup bones:		
Center shank.....	18	13
Knuckle bones.....	2	2
17. Boneless lean stew meat.....	35	30
18. Hamburger.....	30	30
19. Lean ground beef.....	49	49
20. Kidneys.....	21	21
21. Corned beef, boneless brisket.....	30	24

(2) Beef corned from cuts other than boneless brisket shall sell at a maximum price not to exceed the maximum price of the original cuts as listed above.

(3) *Island pork at retail.* Grade A pork is pork derived from young pigs; Grade B pork is defined as pork derived from sows and stags. All Grade B cuts must be plainly marked as such when exhibited for sale. No cuts shall be offered for sale or sold other than those shown below.

Cut	Maximum prices Grade A (cents per lb.)	Maximum prices Grade B (cents per lb.)
1. Leg of pork—boneless, mainland style.....	55	40
2. Leg of pork—bone-in, mainland style.....	48	32
3. Shoulder pork—boneless (4 rib-cut).....	52	35
4. Shoulder pork—bone-in (4 rib-cut).....	45	28
5. Pork chops or loin—not over ½ inch fat mainland style.....	55	40
6. Spare ribs—meaty.....	50	30
7. Pork bellies—rib bones on.....	40	24
8. Pork belly with pork chops attached.....	40	24
9. Pig feet.....	35	20
10. Pork jowl.....	25	20
11. Boneless, skinless, lean pork.....	55	40
12. Pig head—boneless.....	25	15
13. Pig head—bone-in.....	17	12
14. Pig tail.....	35	20
15. Pork liver.....	40	40
16. Pork fat.....	10	10
17. Roasted or barbecued pork—all cuts.....	70	(1)

¹ Not permitted.

ISLAND VEAL

Cut:	Maximum price (cents per lb.)
1. Rump roast.....	40
2. Leg cutlet.....	63
3. Leg roast.....	38
4. Sirloin butt.....	52
5. Rib chops.....	50
6. Loin chops.....	53
7. Shoulder roast.....	35
8. Breast stew.....	22
9. Trimming.....	30
10. Round bone shoulder roast.....	38
11. Loin steak, large.....	55
12. Shoulder chops.....	39

(4) *Island poultry at retail.* Dressed poultry is defined as birds which have been bled and plucked. No island poultry shall be exhibited for sale or sold in any market which has had the head, feet, and entrails removed. Butchers may draw birds at the request of the customers after the sale is made if they desire to do so. The purpose of this provision is to protect customers against the sale of unhealthy birds.

Commodity	Maximum prices (cents per lb.)
1. Chickens—(broilers, fryers, roasters and capons):	
Dressed weight.....	70
Live weight.....	60
2. Chickens—(hens):	
Dressed weight.....	60
Live weight.....	50
3. Turkeys—(young toms or young hens):	
Dressed weight.....	70
Live weight.....	55
4. Turkeys—(gobblers or old hens):	
Dressed weight.....	60
Live weight.....	45

Table with 2 columns: Commodity—Contd. and Maximum prices (cents per lb.). Includes items like Ducks and geese, Squabs.

NOTE: No sales of island poultry for which a maximum price has not been established in this regulation shall be made until application has been made to the Office of Price Administration and a maximum price granted.

MISCELLANEOUS Cents per pound and ISLAND EGGS Cents per dozen. Includes Island rabbits, Shell eggs—large, medium, small.

SEC. 20. Table VII: Maximum prices for fresh fish and sea food. (a) The term "producer" as used in this Table VII means any person engaged in producing fish in-shore, off-shore, or in fish ponds, and selling all or any part of the catch other than at wholesale or retail.

(b) Maximum prices for sales of whole fresh fish and sea food in the Island of Oahu only:

Table with 4 columns: Kinds of fish, Producers' maximum price, Wholesale maximum price, Maximum retail price. Lists various fish species like Amaama, Aholehole, Awaawa, etc.

Table with 4 columns: Kinds of fish, Producers' maximum price, Wholesale maximum price, Maximum retail price. Lists various fish species like Opihi, Omilu, Opae, etc.

NOTE: The prices established by this regulation are maximum prices for the whole fish.

(c) Maximum prices for sales of imported dried shrimp in the Island of Oahu only:

Table with 3 columns: Imported dried shrimp, Maximum price at wholesale, Maximum price at retail.

SEC. 21. Table VIII: Maximum prices for fresh fruits and fresh vegetables—(a) Definitions. For the purposes of this Table VIII, the term:

(1) "Sale at retail" means a sale to an ultimate consumer other than an industrial or commercial user, except that a sale at retail shall not include any sale to the United States or public institution, or an agency of either.

(2) "Sale at wholesale" means a sale to any person other than the ultimate consumer and shall include sales to li-

censed retail stores, peddlers, hotels, restaurants, licensed boarding houses, the United States, public institutions, and all commercial and industrial users.

(3) "Special institutional sales" means sales to hotels, restaurants, licensed boarding houses, the United States and public institutions where, in connection with such sale, the seller opens the container, reconditions the commodity and absorbs shrinkage and spoilage.

(b) Special provisions. (1) Wholesale sales may be made by broken lots, that is a part of a bag, box or crate, but the aggregate price received from the sale of such parts may not exceed the wholesale ceiling for the entire bag, box or crate. For example, for sales made by the half box, quarter box, etc., the maximum price shall be computed by dividing the wholesale ceiling by two, four, etc. In the case of a sale to any buyer who does not have a gross income tax license, the seller may add one and one-quarter per cent to the wholesale ceiling.

(2) Special institutional sales, where the seller opens the container, reconditions the commodity and absorbs shrinkage and spoilage, may not be made at prices higher than those appearing herein under the caption "Special Institutional Maximum Prices." Whether sales shall be by the unopened crate or otherwise shall be at the option of the buyer.

(3) Extra charges. No charges may be made for cartage or any other service rendered, or cost incurred, in connection with the sale of the commodities covered by this Table VIII if such charges result in prices higher than the maximum prices established herein.

(c) Maximum prices for sales in the Island of Oahu only of fresh vegetables imported from the mainland. (1) Where the total price for the aggregate quantity of any commodity sold results in a fraction of a cent, such total price shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

Table with 4 columns: Commodity, Wholesale maximum prices, Special institutional maximum prices, Retail maximum prices. Lists items like Beets, Carrots, Cauliflower, Celery, etc.

(d) Maximum prices for sale in the Island of Oahu only of fresh fruits imported from the mainland. (1) Where the total price for the aggregate quantity of any commodity sold results in a frac-

tion of a cent, such total price shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

	Whole-sale maximum prices	Special institutional maximum prices	Retail maximum prices
Apples:	Per box		Per lb.
Extra fancy	\$5.75	None	\$.18
Winesaps			
Extra fancy			
Newtons	5.50	None	.17
Grapefruit:			
Sunkist:		Each	Each
64's	4.37	\$0.07 1/2	.09
70's	4.37	.07	.08
80's	4.37	.06	.07 1/2
100's	4.37	.05	.06
Coachella:			
80's	4.37	.06	.07
100's	4.37	.04 1/2	.05 1/2
Lemons:	Per doz.		Per doz.
360's	7.00	.28	.32
432's	7.20	.23	.27
Oranges:			
344's	5.70	.23	.27
288's	5.70	.27	.32
262's	5.70	.31	.36
220's	5.70	.36	.42
200's	5.70	.39	.46
176's	5.70	.45	.52
150's	5.70	.52	.61
126's	5.70	.62	.72
Pears, Danjaus:			
Fancy	8.80	None	.26
Danjaus, extra fancy	9.00	None	.26
Winter Nellies	7.20	None	.21
Easter Buerre	7.20	None	.21
All others	7.50	.19	.23

(e) *Maximum prices for sales in the Island of Oahu only of Island-grown produce.* (1) All grades shall conform to the specifications therefor established by the Agricultural Extension Service of the University of Hawaii and contained in Agricultural Extension Circular No. 156 as amended January 20, 1943. These specifications may be obtained at the University or at the Office of Price Administration, Honolulu, Hawaii. "MQ" refers to "merchantable quality." Appearance and size are not important factors in determining merchantable quality, but produce having more than 10 per cent serious damage, or more than 2 per cent soft rot shall be deemed not to be merchantable quality.

(2) Where the total price for the aggregate quantity of any item of produce sold results in a fraction of a cent, such total price shall be reduced to the nearest lower cent if the fraction is less than one-half cent, and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

(3) "Sales at wholesale" means a sale by a person who customarily distributes Island-grown produce to any person other than the ultimate consumer, and shall include sales to the United States, any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, an industrial or commercial user, or any agency of any of the foregoing: *Provided*, That when any institution for the sick, deaf, blind, disabled, aged or insane or any hospital or any commercial user cannot obtain for immediate needs commodities covered by this regulation from a person selling at wholesale, then such institution or hospital or commercial user may upon permission in writing from the Office of Price Administration, purchase such commodities from a licensed retailer, and such retailer may sell such com-

modities to such institution, hospital or commercial user at prices not higher than those established for sales at retail. A copy of the permission granted shall be delivered by such institution, hospital or commercial user to the seller at or before the time of delivery of the commodities.

(4) "Sale at retail" means a sale or selling to an ultimate consumer.

Item	Grade	Maximum price at wholesale	Maximum price at retail
		Per lb.	Per lb.
1. Asparagus, fresh	A	\$0.23	\$0.30
2. Asparagus, fresh	B	.20	.27
3. Asparagus, fresh	C	.18	.25
4. Avocados	A	.15	.20
5. Avocados	B	.12	.16
6. Avocados	MQ	.08	.12
7. Bananas, bunch (stem limited to 8 inches above first hand where hands join stem) bunches	MQ	.04	
Hands	MQ	.055	.075
8. Bananas, cooking: Bunches	MQ	.08	
Hands	MQ	.10	.14
9. Beans, snap, green string and yellow wax	A	.12	.16
10. Beans, green, string and yellow wax	MQ	.10	.135
11. Beans, green lima (pod)	MQ	.07	.10
12. Beans, green lima (shelled)	MQ	.18	.25
13. Beet tops (tubers not to exceed 1 inch)	MQ	.10	.15
14. Beets, bunched	MQ	.055	.08
15. Beets, topped	A	.055	.075
16. Beets, topped	MQ	.045	.06
17. Bitter melon or Fu Qua	MQ	.15	.20
18. Broccoli	MQ	.14	.20
19. Cabbage, Chinese	A	.075	.10
20. Cabbage, Chinese	MQ	.06	.08
21. Cabbage, head	AA	.065	.09
22. Cabbage, head	A	.055	.08
23. Cabbage, head	MQ	.04	.06
24. Cabbage, bunched (all types) (Chinese and Japanese; green mustard and white stem)	MQ	.08	.12
25. Cabbage, swamp, or Ung Choy	MQ	.07	.10
26. Carrots, bunched	MQ	.07	.10
27. Carrots, topped	A	.07	.09
28. Carrots, topped	MQ	.045	.06
29. Celery		.16	.25
		For 6 doz.	Per doz.
30. Corn, green	A	2.58	.60
31. Corn, green	B	2.10	.50
32. Corn, green	MQ	1.08	.40
		Per lb.	Per lb.
33. Cucumbers	MQ	.10	.16
34. Eggplant, long (Molokai type)	MQ	.07	.095
35. Eggplant, round and half long	MQ	.05	.075
36. Ginger, mature	MQ	.10	.15
37. Gobo, #1, medium & long stems	MQ	.15	.20
38. Gobo, #2, small & short stems	MQ	.11	.15
39. Gobo, #3, large stems	MQ	.11	.15
40. Kohlrabi, bunched or topped	MQ	.07	.10
41. Lettuce, all types	MQ	.17	.25
42. Lotus roots, or lily roots	MQ	.13	.17
43. Okra, Chinese, or See Qua	MQ	.15	.20
44. Okra, English	MQ	.10	.15
45. Onions, Maui, dry	MQ	.046	.065
46. Onions, bunching green	MQ	.15	.22
47. Papayas	#1	.0425	.06
48. Papayas	#2	.035	.05
49. Parsnips	MQ	.08	.11
50. Peas, Chinese	MQ	.60	.80
51. Peppers, bell	MQ	.18	.25
52. Peppers, hot	MQ	.25	.35
53. Peppers, chile	MQ	.50	.65
54. Pineapples		.025	.04
55. Potatoes, Irish	AA	.045	.06
56. Potatoes, Irish	A	.045	.055
57. Potatoes, Irish	MQ	.035	.045
58. Potatoes, sweet (yam type)	AA	.07	.095
59. Potatoes, sweet (Yellow)	A	.05	.07
60. Potatoes, sweet	B	.04	.055
61. Potatoes, sweet	MQ	.03	.04
62. Pumpkin	MQ	.05	.07
63. Pumpkin, Japanese, or Kona Crape	MQ	.065	.09

Item	Grade	Maximum price at wholesale	Maximum price at retail
64. Radishes, red (per bunch of not less than 12)	MQ	Per doz. \$0.50	Per bunch \$0.06
65. Rhubarb	MQ	.10	.15
66. Soy beans, edible green	MQ	.07	.10
67. Spinach (all types) bunched	MQ	.10	.15
68. Squash, Chinese, or Tung Qua, large, 6 lbs. or over	MQ	.05	.07
69. Squash, young Chinese, small, below 6 lbs. each	MQ	.10	.14
70. Squash, banana	MQ	.065	.09
71. Squash, Hubbard	MQ	.065	.09
72. Squash, Italian and summer	MQ	.10	.15
73. Squash, Queen	MQ	.08	.11
74. Swiss chard (bunched or loose)	MQ	.05	.075
75. Taro, Japanese or Dasheen	#1	.08	.11
76. Taro, Japanese or Dasheen	#2	.04	.06
77. Taro, Hawaiian and Chinese (bunched and not for manufacture)	MQ	.03	.04
78. Tomatoes, large (2" minimum diameter)	A	.14	.21
79. Tomatoes, large (2" minimum diameter)	B	.12	.18
80. Tomatoes, large (2" minimum diameter)	MQ	.10	.15
81. Tomatoes, small (less than 2" diameter)	MQ	.08	.12
82. Tomatoes, egg	MQ	.08	.12
83. Turnip tops (Tubers not to exceed 1 1/2")	MQ	.10	.15
84. Turnips, Japanese (Dai-ikon)	MQ	.04	.06
85. Turnips, long white, bunched or topped (including white Chinese, white radish and similar types)	MQ	.04	.06
86. Turnips, round white, purple tops, bunched or topped	MQ	.055	.075
87. Turnips, yellow topped (Rutabagas)		.055	.075
88. Watercress (3/4-lb. bunch or larger)	MQ	.10	.15
89. Yam (Chop Sui) or Fann Quat	MQ	.10	.135
90. Yam, mountain	MQ	.065	.09

Sec. 22 Table IX: *Maximum prices for petroleum products.* (a) Maximum Price Regulation No. 137⁵ and Revised Price Schedule No. 88,⁶ except as otherwise provided herein, govern the sales of petroleum products in the Territory of Hawaii.

(b) On sales in the Territory of Hawaii, amounts not in excess of the following may be added to the maximum prices established by Revised Price Schedule No. 88, and Maximum Price Regulation No. 137 for gasoline, kerosene, and Diesel fuel:

(1) One cent per gallon for shipments from Honolulu to Kaunakakai, Lanai, Kaunakakai, Molokai, and Hana, Maui and points serviced therefrom. This addition may only be made on shipments from Honolulu, and does not apply to direct shipments.

(2) Two cents per gallon for shipments from Hilo to Honuapo, Hawaii.

(3) One and one-half cents per gallon for shipments by barge from Honolulu to Makukona and Kailua, Hawaii.

⁵ 8 F.R. 4092.

⁶ 8 F.R. 3718, 3795, 3845, 4130, 4131, 3841, 4252, 4334, 4783, 4918, 4840.

(4) Two and one-half cents per gallon for shipments by rail or tank truck, or both, from Honolulu to Mahukona and Kailua, Hawaii.

(5) Two and one-half cents per gallon for gallon shipments from Kahului, Maui, to Hana, Maui.

SEC. 23 Table X: Maximum prices for beer and ale. (a) The maximum prices for sales of beer and ale in the Island of Oahu only:

	Wholesale (price per case)	Retail (price per case)	Consumption on premises (price per bottle)
Acme: 24/11 oz. "steinies" ----	\$2.46	\$2.90	\$0.20
Lucky Lager and Rainier:			
24/11 oz. (long-necks) -----	2.45	2.95	.20
12/22 oz. (long-necks) -----	2.30	2.80	.40
12/32 oz. (long-necks) -----	3.25	3.75	.55
Miller High Life: 24/12 oz. (long-necks) -----	3.50	4.00	.30
Pabst Blue Ribbon:			
24/12 oz. "steinies" -----	3.05	3.55	.25
24/12 oz. "long-necks" (beer and ale) -----	3.20	3.70	.25
Pilsengold: 24/11 oz. "steinies" -----	1.95	2.60	.20
Primo and Royal: 24/11 oz. "steinies" -----	2.15	2.60	.20
Primo and Royal:			
24/12 oz. "steinies" -----	2.15	2.60	.20
24/11 oz. "long-necks" -----	2.15	2.60	.20
24/12 oz. "long-necks" -----	2.15	2.60	.20
Olympia:			
24/12 oz. "steinies" -----	2.80	3.30	.25
12/32 oz. "quart-size" -----	3.65	4.35	.60
Regal pale beer:			
12/32 oz. "steinies" -----	3.70	4.25	.60
Schlitz: 24/12 oz. "long-necks" -----	3.40	4.00	.25

(1) Customary bottle allowances must be continued.

(2) The maximum prices for all other brands and quantities of beer and ale sold in the Island of Oahu, and for all brands and quantities of beer and ale sold elsewhere in the Territory of Hawaii shall be governed by the General Maximum Price Regulation for Hawaii.

(3) For the purposes of this table, the term "Beer and Ale" means malt beverages made by the alcoholic fermentation of an infusion or decoction, or combinations of both, in potable brewing water, of malted barley with hops or their parts or products, and with or without other malted cereals, and with or without the addition of unmalted or prepared cereals, other carbohydrates or products prepared therefrom, and with or without the addition of carbon dioxide, and with or without other wholesome products suitable for human food consumption.

SEC. 24 Table XI: Maximum prices for retreaded and recapped rubber tires and retreading and recapping rubber tires. (a) Revised Price Schedule No. 66, as amended, except as otherwise provided herein, governs the sale of retreaded and recapped tires and the retreading and recapping of tires in the Territory of Hawaii.

(b) Retreading and recapping (tire carcass furnished by purchaser). The maximum prices for retreading or recapping a tire are the prices set forth for such retreading or recapping in the following schedules.

¹⁷ FR. 8803, 8948; ⁸ FR. 3174.

(c) Retreaded and recapped tires (tire carcass furnished by seller). The maximum prices for a retreaded or recapped tire, where the tire carcass is furnished by the seller are, regardless of the thickness of rubber on the tread of such tire carcass, the sum of the price for the retreading or recapping plus the price for the tire carcass as set forth herein under the designation "Basic Tire Carcasses."

(d) Basic tire carcasses. The maximum prices for basic tire carcasses are the prices set forth herein under the designation "Basic Tire Carcasses."

MAXIMUM PRICES FOR RETREADING, FULL CAPPING OR TOP CAPPING PASSENGER CAR TIRES AND FOR BASIC TIRE CARCASSES

Tire size	Maximum prices when market price of camelback used, exclusive of Federal excise tax is 26 cents per pound or more, tread design depth 1 1/2" or more	Maximum prices when market price of camelback used, exclusive of Federal excise tax is under 26 cents per pound, tread design depth 1 1/2" or more	Basic tire carcasses. Add this price whenever any basic tire carcass is furnished by the seller
4.40-21.....	\$5.85	\$5.00	\$2.75
4.50-20.....	6.50	5.65	2.75
4.75-19.....	6.50	5.65	3.20
4.75-20.....	6.50	5.65	3.20
5.00-16.....	6.50	5.65	3.20
5.00-17.....	6.50	5.65	3.20
5.00-19.....	6.50	5.65	3.20
5.00-21.....	7.00	6.15	3.20
5.25-17.....	7.55	6.50	3.20
5.25-18.....	7.55	6.50	3.20
5.25-19.....	7.55	7.00	3.20
5.25-20.....	7.55	7.00	3.20
5.25-21.....	7.55	7.00	3.20
5.50-16.....	7.15	6.30	3.20
5.50-17.....	7.35	6.50	3.20
5.50-18.....	7.35	6.50	3.20
5.50-19.....	7.85	7.00	3.20
5.50-20.....	7.85	7.00	3.20
5.50-21.....	7.85	7.00	3.20
6.00-16.....	8.25	7.40	3.50
6.00-17.....	8.25	7.40	3.50
6.00-18.....	8.40	7.55	3.50
6.00-19.....	8.40	7.55	3.50
6.00-20.....	10.35	9.50	3.50
6.00-21.....	10.35	9.50	3.50
6.25-16.....	9.70	8.85	4.00
6.50-16.....	9.70	8.85	4.00
6.50-17.....	9.70	8.85	4.00
6.50-18.....	9.70	8.85	4.00
6.50-19.....	9.85	9.00	4.00
6.50-20.....	10.55	10.70	4.00
7.00-14.....	10.55	9.70	4.55
7.00-15.....	10.55	9.70	4.55
7.00-16.....	10.55	9.70	4.55
7.00-17.....	10.55	9.70	4.55
7.00-18.....	10.85	10.00	4.55
7.00-19.....	12.10	11.25	4.55
7.00-20.....	13.75	12.90	4.55
7.50-15.....	12.60	11.75	5.25
7.50-16.....	14.95	14.10	5.25
7.50-17.....	15.40	14.55	5.25
Jumbo "14".....	11.00	10.15	6.55
Jumbo "15".....	12.60	11.75	6.55

MOTORCYCLE TIRES			
Tire size	Column 1 Retreading, full capping and top capping	Column 2 Basic tire carcasses, add this price whenever tire carcass is furnished by the seller	
4.00-18.....	\$5.80	\$4.95	\$2.75
4.00-19.....	5.80	4.95	2.75
4.50-18.....	6.90	6.05	2.75
4.50-19.....	6.90	6.05	2.75

NOTE: When the tire carcass is furnished by the purchaser, the maximum prices for retreading or recapping such tires are the prices shown in any applicable column to the left of the last column. When the tire carcass is furnished by the seller, the maximum prices for a retreaded or recapped tire are (regardless of the thickness of the rubber on the tread of the tire carcass before it was retreaded or recapped), the sum of the price for the retreading or recapping, shown in any applicable column to the left of the last column, plus the tire carcass price indicated in the last column.

Figures expressed in terms of 32nd inches are depths of the tread design imposed by the retreading or recapping process at the center circumference of the tire.

MAXIMUM PRICES FOR RETREADING AND FULL CAPPING TRUCK OR TOP CAPPING AND BUS TIRES AND FOR TRUCK AND BUS BASIC TIRE CARCASSES

Tire size	Maximum prices when market price of camelback used, exclusive of Federal excise tax, is 26 cents per pound or more, tread design depth 1 1/2" or more	Maximum prices when market price of camelback used, exclusive of Federal excise tax, is under 26 cents per pound, tread design depth 1 1/2" or more	Basic tire carcasses. Add this price whenever any basic tire carcass is furnished by the seller
6.00-20/30 x 5.....	\$11.40	\$10.20	\$8.00
6.50-20/32 x 6, 8 ply.....	15.05	13.85	6.00
7.00-16.....	11.60	10.40	5.00
7.00-17.....	15.75	14.55	5.00
7.00-20/32 x 6, 10 ply.....	16.40	15.20	8.40
7.00-24/36 x 6.....	20.60	19.40	7.75
7.50-16.....	16.95	15.75	6.50
7.50-17.....	17.50	16.30	6.50
7.50-18/32 x 7.....	17.80	16.60	6.50
7.50-20/34 x 7.....	19.15	17.55	9.60
7.50-24/38 x 7.....	24.50	22.90	8.00
8.25-18.....	22.90	21.30	10.80
8.25-20.....	26.00	24.40	10.80
8.25-24.....	28.65	26.65	10.80
9.00-18.....	28.05	23.85	12.00
9.00-20/36 x 8.....	29.10	26.50	12.00
9.00-22.....	30.35	28.15	12.00
9.00-24/40 x 8.....	30.50	28.30	12.00
9.75-20/38 x 9.....	32.45	30.25	12.00
10.00-18.....	30.55	28.35	13.20
10.00-20/38 x 9.....	32.45	30.25	13.20
10.00-22.....	32.65	30.45	13.20
10.00-24/42 x 9.....	33.50	31.30	14.40
10.50-20.....	34.75	32.55	14.40
11.00-20.....	34.75	32.55	14.40
10.50-22.....	36.40	34.20	14.40
11.00-22.....	36.40	34.20	14.40
10.50-24.....	41.00	38.80	14.40
11.00-24.....	41.00	38.80	14.40
11.25-20/40 x 10.....	42.90	39.70	16.80
12.00-20/40 x 10.....	42.90	39.70	16.80
11.25-24/44 x 10.....	47.10	43.90	16.80
12.00-24/44 x 10.....	47.10	43.90	18.00
12.75-24.....	51.50	48.30	18.00
13.00-24.....	51.50	48.30	18.00
14.00-24.....	68.30	65.10	19.20

NOTE: When the tire carcass is furnished by the purchaser, the maximum prices for retreading or recapping such tire are the prices shown in any applicable column to the left of the last column. When the tire carcass is furnished by the seller, the maximum prices for a retreaded or recapped tire are (regardless of the thickness of the rubber on the tread of the tire carcass before it was retreaded or recapped), the sum of the price for the retreading or recapping, shown in any applicable column to the left of the last column, plus the tire carcass price indicated in the last column.

Figures expressed in terms of 32nd inches are the depths of the tread design imposed by the retreading or recapping process at the center circumference of the tire.

MAXIMUM PRICES FOR RETREADING, FULL CAPPING OR TOP CAPPING GROUND GRIP TYPE TIRES AND FOR GROUND GRIP TYPE BASIC TIRE CARCASSES

Tire size	Column 1 Retreading, full capping and top capping	Column 2 Basic tire carcasses, add this price whenever tire carcass is furnished by the seller	
5.50-17.....	\$8.10	\$4.50	
6.00-16 6 ply.....	9.10	4.50	
6.25-16.....	10.55	4.75	
6.50-16 8 ply.....	10.55	4.75	
7.00-20/32 x 6 10 ply.....	18.35	8.40	
7.50-18.....	18.15	6.50	
7.50-20.....	18.70	7.20	
8.25-20.....	27.60	10.80	
9.00-18.....	29.95	12.00	
9.00-20.....	31.95	12.00	
9.00-24.....	33.00	12.00	
9.75-20.....	38.50	12.00	
10.00-20.....	38.50	13.20	
10.50-24.....	43.45	14.40	
11.00-24.....	43.45	14.40	
11.25-24.....	47.10	16.80	

MAXIMUM PRICES FOR RETREADING, FULL CAPPING OR TOP CAPPING GROUND GRIP TYPE TIRES AND FOR GROUND GRIP TYPE BASIC TIRE CARCASSES—CON.

Tire size	Column 1 Retreading, full capping and top capping	Column 2 Basic tire carcasses, add this price whenever tire carcass is furnished by the seller
12.00-24	\$47.10	\$16.80
12.75-24	51.50	18.00
13.00-24	51.50	18.00
13.50-24	57.75	18.00
14.00-24	57.75	19.20

NOTE: When the tire carcass is furnished by the purchaser, the maximum prices for retreading or recapping such tire are the prices shown in column 1. When the tire carcass is furnished by the seller, the maximum prices for a retreaded or recapped tire are (regardless of the thickness of the rubber on the tread of the tire carcass before it was retreaded or recapped), the sum of the price for the retreading or recapping, shown in column 1, plus the tire carcass price indicated in column 2.

Sec. 25 Table XII: Maximum prices for intoxicating liquors. (a) The maximum prices for intoxicating liquors sold at retail by the package or bottle shall not exceed the highest price charged by each seller on sales or deliveries made during the period from November 7, 1941, inclusive, except as modified in this table below. For the purposes of this table, the term "Intoxicating liquor" means any liquid with alcoholic content over 3.2% by volume.

(b) Maximum prices for sales in the Island of Oahu of compounded liquor manufactured in the Territory of Hawaii.

GIN—85 PROOF GIN

Number of bottles per case	Size of bottles	Prices to be charged to retailers and dispensers (per case)	Prices to be charged to consumers (per bottle)
4	1 gallon	\$29.68	
3	1 gallon	22.26	
6	½ gallon	23.16	
12	1 quart	24.74	\$2.72
12	¾ quart	20.44	2.25
24	1 pint	25.64	1.44
48	½ pint	26.95	.76

GIN other than 85 proof. For gin other than 85 proof, apply the factors shown in the following conversion table for each variation of 1 degree in proof content:

CONVERSION TABLE

Number of bottles per case	Size of bottles	Factors for adjusting prices to be charged to retailers and dispensers (per case)	Factors for adjusting prices to be charged to consumers (per bottle)
4	1 gallon	\$0.3389	
3	1 gallon	.2541	
6	½ gallon	.2541	
12	1 quart	.2541	\$0.02796
12	¾ quart	.2033	.0227
24	1 pint	.2541	.01430
48	½ pint	.2541	.00715

NOTE: Fractions. Drop fractions of less than ½ cent. For fractions of ½ cent or over, raise to the next highest whole cent.

Variations of less than one degree in proof content. Adjust proportionately, by interpolation.

Examples. To determine the maximum price to retailers and dispensers for a case of 12 one-quart bottles of 90 proof gin:

Maximum price for a similar case of 35 proof gin..... \$24.74
 Factor for adjusting prices (from conversion table)..... \$.2541
 Number of degrees variation in proof content (90-85)..... +5
 Adjustment of 85 proof price (\$24.74 x 5)..... \$+1.2375
 Adjustment after dropping fraction of less than ½ cent..... +1.27

Maximum price for a case of 90 proof quarts..... 26.01
 To determine the maximum price to consumers for one quart bottle of 90 proof gin:

Maximum price for one quart bottle of 85 Proof Gin..... \$2.72
 Factor for adjusting prices (from conversion table)..... \$.02796
 Number of degrees variation in proof content (90-85)..... +5
 Adjustment to 85 proof price (\$.02796 x 5)..... +.1398
 Adjustment after raising fraction of more than ½ cent..... +.14

Maximum price for one quart bottle of 90 proof gin..... 2.86

Complete schedule of 90 proof gin prices resulting from application of conversion table in accordance with above examples:

90 PROOF GIN

Number of bottles per case	Size of bottles	Prices to be charged to retailers and dispensers (per case)	Prices to be charged to consumers (per bottle)
4	1 Gallon	\$31.37	
3	1 Gallon	23.53	
6	½ Gallon	24.43	
12	1 Quart	26.01	\$2.86
12	¾ Quart	21.46	2.36
24	1 Pint	26.91	1.51
48	½ Pint	28.22	.80

(c) Maximum prices for gin drinks applicable in the Island of Hawaii only shall be:

(1) Gin manufactured in the Territory of Hawaii and sold in jiggers straight—\$0.20 per ounce of gin.

(2) Mixed drinks made with gin manufactured in the Territory of Hawaii—\$0.05 per drink less the dispenser's maximum price for mixed drinks made with imported gin.

VODKA, RUM, ARRACK, OKOLEHO, BRANDY, AND ALL OTHER COMPOUND LIQUORS IN THE TERRITORY OF HAWAII—85 PROOF

Number of bottles per case	Size of bottles	Prices to be charged to retailers and dispensers (per case)	Prices to be charged to consumers (per bottle)
4	1 gallon	\$30.12	
3	1 gallon	22.59	
6	½ gallon	23.51	
12	1 quart	25.10	\$2.76
12	¾ quart	20.74	2.28
24	1 pint	26.02	1.46
48	½ pint	27.34	.77

Other than 85 proof. Apply the factors shown in the following conversion table for each variation of 1 degree in proof content:

CONVERSION TABLE

Number of bottles per case	Size of bottles	Factors for adjusting prices to be charged to retailers and dispensers (per case)	Factors for adjusting prices to be charged to consumers (per bottle)
4	1 gallon	\$0.3445	
3	1 gallon	.2584	
6	½ gallon	.2584	
12	1 quart	.2584	\$0.02842
12	¾ quart	.2067	.02274
24	1 pint	.2584	.01453
48	½ pint	.2584	.00726

NOTE: Fractions. Drop fractions of less than ½ cent. For fractions of ½ cent or over, raise to the next highest whole cent.

Variations of less than one degree in proof content. Adjust proportionately, by interpolation.

Examples: (1) To determine the maximum price to retailers and dispensers for a case of 12 four-fifths quart bottles of 80.6 Vodka:

Maximum price for a similar case of 85 proof Vodka..... \$20.74
 Factor for adjusting prices (from conversion table)..... \$0.2067
 Number of degrees variation in proof content (80.6-85)..... -4.4
 Adjustment of 85 proof price (\$20.74 x (-4.4))..... -.90948
 Adjustment after raising fraction of more than ½ cent..... -.91

Maximum price for a case of 80.6 proof fifths..... 19.83

(ii) To determine the maximum price to consumers for one four-fifths quart bottle of 80.6 vodka:

Maximum price for one bottle (4/5 quart) of 85 proof vodka..... \$2.28
 Factor for adjusting prices (from conversion table)..... \$0.02274
 Number of degrees variation in proof content (80.6-85)..... -4.4

Adjustment of 85 proof price (\$0.02274 x (-4.4))..... -.100056
 Adjustment after dropping fraction of less than one half cent..... -.10

Maximum price for one bottle (4/5 quart) of 80.6 proof..... 2.18

(iii) Complete schedule of 80.6 proof prices resulting from application of conversion table in accordance with above examples:

80.6 PROOF LIQUORS OTHER THAN GIN

Number of bottles per case	Size of bottle	Prices to be charged to retailers and dispensers (per case)	Prices to be charged to consumers (per bottle)
4	1 gallon	\$28.60	
3	1 gallon	21.45	
6	½ gallon	22.37	
12	1 quart	23.96	\$2.63
12	4/5 quart	19.83	2.18
24	1 pint	24.88	1.40
48	½ pint	26.20	.74

(iv) Complete schedule of 90 proof prices resulting from application of conversion table in accordance with above examples:

90 PROOF LIQUORS OTHER THAN GIN

Number of bottles per case	Size of bottle	Prices to be charged to retailers and dispensers (per case)	Prices to be charged to consumers (per bottle)
4	1 gallon	\$31.84	
3	1 gallon	23.88	
6	½ gallon	24.80	
12	1 quart	26.39	\$2.90
12	¾ Quart	21.77	2.39
24	1 pint	27.31	1.53
48	½ pint	28.63	.81

(v) Complete Schedule of 105 proof prices resulting from application of conversion table in accordance with above examples:

105 PROOF LIQUORS OTHER THAN GIN

Number of bottles per case	Size of bottle	Prices to be charged to retailers and dispensers (per case)	Prices to be charged to consumers (per bottle)
4	1 gallon	\$37.01	
3	1 gallon	27.76	
6	½ gallon	28.68	
12	1 quart	30.27	\$3.33
12	¾ quart	24.87	2.73
24	1 pint	31.19	1.75
48	½ pint	32.51	.92

(c) Maximum prices for sales outside the Island of Oahu of compounded liquor manufactured in the Territory of Hawaii. (1) There may be added to the prices to be charged to consumers as determined under paragraph (b) of this table, an amount equal to \$.03 per bottle on quarts and ½ quarts, or \$.01 per bottle on pints and ½ pints, for sales in the Territory of Hawaii outside the Island of Oahu. No transportation tax or other tax (except the 6% Territorial Tax) may be added.

(d) Miscellaneous—(1) Taxes. The prices contained in paragraphs (b) and (c) of this Table do not include the 6% Territorial Tax, which may be added, but they include all other taxes.

(2) Less than case prices to be charged retailers and dispensers should be proportional to the prices contained in paragraph (b) and (c) of this table for full cases. For this purpose, where fractions occur the next highest whole cent may be used. For example, the maximum price to be charged dispensers for a case of four one-gallon bottles of 90 proof gin is \$31.37. Since this would produce a price of \$7.84¼, the fraction may be raised to the next highest cent, and \$7.85 charged. The price for two bottles, however, would be \$15.69, and for three bottles, \$23.53.

Note that the rule for handling fractions for purposes of determining less than case prices is not the same as the rule for handling fractions when using the conversion tables under paragraph (b).

(3) Selling prices to retailers and dispensers are f. o. b. consignor's warehouse, but the consignor may not add

to such price an amount greater than the actual transportation charges actually paid by him. He may not add a charge for delivering in his own conveyances.

SEC. 26 Table XIII: Maximum prices for war bicycles. (a) Maximum Price Regulation No. 158,⁹ except as otherwise provided herein, governs the sale of war bicycles in the Territory of Hawaii.

(b) The maximum prices for war bicycles sold or delivered in the Territory of Hawaii shall be:

	Sales at wholesale	Sales at retail
War bicycles	\$33.25	\$43.75

(1) These maximum prices apply to all war bicycles shipped directly from the mainland of the continental United States to the Islands of Hawaii, Molokai, Kauai, or Maui. If war bicycles are trans-shipped from Honolulu to any other of the Hawaiian Islands the maximum prices set forth above may be increased by the amount of the cost of inter-island transportation actually paid or incurred by the seller.

(2) Any additional equipment or accessories placed on the war bicycle prior to sale and not ordinarily a part of the equipment of such bicycle shall be added only at the option of the purchaser. The maximum prices for such additional items, which must be sold separately, are governed by the General Maximum Price Regulation for Hawaii.

SEC. 27 Table XIV: Maximum prices for sale and rental of used typewriters. (a) Maximum Price Regulation No. 162,¹⁰ except as otherwise provided herein, governs the sale and rental of used typewriters in the Territory of Hawaii.

(b) On sales of used typewriters the maximum prices set forth in Maximum Price Regulation No. 162 may be increased by the cost of transporting at the time of sale of a similar typewriter from San Francisco, California, to the Territory of Hawaii.

SEC. 28 Table XV: Maximum prices for soft drinks. (a) Maximum prices for all soft drinks ordinarily sold over the counter in the bottle not exceeding twelve ounces in size shall be five cents per bottle.

(b) A bottle deposit, which must be refunded when the bottle is returned, of not more than five cents per bottle may be charged.

(c) This maximum price may not be increased by changing customary methods of serving soft drinks by adding a service charge or any additional charge.

(d) For the purposes of this table, the term "soft drinks" means flavored or unflavored non-alcoholic beverages and waters in bottles or other closed containers, whether carbonated or not, but excluding milk drinks, fruit juices, vegetable juices, and combinations thereof where at least 85% by weight is pure fruit juice, vegetable juice, or a mixture thereof.

SEC. 29. Table XVI: Maximum prices for used refrigerators. (a) Revised Maximum Price Regulation No. 139,¹⁰ except as otherwise provided herein, governs the sale of used refrigerators in the Territory of Hawaii.

(b) On sales of used refrigerators in the Territory of Hawaii, in order to allow for transportation charges, the maximum prices set forth in Revised Maximum Price Regulation No. 139 may be increased by an amount not in excess of the following:

Interior measurement:	
4 cu. ft. or less	\$12.00
Over 4 cu. ft. to 5 cu. ft. inc.	13.00
Over 5 cu. ft. to 6 cu. ft. inc.	15.00
Over 6 cu. ft. to 7 cu. ft. inc.	16.00
Over 7 cu. ft.	17.00

(c) The maximum price for any 1941 or 1942 model of used household mechanical refrigerator shall be 70% of the original list price of an identical new refrigerator for sale, delivered in Hawaii, without the addition of the above allowance.

SEC. 30. Table XVII: Maximum prices for household mechanical refrigerators.

(a) The maximum price for household mechanical refrigerators in the Territory of Hawaii shall be the landed cost multiplied by 1.77. The maximum price for any lower price at which the refrigerator may be sold below the ceiling herein set) includes delivery, installation, servicing, and a 5-year warranty by the seller, and all Federal and Territorial taxes, including the Hawaii Gross Income Tax.

(1) Landed cost is the sum of such of the following items as are expenses actually incurred:

(i) Factory cost. Factory cost is the amount actually paid or to be paid to the manufacturer.

(ii) Cost of warranty contract. This item may not be included if no additional charge is made therefor by the manufacturer over and above the factory cost.

(iii) Federal excise tax. This item may not be included if no additional charge is made therefor by the manufacturer over and above the factory cost.

(iv) Mainland freight. Under this item the cost of all freight covering transportation from the point of manufacture to the port of shipment to Hawaii may be included. Federal transportation taxes, terminal charges, and extra charges for shipment of less than carload lots may also be included.

(v) Cost of mainland storage. Under this item all warehousing costs incurred as a result of the War Production Board's action in freezing new refrigerator stocks may be included. Other warehousing costs actually incurred by the seller for storage on the mainland United States may be included, but any cost for such storage in excess of three months shall not be included. Insurance charges incurred as a result of such storage may also be included, but limited to three months as above.

⁹ 7 F.R. 4295, 7452, 8948, 10294.

¹⁰ 7 F.R. 4484, 4584, 8356, 8948.

¹⁰ 7 F.R. 3410, 5563, 7178, 8996, 8948; 8 F.R. 3706.

(vi) *Ocean freight.* Under this item the cost of all freight covering transportation from the port of shipment to Hawaii, plus Territorial tolls and tonnage taxes as shown on the bill of lading may be included. The cost of freight for shipments between islands of the Hawaiian group may also be included.

(vii) *Cost of transportation insurance.* Under this item the cost of rail, marine and war risk insurance may be included, except that any cost of war risk insurance in excess of the rates charged by the War Shipping Administration shall not be included.

(viii) *Cost of exchange.* Under this item the cost of exchange at rates prevailing in the Territory of Hawaii may be included.

(b) *Evasion.* The limitations set forth in this Maximum Price Regulation No. 373 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to household mechanical refrigerators alone, or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or by tying-agreement, or otherwise.

(c) Specifically, but not exclusively, the following practices are prohibited:

(1) Increasing charges for deferred payment, or for any other form of installment or time payment or credit accounts, above those in effect on February 2, 1942.

(2) Failing to give or shortening the warranty, or failing to give delivery, installation and other services available or in effect to the same general class of purchaser in exchange for the prices prevailing on February 2, 1942.

(d) *Definitions.* When used in this Table XVII, the term:

(1) "Manufacturer" means any person who operates a plant or factory which manufactures household mechanical refrigerators;

(2) "Distributor" means any person other than a manufacturer or dealer, who, prior to February 14, 1942, was engaged in the business of selling household mechanical refrigerators to dealers;

(3) "Dealer" means any person other than a manufacturer or distributor, engaged in the business of selling household mechanical refrigerators to persons purchasing for use, rather than resale;

(4) "Household mechanical refrigerator" means any new refrigerator for household use which operates either by compression or absorption;

(5) "Model" means any combination of size and specifications of equipment;

(6) "Ultimate consumer" means a person who purchases a household mechanical refrigerator for use in his own premises.

SEC. 31. *Table XVIII: Maximum prices for Hawaiian standard blackout bulbs.* (a) The maximum price at retail for sales of Hawaiian standard blackout bulbs in the Territory of Hawaii shall be 33 cents per bulb.

SEC. 32. *Table XIX: Maximum prices for "Kills 'Em Roach Spray".* (a) The maximum prices for sales of "Kills 'Em Roach Spray" in the Territory of Hawaii shall be:

	Maximum price at wholesale per case	Maximum price at retail
11 ounce bottles, 24 to a case.....	\$4.68	Each \$0.235
11½ ounce bottles, 24 to a case.....	4.80	.24
Pints, 24 to a case.....	6.00	.30
Quarts, 12 to a case.....	5.70	.58
Half-gallons, 6 to a case.....	5.30	1.05
Gallons, 4 to a case.....	6.00	1.75

SEC. 33. *Table XX: Maximum prices for cosmetics.* (a) Maximum prices for sales in the Territory of Hawaii of the following Hawaii Eiko Sha Cosmetics shall be:

	Maximum manufacturer's price per gross	Maximum wholesale price per dozen	Maximum retail price per package
Eiko hair pomade 16 oz.....	\$50.40	\$5.19	\$0.59
Eiko hair pomade 8 oz.....	30.44	3.11	.32
Eiko hair pomade 4 oz.....	21.49	2.10	.25
Eiko hair pomade 2 oz.....	14.40	1.45	.16
Eiko brilliantine 16 oz.....	65.53	6.96	.78
Eiko brilliantine 8 oz.....	38.93	4.07	.45
Eiko brilliantine 4 oz.....	28.16	2.86	.33
Bouquet brilliantine 8 oz.....	55.43	6.60	.75
Bouquet brilliantine 4 oz.....	35.96	3.97	.44
Bouquet brilliantine 2 oz.....	21.99	2.33	.26

(b) The maximum prices of all other kinds, grades and qualities of cosmetics shall continue to be governed by the General Maximum Price Regulation for Hawaii.

SEC. 34. *Table XXI: Maximum price for candy.* (a) Maximum prices for sales in the Territory of Hawaii of Hester May marshmallows shall be:

	Sales at wholesale per lb.	Sales at retail per lb.
Hester May marshmallows.....	\$0.40	\$0.60

(1) Maximum prices for sales of different quantities shall be computed proportionately.

SEC. 35. *Table XXII: Maximum prices for phonograph records and albums.* (a) The maximum prices for sales of phonograph records and albums in the Territory of Hawaii shall be:

Make or label	Wholesale	Retail
1. Bluebird 10".....	\$0.30	\$0.46
2. Victor Black Label 10".....	.40	.61
3. Victor Black Label 12".....	.56	.85
4. Victor Red Label 10".....	.56	.85
5. Victor Red Label 12".....	.75	1.19
6. Decca Blue Label 10".....	.23	.40
7. Decca Blue Label 12".....	.49	.85
8. Decca Black or Red Label 10".....	.33	.55
9. Decca Black or Red Label 12".....	.67	1.10
10. Decca Red Seal 10".....	.49	.85
11. Okeh 10".....	.25	.42
12. Vocalion 10".....	.25	.42
13. Columbia Red Label 10".....	.34	.57

Make or label	Wholesale	Retail
14. Columbia Red Label 12".....	\$.51	\$.85
15. Columbia Classical Blue or Green Label 10".....	.51	.82
16. Columbia Classical Blue or Green Label 12".....	.69	1.10
17. Columbia Blue Label (Add-a-part) 10".....	.69	1.10
18. Columbia Blue Label (Add-a-part) 12".....	1.02	1.65
19. Columbia YB Black Label 10".....	.51	.85
20. Columbia ME Gold Label 12".....	.69	1.10
21. Hit records 10".....	.31	.55
22. Hawaiian transcription 10".....	.50	.85
23. Silvertone 10".....	.....	.43
24. Silvertone 12".....	.....	.69
25. Conqueror 10".....	.....	.29
26. Capitol 10".....	.....	.38
27. Elffe 10".....	.25½	.40
28. Immortal 10" Black Label.....	.....	.36
29. Excelsior 10" Red Label.....	.....	.58
30. Philharmonic transcription 12" Classic.....	.....	.63
Albums included with record sets.....	.30	.50

SEC. 36. *Table XXIII: Maximum prices for sanitary napkins.* (a) Maximum Price Regulation No. 140, except as provided elsewhere herein, governs sales of sanitary napkins in the Territory of Hawaii.

(b) The maximum prices for sales of sanitary napkins in the Territory of Hawaii shall be:

	Maximum wholesale price	Maximum retail price
1 case lot 54s or 56s.....	\$6.41 per case..	\$1.03 per box of 54 or 56.
4 case lots 54s or 56s.....	6.21 per case..	.....
20 case lots 54s or 56s.....	6.00 per case..	.....
1 case lot 12s.....	9.33 per case..	\$0.25 per box of 12.
4 case lots 12s.....	9.04 per case..	.....
20 case lots 12s.....	8.85 per case..	.....

SEC. 37. *Table XXIV: Maximum prices for new radio receivers, phonographs, record changers and players—(a) Definitions.* When used in this Table XXIV the term:

(1) "Radio receiver" means any of the following, alone or in combination with a record playing device: home receiving sets, portable receiving sets, and automobile receiving sets.

(2) "Phonograph" means any device for the playing of records by the use of electrical amplification.

(3) "Record changers or players" means any device for the playing of records intended to be used in conjunction with a radio receiver or a phonograph.

(4) "Dealer" means any person engaged in the business of selling new radio receivers or phonographs or record changers or players to persons purchasing for use rather than resale.

(5) "Consumer" means a person who purchases for use rather than resale.

(6) "Model" means any radio receiver or phonograph or record player or changer sold as a distinct item.

(b) Maximum prices for sales of the following makes and models of new radio receivers, phonographs, record changers and players in the Island of Oahu only shall be:

Model	Ceiling
Philco:	
42-1015.....	\$406.50
RPI.....	25.75
PT95.....	27.50

Model	Ceiling
Philco—Continued.	
1008	\$194.95
RP2	34.95
PT96	24.95
322T	39.50
327T	46.95
340T	49.50
350T	76.50
355T	85.00
380X	106.95
H361	82.50
801GS	104.50
41-300X	149.50
Harris: 201	24.50
Gibb Portable: 7006	36.50
Admiral:	
4220D5	24.00
4204-B6	33.95
4203-B6	38.50
4207-A10	169.95
4214-L5	78.50
4221-N6	98.50
79P6	43.95
78P6	41.95
77P5	36.50
4215-C7	124.95
105 Record Changer	38.95
4217-P6	47.95
Emerson:	
426	32.95
301 Wal	20.95
301 Ivory	23.00
450	51.95
423	51.95
424	42.95
428	47.50
454	24.50
336	22.50
421	26.50
441	28.50
425	26.50
Crosley:	
53TP	51.95
83CP	123.45
83CQ	202.50
03CP	194.50
63TA	58.50
62PA	44.95
52PB	41.95
03CR	256.95
Detrola:	
433	110.50
3893	43.95
D419	85.50
448	79.95
Music Master:	
640	76.95
Knight:	
D165	54.95
LCU-154	102.95
Packard Bell:	
88 PA	81.95
51 B P R	207.50
67 B P R	175.50
88 PA Deluxe Bleach	131.00
5 EP	52.50
67 BA	130.50
Traveler:	
515	36.95
T3726	54.95
503	36.50
640	64.95
512	36.95
TK510	52.95
507	30.50
Capehart:	
111 M2	741.95
112 M2	795.00
Panamuse Capehart:	
15M4	197.50
16M4	208.50
14M3	234.95
17M3	277.95
19M3	299.00
21M2	309.95
22M2	341.95
21M2	352.50

Model	Ceiling
Zenith:	
7G-605ML	\$93.00
105-690	242.00
22#698	708.00
12#650	175.50
12#670	175.50
7S685	186.50
6G-601M	49.50
6G-601L	60.50
6S-646	82.50
7S-633	65.95
10S-669	136.50
5R-680	56.95
6R683	64.95
7S681	154.50
14H-697	475.00
General Electric:	
LB703	46.95
LB701	42.95
LB641	81.95
LB642	31.95
LB702	46.95
LB700	42.95
LB530	59.50
LB612	31.95
L500	15.95
LF115	181.50
LF116	202.75
LFC118	245.50
LFC1228	346.95
L678	47.95
LB603	31.95
LC619	159.95
LC638	47.95
LC658	79.95
LC758	202.75
X108	74.95
X156	59.50
LC648	127.95
L640	53.50
M40	445.00
M-30-C	274.50
M-30-M	245.50
RCA-Victor:	
O2 Phono	20.50
QU55	289.00
QU5	235.00
QU51	269.00
Q33	99.50
Q16	63.00
Q14	52.00
Q11A	45.00
QU8	1,485.00
QU56	95.00
QB1	70.00
QB5	35.00
QB6	59.00
Q15	55.00
25PB	38.50
26BB	51.00
V105	56.00
Duette	55.00
12X	21.00
16X2	27.50
28X5	63.00
Stewart Warner: 206GA	49.95
Majestic: 6P1	46.95
Swing Master:	
Radio Wired R/C	46.50
Electric Mng. Auto R/C	73.50
Electric Blond Auto R/C	75.95
Music King: IRW	22.95
Pal Standard: Portable	29.50
Pal De Luxe	35.95
Isis: Wireless record player	31.00
Silverstone (Sears):	
7036A	33.50
7058	65.50
2411	29.95
7063A record player	44.50
5818 portable phone	42.50
Olympic: 550	35.95
Magnavox: 55G	395.05
General Television: M47	37.50

(c) Maximum prices for sales of new radio receivers, phonographs, record changers and players in the Territory of Hawaii, but not in the Island of Oahu, shall be the maximum prices set forth in subparagraph (2) of this section, plus ocean freight and war risk insurance premiums actually incurred in any shipment from the Island of Oahu to the place where sale or offer of sale is made.

(d) Maximum prices for sales of new radio receivers, phonographs, record changers and players not set forth in paragraph (b) of this section shall be a price approved by the Office of Price Administration, Iolani Palace, Honolulu, Hawaii, which approval shall be obtained before any such new radio receiver, phonograph, record changer and player is sold or offered for sale.

SEC. 38 Table XXV: Maximum prices for honey. (a) The maximum prices for sales of honey produced in the Territory of Hawaii shall be:

(1) Packaged honey of U. S. #1 grade:

	Wholesale (each)	Retail (each)
¼ pint size, glass jar (6 oz. net wt. or 4 fluid oz.)	\$0.08	\$0.10
½ pint size, glass jar (12 oz. net wt. or 8 fluid oz.)	.16	.20
¾ pint size, glass jar (16 oz. net wt. or 12 fluid oz.)	.21	.26
1 pint size, glass jar (24 oz. net wt. or 16 fluid oz.)	.30	.38
1 quart size, glass jar (48 oz. net wt. or 32 fluid oz.)	.51	.65
1 gallon size, glass jar (192 oz. net wt. or 12 lbs. or 128 fluid oz.)	1.80	2.30
No. 10 tins (9 pounds net wt.)	1.35	1.73
60 lb. tins "individuals" (5 gals. fluid content)	8.70	11.14

(1) The maximum prices for honey sold in containers of a size not listed above shall be determined as follows: The price per fluid ounce or other applicable unit of honey in the nearest larger size listed above shall be computed, and that price multiplied by the number of fluid ounces or other appropriate units of content or weight in the container to be priced, and the result will be the maximum price. Prices at retail thus computed shall be adjusted to the nearest cent. For example: the maximum price for a glass jar containing 6 fluid ounces of honey would be determined as follows: the nearest larger size listed is the ½ pint size containing 8 fluid ounces. In such case, the price per fluid ounce at wholesale is \$.02 and at retail \$.025. These figures multiplied by 6 result in a maximum price of \$.12 at wholesale and \$.15 at retail.

(2) Comb honey of U. S. #1 grade.

	Wholesale	Retail
4¼" Square Combs	\$0.20	\$0.27

SEC. 39. Table XXVI: Maximum prices for lauhala and lauhala products—(a) Lauhala purses. The maximum price for sales of shells of square purses shall be:

(2) Table mats of size 11" x 17"

Weave and size	Maximum producer price	Maximum wholesaler price	Maximum retailer price
1/2" Plain or combination weave bleached lauhala.....	\$0.03	\$0.65	\$1.17
1/4"-3/8" Plain or combination weave bleached lauhala.....	.0035	.76	1.22
1/8"-3/16" Plain or combination weave bleached lauhala.....	.004	.86	1.55

(4) The maximum price for table mats of sizes other than those listed above shall be determined by multiplying the price per square inch of the appropriate weave listed above by the number of square inches in the mat to be priced. This will give the producer's maximum price. To determine the maximum wholesale price, multiply the producer's maximum by 1.2. To determine the maximum retail price, multiply the maximum wholesale price by 1.5. The maximum price will in each case be the result of such multiplication.

(5) Maximum prices for double mats shall be 20% more than the applicable price for a single mat of the same size and weave.

(6) Maximum prices for oval mats shall be the same as the maximum price for a rectangular mat having the same length and width measurements as the length and width measurements of the oval mat measured at its center.

(e) Lauhala coasters, cigarette cases, slippers and shopping bags. The maximum price for lauhalas coasters, cigarette cases, slippers and shopping bags shall be:

Item	Maximum producer price	Maximum wholesaler price	Maximum retailer price
1/2"-3/8" weave natural.....	\$0.14	\$0.17	\$0.26
1/4"-3/8" weave two-tone.....	.17	.20	.30
1/8"-3/8" weave bleached.....	.20	.24	.36
1/4"-3/8" weave natural.....	.27	.33	.50
1/8"-3/8" weave two-tone.....	.31	.37	.55
1/4"-3/8" weave bleached.....	.33	.40	.60
All weaver sizes.....	.83	1.00	1.50
All weaver sizes (18"-29").....	2.08	2.50	3.75
All weaver sizes (18"-27").....	1.81	2.17	3.25
All weaver sizes (14"-15").....	1.59	1.88	2.85
All weaver sizes (12"-13").....	1.35	1.59	2.35

(2) Table mats of size 11" x 17"

Item	Price per sq. in.	Maximum producer price	Maximum wholesaler price	Maximum retailer price
1/2" Plain or combination weave natural lauhala.....	\$0.002	\$0.37	\$0.44	\$0.66
1/4"-3/8" Plain or combination weave natural lauhala.....	.0025	.47	.56	.84
1/8"-3/16" Plain or combination weave natural lauhala.....	.003	.56	.67	1.01
1/2" Plain or combination weave two-tone lauhala.....	.0025	.47	.56	.84
1/4"-3/8" Plain or combination weave two-tone lauhala.....	.003	.56	.67	1.01
1/8"-3/16" Plain or combination weave two-tone lauhala.....	.0035	.65	.78	1.17
1/2" Plain or combination weave bleached lauhala.....	.003	.56	.67	1.01
1/4"-3/8" Plain or combination weave bleached lauhala.....	.0035	.65	.78	1.17
1/8"-3/16" Plain or combination weave bleached lauhala.....	.004	.74	.89	1.34

(3) Table mats of a size 12" x 18"

Item	Price per sq. in.	Maximum producer price	Maximum wholesaler price	Maximum retailer price
1/2" Plain or combination weave natural lauhala.....	\$0.02	\$0.43	\$0.52	\$0.78
1/4"-3/8" Plain or combination weave natural lauhala.....	.025	.54	.65	.98
1/8"-3/16" Plain or combination weave natural lauhala.....	.03	.65	.78	1.17
1/2" Plain or combination weave two-tone lauhala.....	.025	.54	.65	.98
1/4"-3/8" Plain or combination weave two-tone lauhala.....	.03	.65	.78	1.17
1/8"-3/16" Plain or combination weave two-tone lauhala.....	.035	.76	.91	1.22

Item	Maximum producer price	Maximum wholesaler price	Maximum retailer price
Coasters.....	1/2"-3/8" weave natural.....	1/4"-3/8" weave two-tone.....	1/8"-3/8" weave bleached.....
Cigarette cases.....	1/4"-3/8" weave natural.....	1/8"-3/8" weave two-tone.....	1/4"-3/8" weave bleached.....
Slippers.....	All weaver sizes.....	All weaver sizes (18"-29").....	All weaver sizes (18"-27").....
Shopping bags.....	All weaver sizes.....	All weaver sizes (14"-15").....	All weaver sizes (12"-13").....

Tape or lauhala lining and zipper	Size (inches)										
	14	12 or 13	10 or 11	9	8	7	6	5	4		
Tape or lauhala lining and zipper.....	\$1.24	\$1.15	\$1.06	\$0.99	\$0.92	\$0.84	\$0.78	\$0.72	\$0.66	\$0.60	\$0.55
Other linings and zipper.....	1.23	1.14	1.05	0.98	0.91	0.83	0.77	0.71	0.65	0.59	0.54
Zipper and no lining.....	1.22	1.13	1.04	0.97	0.90	0.82	0.76	0.70	0.64	0.58	0.53

(b) The maximum prices for sales of completed square purses shall be:
 (1) At wholesale. The maximum price for sales at wholesale of completed square purses shall be the sum of the maximum price of the shell, plus the "cost of completion" as determined below multiplied by 1.2. The "cost of completion" shall be the amount appearing in the following table which is appropriate to the size of the purse and in the manner in which it has been completed or finished.

Tape or lauhala lining and zipper	Size (inches)										
	14	12 or 13	10 or 11	9	8	7	6	5	4		
Tape or lauhala lining and zipper.....	\$1.00	\$0.90	\$0.80	\$0.70	\$0.60	\$0.50	\$0.40	\$0.30	\$0.20		
Other linings and zipper.....	.90	.80	.70	.60	.50	.40	.30	.20	.15		
Zipper and no lining.....	.80	.70	.60	.50	.40	.30	.20	.15	.10		

(2) At retail. The maximum prices for sales at retail of completed square purses shall be the maximum wholesale price, as determined above, multiplied by 1.5.
 (c) The maximum price for sales of shells of other lauhalas purses shall be:

Oval basketweave	Size (inches)										
	16	14	12	10							
Three-inch weave (plain or two-tone).....	\$1.92	\$1.64	\$1.56	\$1.56							
Three-inch weave (plain or two-tone).....	1.92	1.64	1.56	1.56							

(1) At wholesale and at retail. The maximum price for sales at wholesale and at retail of the other lauhalas purses listed above shall be determined in the same manner as such maximum prices are determined for sales of completed square purses.
 (d) Lauhala table mats. The maximum price for sales of lauhalas table mats shall be:

Tape or lauhala lining and zipper	Size (inches)										
	14	12 or 13	10 or 11	9	8	7	6	5	4		
Tape or lauhala lining and zipper.....	\$1.24	\$1.15	\$1.06	\$0.99	\$0.92	\$0.84	\$0.78	\$0.72	\$0.66	\$0.60	\$0.55
Other linings and zipper.....	1.23	1.14	1.05	0.98	0.91	0.83	0.77	0.71	0.65	0.59	0.54
Zipper and no lining.....	1.22	1.13	1.04	0.97	0.90	0.82	0.76	0.70	0.64	0.58	0.53

(f) *Lauhala leaves.* The maximum price for sales for lauhala leaves shall be:

	Cents each
White, bleached wide long.....	5
White, bleached wide short.....	4
Brown, bleached white wide long.....	4
Brown, bleached white wide short.....	3
Red, wide long.....	3
Red, wide short.....	2
Brown, wide long.....	2
Brown, wide short.....	1½
Natural, wide long 1st grade.....	1½

	Cents each
Natural, wide short 1st grade.....	1
Natural, wide long, 2nd grade.....	1
Natural, wide short 2nd grade.....	½

"Long" means a leaf 30" or more in length.
 "Short" means a leaf less than 30" in length.
 "2nd grade" means a leaf which is spotted and very brittle.

(g) *Lauhala, cocoanut fiber or hau bark hula skirts.* The maximum price for sales of hula skirts shall be:

	Size	Maximum producer price	Maximum wholesale price	Maximum retail price
Lauhala or cocoanut fiber hula skirts.....	Large.....	\$1.34	\$1.67	\$2.50
	Small.....	1.06	1.33	2.00
	Children's.....	.80	1.00	1.50
Hau bark, washed, first grade.....	Large.....	1.60	2.00	3.00
	Small.....	1.34	1.67	2.50
	Children's.....	1.06	1.33	2.00

(1) The maximum price for second grade washed hau bark hula skirts shall be 20% less than the applicable price for first grade washed hau bark hula skirts, 35% less for third grade washed hau bark hula skirts, 50% less for fourth grade washed hau bark hula skirts, and 65% less for fifth grade washed hau bark hula skirts.

(h) *Definitions.* For the purposes of this Table XXVI the term:

(1) "Combination weave" means a mixed weave of two or more widths of weaving strands. The width of the predominantly used strand determines the classification of the weave.

(2) "Two-tone weave" means a weave using substantially equal amounts of two or more different colors of lauhala, or a weave in which the word "Aloha," "Hawaii," or some other similar word is woven into the product by use of different colors of lauhala.

(3) "Three-inch" weave means a weave of strands approximately three inches wide.

(4) "Bleached lauhala" means lauhala that has been subjected to a bleaching process.

(5) "Tapa" means genuine tapa cloth and does not include other cloths printed or otherwise marked with a design normally used on tapa cloth.

(6) "First, second, third, fourth and fifth grades" of washed hau bark have the same meaning as is presently attributed to them by persons in the trade.

(7) "Size" expressed in inches means the latitudinal measurement of the article in question unless otherwise required by the context.

(8) "Shell" means the completed lauhala portion of a lauhala purse from which the completed purse is made by adding thereto a lining or zipper or both.

Issued this 20th day of April 1943.

PRENTISS M. BROWN,
 Administrator.

[F. R. Doc. 43-6174; Filed, April 20, 1943; 4:07 p. m.]

PART 1499—COMMODITIES AND SERVICE
 [Order 234 Under § 1499.18 (b) of GMFR]

AMERICAN RULE AND BLOCK COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1834 *Adjustment of maximum prices of basswood products manufactured by American Rule and Block Company.* (a) The maximum prices for basswood products manufactured and sold by American Rule and Block Company shall be the March 1942 list price plus 10 percent.

(b) All relief not herein granted is hereby denied.

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

(d) This Order No. 234 (§ 1499.1834) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

The order shall become effective April 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
 Administrator.

[F. R. Doc. 43-6271; Filed, April 22, 1943; 12:21 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 239, Amendment 3]

LAMB AND MUTTON CARCASSES AND CUTS AT WHOLESALE AND RETAIL

Correction

The first part of § 1364.167 (a) of the document appearing on page 4786 of the issue for Tuesday, April 13, 1943, should read:

(a) Except as otherwise provided in paragraphs (b) and (c) of this section, it shall be the duty of each person to have all lambs, * * *

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Gasoline Rationing Emergency Order 2]

VIRGIN ISLANDS

By virtue of the authority vested in the Director of the Office of Price Administration for the Territory of the Virgin Islands by Revised General Order No. 21 issued August 28, 1942, by the Administrator of the Office of Price Administration, (7 F.R. 6911), the following order is prescribed:

§ 1394.6502 *Gasoline rationing during the emergency.* (a) The operation of Ration Order No. 8, Gasoline Rationing Regulations for the Virgin Islands, is hereby suspended in the municipalities of St. John and St. Thomas.

(b) *General restriction on the use of gasoline.* From and after the effective date of this Gasoline Rationing Emergency Order No. 2, no dealer or other person in the municipalities of St. John and St. Thomas, Virgin Islands of the United States, shall sell, give, export, exchange, deliver or otherwise transfer gasoline in exchange for coupons or otherwise, or accept or receive any such sale, gift, exchange, delivery, or transfer of gasoline except as provided in paragraph (c) hereof: *Provided,* That the foregoing prohibition shall not apply to importations of gasoline into the municipalities of St. John and St. Thomas: *And provided further,* That the same shall not apply to any transfer to or for the account of the Army, Navy, Marine Corps, Coast Guard or Maritime Commission of the United States.

(c) *Permitted transfers.* The use of gasoline ration coupons is temporarily suspended in the municipalities of St. John and St. Thomas. Transfers of gasoline may be made only upon written authorization of the Director of the Office of Price Administration to provide for the maintenance of such public, governmental or other necessary services as, in his discretion are essential to the public health, safety or the war effort.

(d) *Inventory.* Every gasoline dealer in the municipalities of St. John and St. Thomas shall file forthwith with the Office of Price Administration a sworn statement showing his gasoline inventory on the effective date of this order.

(e) *Violations.* Any person who violates this Gasoline Rationing Emergency Order No. 2 may be prohibited by the Director of the Office of Price Administration from receiving any deliveries of or selling or otherwise disposing of gasoline, for such period as, in the discretion of the Director is necessary to permit the efficient

rationing of gasoline in the Virgin Islands.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may appeal to the Director in St. Thomas, orally or in writing, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Director of the Office of Price Administration may thereupon take such action as he deems appropriate.

(g) *Scope.* The provisions of this Gasoline Rationing Emergency Order No. 2 shall apply to the municipalities of St. John and St. Thomas, Virgin Islands of the United States, only.

(h) *Effective date.* This order shall become effective at five (5) o'clock post meridian, April 9, 1943, and shall continue in full force and effect until rescinded.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., W.P.B. Dir. 1, Supp. Dir. 1-J (as amended) O.P.A. Administrative Order No. 19 (as amended); 7 F.R. 562)

Issued this 9th day of April 1943.

WILLIAM H. DEAN,
Acting Territorial Director,
Virgin Islands.

[F. R. Doc. 43-6282; Filed, April 22, 1943;
4:00 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,¹ Amendment 2 to Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (f) is added to read as follows:

(f) The following are the periods referred to in sections 2.3 (b) and 10.4 (g) of Ration Order 16, during which red stamps may be used by consumers:

Stamps lettered:	Time when they may be used (inclusive)
E.....	April 25, 1943 to May 31, 1943.
F.....	May 2, 1943 to May 31, 1943.
G.....	May 9, 1943 to May 31, 1943.
H.....	May 16, 1943 to May 31, 1943.
J.....	May 23, 1943 to May 31, 1943.

This amendment shall become effective at 12:01 a. m. April 23, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6281; Filed, April 22, 1943;
4:00 p. m.]

¹ 8 F.R. 3591, 3715, 3949, 4137, 4350, 4423, 4721, 4784, 4893, 4967.

PART 1429—POULTRY AND EGGS

[Revised MPR 269,¹ Amendment 8]

POULTRY

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

Revised Maximum Price Regulation 269 is amended in the following respects:

1. Section 1429.4 (a) is amended to read as follows:

(a) Every seller and purchaser subject to this Revised Maximum Price Regulation No. 269 making sales or deliveries or purchases of poultry items to the value of \$200.00 or more in any one month, after December 21, 1942, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect a complete and accurate record of each sale or delivery of poultry items, showing the date of purchase or sale, the name and address of the buyer and seller, the quantities, types, grades, weight classes of poultry bought and sold, the number of head of each type, grade, and weight class of poultry bought and sold, the type of sale made (delivered or nondelivered), and the price paid or received.

2. Section 1429.4 (b) is amended to read as follows:

(b) Every person shipping live poultry by freight car, truck, or any other means of transport, from one place to another, shall post within such freight car, truck, or other means of transport, a manifest showing the place from which such poultry items were shipped, the name and address of the seller or sellers, the quantities, types, grades, weight classes of poultry bought and sold, the number of head of each type, grade, and weight class of poultry bought and sold, and the price paid.

3. A new § 1429.4 (c) is added to read as follows:

(c) Every seller and purchaser subject to this regulation shall keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

4. Section 1429.19 (a) is amended to read as follows:

(a) Every place in the United States shall have its own maximum base price for the poultry items listed in Table A of this section.

(1) The word "place" means any city, town, village, hamlet, or any unincorporated area in the United States where

the purchase and sale of any poultry item occurs.

(2) Every unincorporated area in the United States which is not a city, town, village, or hamlet shall have as its maximum base price for the poultry items listed in Table A of this section the same price as is established for the city, town, village, or hamlet nearest to such unincorporated area.

5. Section 1429.19 (b) is amended to read as follows:

(b) The United States shall be divided into an "Eastern zone" and a "Western zone" for the purpose of calculating maximum base prices for poultry items.

(1) The "Eastern zone" shall consist of the Counties of Milwaukee, Racine, and Kenosha in the State of Wisconsin, the Counties of Cook, Lake, and Du Page, in the State of Illinois, and all of the United States east of the line running south from the Canadian border along the eastern shore of Lake Michigan, the Illinois-Indiana State Line, the Illinois-Kentucky State Line, and then south along the eastern bank of the Mississippi River to the Gulf of Mexico.

(2) The "Western zone" shall consist of all of the United States west of the above line, excluding the Counties of Milwaukee, Racine, and Kenosha in the State of Wisconsin, and the Counties of Cook, Lake, and Du Page in the State of Illinois.

6. Section 1429.19 (d) is amended to read as follows:

(d) *Maximum base prices for live duck items.* (1) The maximum base price for any live duck item purchased, sold, or delivered at any place in the United States shall be 25 cents per pound.

7. Section 1429.19 (g) (4) is added to read as follows:

(4) The maximum base price for any live broiler item weighing less than 2¼ pounds, produced and purchased, sold, or delivered at any place in the States of Washington, Oregon, California, Nevada, and Arizona, for ultimate consumption at any place in such States shall be 30 cents per pound.

8. Section 1429.19 (g) (5) is added to read as follows:

(5) The maximum base price for any dressed, drawn, or quick-frozen eviscerated broiler item weighing less than 2 pounds dressed, and less than 1¼ pounds drawn or quick-frozen eviscerated, produced and processed and purchased, sold or delivered at any place in the State of Washington, Oregon, California, Nevada, and Arizona, for ultimate consumption at any place in such States shall be as follows:

	Cents per pound
Dressed	38.0
Kosher-killed	38.0
Kosher-dressed and plucked	39.5
Drawn	51.5
Quick-frozen eviscerated	59.5

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

¹ 7 F.R. 10708, 10864, 11118; 8 F.R. 567, 856, 878, 2289, 3316, 3419, 3792.

9. Section 1429.19 (h) (1) is amended to read as follows:

(h) Maximum base prices for poultry items in the basing point cities. (1) The "Eastern zone" basing point city for all poultry items designated below, excluding duck items, is Chicago. The "Western zone" basing point cities for all poultry items designated below, excluding

duck items, are New York, Los Angeles, San Francisco, Seattle, and Portland, Oregon. The "Eastern zone" basing point city for all dressed, drawn, and quick-frozen eviscerated duck items designated below is New York. The "Western zone" basing point cities for all dressed, drawn, and quick-frozen eviscerated duck items designated below are

Chicago, New Orleans, Los Angeles, San Francisco, Seattle, and Portland, Oregon.

The following maximum base prices are for poultry items as designated below delivered to the buyer's customary receiving point at the basing point cities listed immediately below:

(i) Grade "A" poultry items.

TABLE A

Food products	Eastern zone basing-point city			Western zone basing-point cities														
	Chicago			New York				Pacific Coast—Los Angeles, San Francisco, Seattle, and Portland										
	Live weight	Kosher-killed, Kosher-dressed, and dressed weight	Quick-frozen eviscerated, and drawn weight	Live	Dressed—Kosher-killed	Kosher-dressed and plucked	Drawn	Quick-frozen eviscerated	Live	Dressed—Kosher-killed	Kosher-dressed and plucked	Drawn	Quick-frozen eviscerated					
Broilers and fryers	under 4	under 3½	under 2½	27.5	34.0	35.5	46.5	53.5	28.5	35.0	36.5	47.5	54.5	29.0	35.5	37.0	48.0	55.0
Roasters	4 and over	3½ and over	2½ and over	27.5	34.0	35.5	44.5	50.5	28.5	35.0	36.5	45.5	51.5	29.0	35.5	37.0	46.0	52.0
Capons:																		
Light	under 6	under 5½	under 4½	27.5	34.0	35.5	44.5	50.5	28.5	35.0	36.5	45.5	51.5	29.0	35.5	37.0	46.0	52.0
Heavy	6 and over	5½ and over	4½ and over	31.0	37.0	38.5	47.0	52.0	32.0	38.0	39.5	48.0	53.0	32.5	38.5	40.0	48.5	53.5
Fowl:	all weights	all weights	all weights	24.0	30.0	31.5	40.0	45.0	25.0	31.0	32.5	41.0	46.0	25.5	31.5	33.0	41.5	46.5
Stags and Old Roosters:	all weights	all weights	all weights	20.0	25.5	27.0	34.0	34.0	21.0	26.5	28.0	35.0	35.0	21.5	27.0	28.5	35.5	35.5
Geese:	all weights	all weights	all weights	25.0	29.0	30.5	42.5	45.5	26.0	30.0	31.5	43.5	46.5	26.5	30.5	32.0	44.0	47.0
Young Turkeys:																		
Light	under 18	under 16	under 13	35.0	39.0	40.5	50.0	53.0	36.0	40.0	41.5	51.0	54.0	35.0	39.0	40.5	50.0	53.0
Medium	18 to 22	16 to 20	13 to 16½	33.5	37.5	39.0	47.5	50.5	34.5	38.5	40.0	48.5	51.5	33.5	37.5	39.0	47.5	50.5
Heavy	22 and over	20 and over	16½ and over	32.5	36.5	38.0	45.5	48.5	33.5	37.5	39.0	46.5	49.5	32.5	36.5	38.0	45.5	48.5
Old Turkeys:																		
Light	under 18	under 16	under 13	33.0	37.0	38.5	48.0	51.0	34.0	38.0	39.5	49.0	52.0	33.0	37.0	38.5	48.0	51.0
Medium	18 to 22	16 to 20	13 to 16½	31.5	35.5	37.0	45.5	48.5	32.5	36.5	38.0	46.5	49.5	31.5	35.5	37.0	45.5	48.5
Heavy	22 and over	20 and over	16½ and over	30.5	34.5	36.0	43.5	46.5	31.5	35.5	37.0	44.5	47.5	30.5	34.5	36.0	43.5	46.5

FOOD PRODUCT: DUCKS—ALL WEIGHTS

Basing-point cities	Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Quick-frozen eviscerated
Eastern Zone—New York	125.0	27.0	128.0	130.0	38.5	41.5
Western Zone:						
Chicago	125.0	28.0	128.0	130.0	39.5	42.5
New Orleans	125.0	28.4	128.0	130.0	39.9	42.9
Pacific Coast: Los Angeles, San Francisco, Seattle, and Portland	125.0	29.0	128.0	130.0	40.5	43.5

¹ These are maximum base prices at all places in the United States.

10. Section 1429.19 (h) (1) (i) (a) is added to read as follows:

(a) For a period of 69 days, to and including the 30th day of June, 1943, any person who on the 22d day of April 1943, owned and was in possession of any of the dressed or quick-frozen eviscerated poultry items listed immediately below in Temporary Table A-1, and who prior to the 7th day of May 1943, filed with his Regional or State O. P. A. Office, a complete inventory in triplicate showing the quantities, types, grade, and weight classes of such dressed or quick-frozen eviscerated poultry items owned by him, may sell and deliver such dressed or quick-frozen eviscerated poultry items at the maximum base prices established in Temporary Table A-1 immediately below, and may, if qualified to do so by the provisions of § 1429.21 of this regulation, add to such maximum base prices the proper permitted increase established for such person in § 1429.21, Table B.

For a period of 69 days, to and including the 30th day of June, 1943, any purchaser who purchases any of the dressed or quick-frozen eviscerated poultry items listed immediately below in Temporary Table A-1, at the maximum base prices established in such table, from any seller

authorized by the provisions of this § 1429.19 (h) (1) (i) (a) to sell at such maximum base prices, may resell such dressed or quick-frozen eviscerated poultry items at the maximum base prices established in Temporary Table A-1, and may, if qualified to do so by the provisions of § 1429.21 of this regulation, add to such maximum base prices the proper permitted increase established for such purchaser in § 1429.21, Table B. Provided: That, such purchaser file with his Regional or State O. P. A. Office, at the time of purchase, a statement in triplicate showing the quantities, types, grades, and weight classes of dressed or quick-frozen eviscerated poultry items purchased by him, the price paid for each such poultry item, the date of the purchase, and the name and address of the seller.

TEMPORARY TABLE A-1

[The prices established in this table shall remain in effect for a period of 69 days, to and including the 30th day of June 1943. Thereafter, these prices shall be replaced by those established in Table A of this section. These prices do not apply to any poultry items dressed, processed, or quick-frozen eviscerated after the 22d day of April 1943.]

Food products—type	Weight		Eastern zone basing-point city				Western zone basing-point cities—Pacific Coast: Los Angeles, San Francisco, Seattle, and Portland	
	Dressed weight	Quick-frozen eviscerated weight	Chicago		New York		Dressed	Quick-frozen eviscerated
			Dressed	Quick-frozen eviscerated	Dressed	Quick-frozen eviscerated		
Roasters:								
Light	3¼ to 5	2¼ to 3¾	35.5	54.5	36.5	55.5	37.0	56.0
Heavy	5 and over	3¾ and over	37.5	56.0	38.5	57.0	39.0	57.5
Stags:								
Light	Under 5	Under 3¾	30.5	47.5	31.5	48.5	32.0	49.0
Heavy	5 and over	3¾ and over	32.0	48.5	33.0	49.5	33.5	50.0
Capons:								
Light	Under 7	Under 5	39.5	61.0	40.5	62.0	41.0	62.5
Heavy	7 and over	5 and over	40.5	61.5	41.5	62.5	42.0	63.0
Fowl:								
Medium		2¼ to 3¾		47.5		48.5		49.0
Heavy		3¾ and over		47.0		48.0		48.5
Old roosters:								
Light		Under 3¾		36.0		37.0		37.5
Heavy		3¾ and over		36.5		37.5		38.0

11. Section 1429.19 (h) (1) (ii) is amended to read as follows:

(ii) *Grade "B" poultry items.* All Grade "B" poultry items, except Grade "B" dressed duck items, shall be 1½ cents per pound less in price than the corresponding Grade "A" poultry items listed above. All Grade "B" dressed duck items shall be the same price as Grade "A" duck items.

12. Section 1429.19 (i) (3) is amended to read as follows:

(3) "Drawn poultry" means dressed poultry from which the head, shank, crop, entrails, and gall bladder have been wholly removed without contamination of the body cavity, the gizzard has been cleaned by removing the contents and lining, the cleaned gizzard and heart and liver then being included with the carcass. Dressed poultry not drawn as herein described shall be sold at the prices established for dressed poultry.

13. Section 1429.19 (i) (4) is amended to read as follows:

(4) "Quick-frozen eviscerated poultry" means dressed poultry the exterior of which has been singed, from which the head, shank, crop, windpipe, esophagus, entrails, gall bladder, lungs, kidneys and oil sac have been wholly removed under the supervision of a federal inspector present at all stages of evisceration, the giblets of which have been cleaned and replaced, and the carcass and giblets of which have been subjected to a cleansing process which makes them ready to cook, the whole then being individually wrapped or packaged in carcass, split, or dismembered forms, packed in cartons or boxes, and frozen at quick-freezing temperatures. Dressed poultry not eviscerated as herein described shall be sold at not more than the maximum prices established for drawn poultry.

14. Section 1429.20 is amended to read as follows:

§ 1429.20 *Application of maximum base prices.* The maximum base prices for poultry items established in § 1429.19 of this regulation apply to all persons purchasing or selling or delivering such poultry items as follows:

(a) The maximum base price for live poultry items shall be the maximum base price at the place where the seller parts with physical possession of such live poultry items. The weight of such live poultry items shall be determined at the time when the seller parts with physical possession.

EXAMPLE: A trucker purchases 100 live broilers from a producer; the trucker takes physical possession of the broilers at the producer's place of business which is in an unincorporated area, and loads the live broilers onto his truck. The maximum base price which the producer may charge and which the trucker may pay is the maximum base price established for the producer's place of business, which is the same as that established for the city, town, village, or hamlet nearest such unincorporated area.

The same trucker hauls the live broilers to the county seat for sale at the local market. Here he has his broilers auctioned off to buyers from Pittsburgh, Cleveland, and Detroit. These buyers load the broilers onto their trucks immediately after the auction.

The trucker's maximum base price is the maximum base price established for the local market.

A trucker, or farmer, or shipper receives a telephone call from a New York wholesaler ordering 10,000 pounds of fryers. The live fryers are loaded onto the seller's trucks and hauled to the nearest railroad station, where the birds are then loaded onto a freight car. The maximum base price for such a sale is the maximum base price established for the city, town, village, or hamlet in which the railroad freight station is located.

(b) The maximum base price for dressed poultry items shall be the maximum base price at the seller's shipping point in the following instances:

(1) All sales by "wholesalers" as hereinafter defined in § 1429.21, in quantities of less than 10,000 pounds to any type of buyer.

(2) All sales to the United States Government or any agency thereof by any type of seller.

(3) All sales by a producer or processing plant at retail to an ultimate consumer other than a commercial, institutional, industrial, or governmental user.

(c) In all other cases, the maximum base price for dressed poultry items shall be the maximum base price at the buyer's customary receiving point. All sales of dressed poultry, other than those specified in paragraph (b) immediately above, shall be made on the basis of delivery to the buyer's customary receiving point, and the maximum base prices established for those places where the seller's shipping points are located shall not be applicable in such sales.

(1) Where any person purchases any dressed poultry item at one place for shipment or reshipment to another place, his customary receiving point shall be the place where shipment ends and not the place where shipment begins.

(2) All f. o. b. prices for dressed poultry sales, other than those specified in paragraph (b) immediately above, shall be calculated in relationship to the maximum base prices at the buyer's customary receiving point. Where any person purchases or sells any dressed poultry item at one place for shipment to another place at a price f. o. b. the seller's shipping point, he shall calculate his maximum f. o. b. price as follows:

(i) He shall first determine the maximum base price for such poultry item at the place to which it will be shipped; and

(ii) He shall then subtract from such base price his "freight rate" from the place where shipment begins to the place where shipment ends, and the difference so obtained shall be his maximum selling f. o. b. price for such poultry item.

(3) Except as provided for in paragraph (b) of this section, where any person purchases any dressed poultry item at one place for shipment or reshipment to another place, and at the time of purchase does not know the exact location of the place to which shipment shall be made, he shall purchase on an open price basis until such time as he ascertains the location of the place to which shipment shall be made, and thereafter shall calculate his maximum purchase price as follows:

(i) He shall first determine the maximum base price for such poultry item at the place to which it will be shipped; and

(ii) He shall then subtract from such base price his "freight rate" from the place where shipment begins to the place where shipment ends, and the difference so obtained shall be his maximum purchase price for such poultry item.

Provided, That nothing in this subparagraph (3) shall prevent any purchaser from making part payment for such poultry item in an amount not to exceed 85 percent of the maximum base price for such poultry item at the seller's shipping point at any time before such purchaser ascertains the location of the place to which shipment shall be made.

(d) The following exceptions are provided to paragraph (c) of this section:

(1) When any person sells any turkey item to a purchaser who cans boned turkey meat for sale to the United States Government or any agency thereof, he may sell at his maximum base price f. o. b. his shipping point without subtracting his "freight rate" from the place where shipment begins to the place where shipment ends:

Provided, That:

(i) The turkey items sold must be destined exclusively for processing into canned boned turkey meat, all of which must be sold and delivered to the United States Government, or any agency thereof, and

(ii) At the time of purchase, the purchaser of such turkey items must file with the seller and with the seller's Regional or State OPA Office an affidavit certifying that such purchaser has completely exhausted his own stocks of roaster, fowl, and turkey items suitable for processing into canned boned turkey meat.

(2) For a period of 69 days, to and including the 30th day of June, 1943, any person in the State of Utah may sell and deliver any poultry item produced in the State of Utah to any "wholesaler", individual retail store, or ultimate consumer including commercial, industrial, institutional, or governmental users, located at any place in the States of Idaho, Montana, and Wyoming, at the seller's maximum base price f. o. b. his shipping point without subtracting his "freight rate" from the place where shipment begins to the place where shipment ends:

Provided, That:

(i) The poultry items sold must be destined exclusively for ultimate consumption at any place in the States of Idaho, Montana, and Wyoming.

(e) The maximum base prices for poultry items established in § 1429.19 of this regulation are the maximum base prices to which the specified permitted increases listed in § 1429.21 below may be added.

15. The text of § 1429.21 (a) is amended and item (1a) is added to Table B of § 1429.21 (a) to read as follows:

(a) *Permitted increases which may be added to maximum base prices—*(1) *Permitted increase for transporting live*

poultry. (i) Any person who transports live poultry items for a distance of more than 30 miles to any city, town, or village where such poultry items are destined for ultimate consumption, may sell or deliver such live poultry items to any "wholesaler", individual retail store, or any ultimate consumer, including commercial, industrial, institutional, or governmental users, located in such city, town, or village, at the maximum base price established for such city, town, or village in § 1429.19 (h) (1) Table A, of this Regulation, plus the following permitted increases in cents per pound:

Shortest distance in road miles or railroad miles from the place where transport of live poultry begins to place where such transport ends:	Maximum permitted increase in cents per pound.
Less than 30 miles.....	No increase.
30 to 50 miles.....	¾ cent.
50 to 100 miles.....	1 cent.
100 to 150 miles.....	1¼ cents.
150 to 200 miles.....	1½ cents.
200 to 250 miles.....	1¾ cents.
250 to 300 miles.....	2 cents.
300 miles and over.....	2 cents.

(ii) Only one permitted increase for transporting live poultry items may be added to the maximum base price for such live poultry items at any city, town, or village where such live poultry items are destined for ultimate consumption. Permitted increases for transporting live poultry items may not be added cumulatively.

(iii) Examples. (a) A Delaware producer hauls a truckload of live broilers 35 miles to Wilmington, where he sells the entire load to a trucker who will haul them alive to New York. Question: May the producer add the permitted increase of ¾ cent per pound to the maximum base price for live broilers in Wilmington?

Answer: No, because Wilmington is not the city where the broilers are destined for ultimate consumption. Furthermore, the trucker does not fall within the class of buyers who may be charged with the permitted increase.

(b) A trucker hauls a truckload of live poultry 60 miles to a country dressing plant. He offers this truckload of live poultry for sale at the maximum base price at the country dressing plant plus 1 cent per pound for hauling. Question: May the trucker charge the 1 cent permitted increase?

Answer: No, because the country dressing plant is not the place where the poultry is destined for ultimate consumption. Furthermore, the country dressing plant does not fall within the class of buyers who may be charged with the permitted increase.

(c) A trucker hauls a truckload of live poultry 500 miles to New York City. He sells this truckload to a New York City "wholesaler" who resells such live poultry to New York City retailers.

Question: May the trucker add the 2 cent permitted increase to his maximum base price for the live poultry in New York City?

Answer: Yes, because he is selling the live poultry in the city where the poultry is destined for ultimate consumption, and because he is selling to a "wholesaler".

(d) A trucker hauls a truckload of live poultry 500 miles to Chicago, Illinois. He sells this truckload to a Chicago processing plant which does not qualify as a "wholesaler" under the definition of § 1429.21 (b) (5) of this regulation. This processing plant will convert the live poultry into dressed birds, some of which it will sell for ultimate consumption in Chicago, and most of which it will export out of the city. Question: May the trucker add the 2 cent permitted increase to his maximum base price for the live poultry in Chicago?

Answer: No, because he is selling to a processing plant which does not fall within the class of buyers who may be charged with the permitted increase, and because Chicago is not the city where most of the live poultry will be ultimately consumed.

(e) A trucker hauls a truckload of live poultry 500 miles to Chicago, Illinois. He sells this truckload to a Chicago "wholesaler" who will convert the live poultry into dressed birds, most of which he will sell for ultimate consumption in Chicago, and some of which he will export out of the city. Question: May the trucker add the 2 cent permitted increase to his maximum base price for the live poultry in Chicago?

Answer: Yes, because he is selling to a "wholesaler" who is processing most of the live poultry for ultimate consumption in Chicago. When any live poultry items are purchased by a processing plant which also qualifies as a "wholesaler" it

will be assumed that such live poultry items are being purchased for ultimate consumption in the city where the "wholesaler" is located.

(f) A trucker hauls a truckload of live poultry 500 miles to Chicago, Illinois. He sells this truckload to a Chicago "wholesaler" who will convert all the live poultry into dressed birds to be sold for ultimate consumption in Chicago. The Chicago "wholesaler" pays the trucker the maximum base price for the live poultry in Chicago plus the 2 cent permitted increase for hauling. Question: May the Chicago "wholesaler" add the 2 cent permitted increase paid out by him to the trucker, to the maximum base price for dressed poultry items in Chicago, when he sells such dressed poultry items?

Answer: No. The permitted increase for transporting live poultry items may never be added to the maximum base price for dressed poultry items, notwithstanding the fact that the person selling such dressed poultry items may have originally paid such permitted increase to a transporter of live poultry.

(2) Other permitted increases to maximum base prices. (i) Any person who makes any one of the following described sales of poultry items may add the increase indicated below for such sale to the maximum base price indicated below for such sale in order to determine his maximum selling price. No person may add more than one permitted increase to any maximum base price.

TABLE B—MAXIMUM PERMITTED INCREASES FOR SALES OF POULTRY ITEMS

Seller and type of sale made	Buyer	Quantity and form of sale	Item sold	Base price to which increase is added	Maximum increase in cents per pound for "wholesaler" and "hotel supply house" only		
					Non-delivered sales	Delivered within 25 miles	Delivered beyond 25 miles
					Cts.	Cts.	Cts.
(1a) All "wholesalers" who buy live poultry items, and sell such live poultry items, and who have paid out a permitted increase for transporting such live poultry items to any live poultry transporter.	All "wholesalers" individual retail stores, or commercial, industrial, or governmental users located in the city, town, or village, where the seller maintains his place of business.	Less than 10,000 lbs.	Any live poultry item.	Maximum base price at seller's shipping point, plus actual permitted increase paid out by seller to live poultry transporter for transporting live poultry items, in a sum not to exceed 2¢ per lb.	1½	1¾	2

16. Section 1429.21 (b) (5) (iv) is amended to read as follows:

(iv) He must customarily sell or distribute at least 75 percent of his dollar volume of poultry items, exclusive of sales to the United States Government or agency thereof, for ultimate consumption within a radius of 100 miles from his place of business: *Provided*, That: If he maintains his business establishment at any place in the States of Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Nevada, California, Oregon, and Washington, he must cus-

tomarily sell or distribute at least 75 percent of his dollar volume of poultry items, exclusive of sales to the United States Government or agency thereof, for ultimate consumption within a radius of 200 miles from his place of business.

17. Section 1429.23 is added to read as follows:

§ 1429.23 *Relief from extreme hardship in certain cases.* (a) Any person who purchased for resale any dressed or quick-frozen eviscerated turkey item during the period, November 9, 1942 to

December 18, 1942, inclusive, and retains such turkey item in his possession upon the date of issuance of this amendment may, if he believes that resale of such turkey items remaining in his possession at prices within the maximum prices established by this amendment will impose unreasonable and extreme hardship upon him, apply in writing to the Regional Administrator having jurisdiction of the area in which such person's place of business is located for an adjustment of the maximum prices at which he may sell such turkey items.

(b) Such application to the Regional Administrator shall contain the following:

- (1) Applicant's name and address.
- (2) The date(s) of purchase by applicant.
- (3) The name(s) and address(es) of seller(s) to applicant.
- (4) The quantities, grades, and weight classes of the turkey items bought by applicant during such period, and the prices paid.
- (5) The time(s) of delivery of such turkey items.
- (6) The quantities, grades, weight classes, and number of head of such turkey items remaining in applicant's possession and their location on the date of the application.
- (7) The quantities, grades, weight classes, and number of head proposed to be sold by the applicant.
- (8) The name(s) and address(es) of the proposed purchaser(s).
- (9) The prices proposed to be paid and received for such turkey items.
- (10) The facts constituting unreasonable and extreme hardship.

Upon consideration of such application, the Regional Administrator may grant in writing an adjustment of the maximum prices of such turkey items for the particular sale(s): *Provided*, That such maximum prices shall not exceed the maximum prices permitted under applicable maximum price regulations at the time the applicant received possession of the turkey items, to which may be added the monthly adjustments provided in § 1429.19 (h) (1) (iv).

This amendment shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CHESTER C. DAVIS,
Administrator, Food Production
and Distribution.

[F. R. Doc. 43-6273; Filed, April 22, 1943;
12:22 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 382 Under § 1499.3 (b) of GMPR]

W. E. CHAMBERS

Correction

In § 1499.1869 (a) of the document appearing on page 4791 of the issue for

Tuesday, April 13, 1943 the second item in the table should read:

Chambers Dehydrated Sweet Potato Powder, one-half pound jars, \$0.32.

PART 1499—COMMODITIES AND SERVICES
[Amendment 1 to Order 372 Under § 1499.3
(b) of GMPR]

GROCERY PRODUCTS MANUFACTURING CORP.

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. 372 is amended in the following respects:

1. Section 1499.1859 (b) is amended to read as follows:

(b) The wholesale grocers' maximum price for sliced dehydrated mushrooms packed in six gram laminated glassine bags, 24 to a case by Grocery Products Manufacturing Corporation, Mushroom Division shall be \$2.60 per case of 24 six gram bags.

2. Section 1499.1859 (c) is amended to read as follows:

(c) Retail grocers' maximum price for sliced dehydrated mushrooms packed in six gram laminated glassine bags, 24 to a case by Grocery Products Manufacturing Corporation, Mushroom Division shall be \$.15 per six gram bag.

3. Section 1499.1859 (g) is added to read as follows:

(g) On and after April 24, 1943, the Grocery Products Manufacturing Corporation, Mushroom Division shall notify wholesalers that they are authorized to establish a maximum price of \$2.60 per case of 24 for sliced dehydrated mushrooms packed in six gram laminated glassine bags and that retailers are authorized to establish a maximum price of \$.15 per six gram bag.

This amendment shall become effective April 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6311; Filed, April 23, 1943;
11:19 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 12, Amendment 29]

COFFEE RATIONING REGULATIONS

Correction

The bracketed head of the document appearing on page 4892 of the issue for Thursday, April 15, 1943, should read as above, "RO 12, Amendment 29."

PART 1499—COMMODITIES AND SERVICES
[Order 230 Under § 1499.18 (b) of GMPR]

KEYSTON BROS.

Correction

In § 1499.1830 of the document appearing on page 4967 of the issue for Sat-

urday, April 17, 1943, the 72d item should read "1631 Throat latch-----\$2.07 doz.", the 78th item should read "1647 Cow bell straps-----\$1.59 doz.", the 79th item should read "1648 Plow bellybands-----\$9.20 doz."

PART 1499—COMMODITIES AND SERVICES
[Order 396 Under § 1499.3 (b) of GMPR]

CUPRINOL INCORPORATED

Correction

In § 1499.1883 (e) of the document appearing on page 4931 of the issue for Friday, April 16, 1943, the cents per one-ounce bottle in the first paragraph of the notice to wholesalers should be "30 cents". In the second paragraph of the notice, the cents per one ounce bottle should be "36 cents".

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 204—DANGER ZONE REGULATIONS
BLOCK ISLAND SOUND, N. Y., RESTRICTED AREA

Pursuant to the provisions of Chapter XIX of the Army Act approved July 9, 1918 (40 Stat. 892; 33 U. S. C. 3) a portion of Block Island Sound and Fort Pond Bay at the United States Naval Torpedo Testing Range, Montauk, Long Island, New York, is hereby defined and established as a restricted area, and the following regulations relating thereto are hereby adopted:

§ 204.12 *Block Island Sound; Restricted Area, Naval Torpedo Testing Range, Fort Pond Bay, Montauk, L. I., N. Y.—(a) The area.* The restricted area is bounded by a line beginning at the flashing red light at Montauk West Jetty and running northeasterly to Shagwong Reef Lighted Bell Buoy "7 SR"; thence northerly to Cerberus Shoal Lighted Whistle Buoy "9"; thence westerly to a point in latitude 41°09'10" North, longitude 72°06' West, on a line running from Cerberus Shoal Lighted Whistle Buoy "9" to Gardiners Island Lighted Buoy "1G1"; thence southeasterly to a point in latitude 41°02'54" North, longitude 71°59'25" West, on Rocky Point. The southern boundary of the restricted area shall be the shore line between the termini of the east-west boundaries.

(b) *The regulations.* (1) No vessel shall enter or navigate that part of the restricted area in Fort Pond Bay inside of a line drawn from a point in latitude 41°02'54" North, longitude 71°59'25" West, on Rocky Point to a point in latitude 41°04'12" North, longitude 71°57'38" West, on Culloden Point, except that commercial craft may enter from or depart to the eastward by navigating close to the shore line, but shall not navigate westward of "Duryea's Wharf". Such navigation will proceed at its own risk. All other waters of the restricted area shall be open to navigation except at such times as the torpedo testing range is in actual operation.

(2) During such times as the torpedo testing range is in actual operation, all traffic within the restricted area is prohibited, except as provided in subparagraph (1) of this section.

(3) Notice that the torpedo testing range is in operation will be given by range boats which will warn all traffic.

(4) These regulations shall be enforced by the Captain of the Port and Commandant, Third Naval District, through such officers and personnel as may be assigned thereto, including the Inspector of Ordnance in Charge, Naval Torpedo Testing Range, Montauk, Long Island, New York. (40 Stat. 892; 33 U.S.C. 3) [Regs. April 16, 1943. (CE 800.2121 (Block Island Sound, L. I., N. Y.)—SPEON)]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-6279; Filed, April 22, 1943;
3:32 p. m.]

PART 206—FISHING AND HUNTING REGULATIONS

FISHING IN CHESAPEAKE BAY, MD. AND VA.

Pursuant to the provisions of section 10 of the River and Harbor Act approved March 3, 1899 (30 Stat. 1151; 33 U.S.C. 403), the regulations governing the placing and maintenance of fishing structures in Chesapeake Bay and its tributary waters are amended to read as follows:

§ 206.50 *Chesapeake Bay, Md. and Va., and its tributary waters; fishing.* Until further notice all fishermen, oystermen and crabbers who desire to operate in Chesapeake Bay, Maryland and Virginia, and navigable tributaries thereto,¹ are hereby authorized by the Secretary of War to construct and maintain fishing structures, to mark oyster bottoms and to locate and mark crab pots subject to the following regulations.

(a) *Supervision.* General supervision of the location, construction and manner of maintenance of all fishing structures shall be exercised by the United States District Engineer in charge of the locality in which the structure is placed. The term "fishing structure" shall include lines of fish net, settings, stakes, leads, traps, pounds, gill or fyke nets, heads, hedging, oyster bottom, crab pot markers, and similar appurtenances. The types of structures permitted shall conform to the laws of the respective States of Maryland and Virginia.

(b) *Limits.* The approved limits of the areas within which fishing structures may be placed are shown on maps entitled, "Limits for Placing Fishing Structures" which form a part of these regulations. These maps may be examined or purchased in the offices of the respective United States District Engineers. Regular aids to navigation are used where possible to mark the limits of the areas, and special fishing structure buoys have been established where additional

markers are necessary. These buoys are marked as follows:

For the Baltimore District, B₁, B₂, B₃, B₄, etc.

For the Washington District, W₁, W₂, W₃, W₄, etc.

For the Norfolk District, N₁, N₂, N₃, N₄, etc.

(c) *Restrictions.* (1) The approach to the mouth of any tributary or to the mouth of any navigable branch of any tributary shall be left free and unobstructed by fishing structures. Where limiting lines are not shown on the respective maps, the free and unobstructed approach shall lie along the channel usually followed by boats and shall have a width of not less than one-third of the width of the mouth of the tributary or branch.

(2) Within the tributaries where limiting lines are not shown on maps a channel in deep water, of at least one-third of the total width of the waterway at the locality, shall be left free and unobstructed for the use of boats.

(3) No fishing structures shall be placed within 500 feet of any buoy or other aid to navigation (fishing structure buoys excepted) placed or maintained by the United States Coast Guard, or within 200 feet of the edges of channels in Northeast River and Elk River, Maryland, which are marked by established aids to navigation.

(4) Nothing in these regulations shall supersede any danger zone regulations prescribed by the Secretary of War for these waters. (See Part 204, Chapter II of this Title—Rules and Regulations Relating to the Navigable Waters of the United States.) Copies of these regulations can be secured from the United States District Engineer in charge of the locality in question or from the Commanding Officer of the establishment concerned.

(d) *Requirements.* (1) No single fishing structure shall have a length greater than that prescribed by the laws of the respective States of Maryland and Virginia. Fishing structures shall be constructed as being in the same line only when the distance between adjacent structures, measured along a line generally parallel to the structures, is at least 200 feet; and the distance between the same structures, measured along a line generally perpendicular to the structures, is not more than 200 feet. The required openings between adjacent structures shall be maintained clear and unobstructed. The distance between adjacent lines of fishing structures shall be that prescribed by the laws of the respective States of Maryland and Virginia. In localities not covered by the laws of these States, the distance between lines of fishing structures shall be at least 400 yards. A clear fairway at least 200 feet wide shall be maintained between navigable channels and established boat landings. All stakes shall project at least 3 feet above the surface of the water at all ordinary high stages of the tide. Fyke and other submerged fishing structures shall be marked by stakes set at intervals not greater than 50 feet. Marker stakes left in place be-

tween fishing seasons for subsequent re-establishment of the fishing structure shall project at least 8 feet above the surface of the water at all ordinary high stages of tide and be marked as indicated in subparagraphs (2) and (3) of this paragraph. Stakes not in compliance with the above conditions shall be spliced or withdrawn.

(2) Both ends of each fishing structure shall be marked plainly by a bush or other suitable and readily discernible day mark.

(3) The name and address of the owner of each fishing structure shall be displayed in black letter not less than 2 inches in height, upon a white background, from a stake at the outer end of the structure, at such height and in such position that it may be easily read. The identification mark must be displayed from the setting of the first stake until removal of the last one.

(4) Fishing structures, with the exception of oyster bottom leaseholds and crab pot markers, shall be lighted between sunset and sunrise, by and at the expense of the owner, for the safety of navigation. A white light shall be displayed at the outer end of the structure. The light shall have a capacity to burn for at least eight days unattended and be visible in clear night weather at least one mile. The light shall be securely placed on piles or stakes at an elevation of at least 8 feet above mean low water and be visible from all points of the compass and from the air. It shall be subject to inspection and approval of the said District Engineer before use, and at any time during use, and the owner shall make provision, by watchman or otherwise, for its proper attendance, so that it shall be in effective condition and properly lighted at all times between sunset and sunrise. In case of removal of the fishing structure, the light prescribed above shall be maintained until the removal of the last pile or stake.

There shall be installed and maintained on the structure by and at the expense of the owner, such additional lights and signals, if any, as may be prescribed by the United States Coast Guard.

Fishing structures from which the nets have been temporarily removed will not be considered as abandoned if the structures are otherwise in a state of good repair and are provided with the necessary lights, name and address plate, and day markers.

(5) Crab pot stake markers shall be located shoreward of approved fish stake limiting lines and where no limit lines are prescribed shall conform to the requirements of paragraph (c) of this section. The diameter of the stake shall not exceed 2 inches at the water surface, shall project at least 6 feet above the surface of the water at all ordinary high stages of the tide and be marked with the name and address of the owner and a day marker consisting of a bush or other suitable and readily discernible object.

(6) Oyster ground or bottom leaseholds stakes shall be painted with alternate horizontal striped red and white bands each 10 inches wide. At least two

¹ Map filed as part of the original document.

each of the red and white bands shall project above the surface of the water at all ordinary high stages of the tide. No stakes shall be placed channelward of approved fish stake limiting lines or in a fairway.

(7) The owner of a fishing structure shall be responsible for properly locating, constructing, and repairing such structure and for maintaining such lights and markers as required in these regulations. Structures shall be considered as abandoned at such time as any or all of these requirements are not fully complied with and the owner or owners shall promptly remove all stakes from an improperly located and/or abandoned structure, or be subject to prosecution. Improperly located and/or abandoned fishing structures may be summarily removed, sold, or otherwise disposed of by the United States District Engineer charged with the general supervision of the locality.

(e) *General restrictions.* (1) Nothing herein provided shall be interpreted as setting aside exclusively for fisheries any area of navigable water.

(2) It is to be understood that these regulations do not give any property rights either in real estate or material, or any exclusive privileges and do not authorize any injury to private property or invasion of private rights, or any infringement of Federal, State, or local law or regulations, nor do they obviate the necessity of obtaining State assent to the work authorized.

(3) If at any time in the future it shall be made apparent to the Secretary of War that any fishing structure herein authorized causes unreasonable obstruction to the free navigation of said waters, the owner will be required, upon due notice from the Secretary of War, to remove or alter the same so as to render navigation through said water reasonably free, easy, and unobstructed.

(f) *Damage or injury.* That the United States shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the Government for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage. (Sec. 10, 30 Stat. 1151; 33 U.S.C. 403) [Regs. March 31, 1943 (CE 800.217 (Chesapeake Bay) SPEON)]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-6280; Filed, April 22, 1943;
3:32 p. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

PART 304—LABOR

[General Order 32]

CERTAIN SEAMEN'S CLAIMS AND ELECTION OF REMEDIES

§ 304.20 *Statutory provisions.* Under the provisions of Public Law 17—78th

Congress (H. R. 133), approved March 24, 1943, officers and members of crews (hereinafter referred to as "seamen") employed on United States or foreign flag vessels owned by or under bareboat charter to the War Shipping Administration and operated by an Agent under a General Agency form of Service Agreement, with respect to the claims hereinafter specifically enumerated, are given all of the rights, benefits, exemptions, privileges, and liabilities, under law applicable to citizens of the United States employed as seamen on American flag vessels privately owned and operated. Under such Act, court action (1) may not be instituted to enforce such a claim until it shall have been administratively disallowed, in whole or in part, and (2) must be brought pursuant to the Suits in Admiralty Act.

§ 304.21 *Claims which must be submitted for allowance prior to suit.* Claims, unless covered by the Social Security Act or laws administered by the Public Health Service, must be submitted for allowance prior to instituting court action thereon in cases of death, injury, illness, maintenance and cure, loss of effects, detention, repatriation, or claims arising therefrom; in cases relating to the collection of wages and bonuses and the making of allotments, when made against the United States of America, the War Shipping Administration, the Administrator thereof, or any other person for whom the United States of America or War Shipping Administration is responsible; in cases arising under the War Shipping Administration Crew Life and Injury Policy, the Second Seamen's War Risk Policy, and those arising under other Decisions of the Maritime War Emergency Board, in so far as such claims are made against the War Shipping Administration, provided they are made by or on behalf of seamen who, at the time such claims arose, were employees of the United States through the War Shipping Administration, or by or on behalf of their surviving dependents or beneficiaries or legal representatives.

§ 304.22 *Time of accrual.* These regulations (§ 304.20 et seq.) apply to any claim specified in § 304.21 which:

(a) Arose on or after March 24, 1943; or

(b) Accrued on or after October 1, 1941, and prior to March 24, 1943, if the seaman or his surviving dependent or beneficiary or legal representative elects, as provided by §§ 304.28 and 304.29, to enforce such claim in the same manner as it would be enforced if it arose after the date of the enactment of Public Law 17—78th Congress.

§ 304.23 *Court action, condition precedent.* No seaman or his surviving dependent or beneficiary or legal representative, having a claim under the provisions of §§ 304.21 and 304.22, shall commence a court action for the enforcement of such claim, unless such claim has been filed by him or on his behalf or by or on behalf of his surviving dependent or beneficiary or legal representative as provided in §§ 304.24 and 304.25 and has been administratively disallowed by the person or agency with whom it was so filed.

§ 304.24 *Claim, contents.* The claim need not follow any particular form, but it shall be in writing. It shall contain such particulars as are reasonably necessary as a basis for the allowance or administrative disallowance of such claim and should include, with respect to the seaman in question, his home address, date of birth, place of birth, certificate of identification number, as well as all the facts and circumstances leading up to and surrounding the happening of the event out of which it is alleged the claim arose.

§ 304.25 *Claims, with whom filed.* Claims based upon any decision of the Maritime War Emergency Board or any insurance policy issued by the War Shipping Administration, excluding claims for loss of or damage to personal effects (if the insured is alive), bonus, and detention and repatriation benefits, shall be filed with the Chief Adjuster, Division of Wartime Insurance, War Shipping Administration, 99 John Street, New York City, or such other agencies or persons as may be designated by the Chief Adjuster for the purpose of determining the allowance or disallowance of such claim. All other claims, including claims for loss of or damage to personal effects (if the insured is alive), bonus, and detention and repatriation benefits, shall be filed with the General Agent of the vessel with respect to which such claims arose, or such Agent's Berth Sub-Agent to which the former may refer the claim for handling.

§ 304.26 *Claim, when presumed administratively disallowed.* If the person or agency with whom the claim is filed, in accordance with the directions contained herein, fails to notify the claimant in writing of a determination upon such claim, within sixty days following the date of filing thereof, the claim shall be presumed to have been administratively disallowed, and the claimant shall be entitled to enforce his claim by court action.

§ 304.27 *Administrative disallowance, notice of.* In those cases in which the person or agency to whom the claim has been referred, determines that it shall be administratively disallowed, in whole or in part, such person or agency shall mail to the last known address of the claimant, or deliver or cause to be delivered personally to the latter or his agent, a letter in substantially the following form:

Dear Sir:

Reference: (Name of claimant—Name of vessel)

This is to certify that ---- (Claimant) ---- filed a written claim with the undersigned on ---- (Date received) ----; that the claim involved or arose out of

(here insert facts sufficient to identify the claim);

that such claim has been administratively disallowed, in accordance with the rules and regulations prescribed by the Administrator under the provisions of section 1 (a) of Public Law 17—78th Congress (H. R. 133).

§ 304.28 *Election of remedies.* A seaman or his surviving dependent or bene-

fiary or legal representative, having a claim specified in §§ 304.21 and 304.22 (b) may enforce such claim in the same manner as if Public Law 17—78th Congress (H. R. 133) had been in effect at the time the same arose, upon his election so to do as provided in § 304.29.

§ 304.29 *Election, what constitutes.* A seaman, or his surviving dependent or beneficiary or legal representative shall be deemed to have made an election as provided in § 304.28 if:

(a) He files a claim in writing as provided by § 304.23 et seq.

(b) Prior to the enactment of Public Law 17—78th Congress, he commenced a Court action or proceeding based on such a claim, and signs and files in such action, prior to the entry of final judgment, any writing stating, in substance, that he elects to have such claim enforced as if Public Law 17—78th Congress had been in effect at the time such claim arose.

(E.O. 9054, 7 F.R. 836; Pub. Law 17, 78th Cong.)

[SEAL]

E. S. LAND,
Administrator.

APRIL 22, 1943.

[F. R. Doc. 43-6285; Filed, April 22, 1943; 4:11 p. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Food Distribution Administration.

[Docket No. AO 33-A 9]

HANDLING OF MILK IN FORT WAYNE, INDIANA, MARKETING AREA

NOTICE OF HEARING

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Fort Wayne, Indiana, marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure (7 CFR 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350, 8 F.R. 2813), notice is hereby given of a hearing to be held in the St. Paul Auditorium, Barr and Madison Streets, Fort Wayne, Indiana, beginning at 10:00 a. m., c. w. t., May 10, 1943, with respect to a proposal that the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Fort Wayne, Indiana, marketing area, should regulate the handling of all milk handled in such marketing area which is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce, and with respect to certain proposed amendments to such tentatively approved marketing agreement, as amended, and order, as amended. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the

economic or marketing conditions which relate to the proposals or any modification thereof. The amendments which have been proposed are set forth below:

PROPOSED BY THE WAYNE CO-OPERATIVE MILK PRODUCERS, INC.

1. Renumber § 932.10 as § 932.11.
2. Add as § 932.10 the following:

§ 932.10 *Expense of administration; deduction from payment to producers; for Market Administration.* Each handler and cooperative association shall deduct that amount per hundredweight, not to exceed four cents (4¢), which is announced by the market administrator, on or before the tenth day after the end of each delivery period from the payments to be made by him pursuant to § 932.8 in regard to all milk delivered to him during each delivery period by producers who are not also handlers, and shall, on or before the fifteenth day after the end of each such delivery period, pay such deduction to the market administrator; and each handler who produces milk distributed by him shall make a similar payment for milk produced by him and sold during each delivery period as Class I and Class II milk. Such payments shall be retained by the market administrator in a separate account to meet his cost of operation.

3. Delete from § 932.9 (a) that part of such paragraph which precedes the word "following" and substitute therefor the following language:

§ 932.9 *Marketing services—(a) Marketing service deductions.* Except as set forth in paragraph (b) of this section, each handler, in making payments to producers pursuant to § 932.8 (b) (1), shall make a deduction of 4 cents per hundredweight of milk, or such lesser deduction as the market administrator shall determine to be sufficient, subject to review by the Secretary, with respect to the following:

PROPOSED BY THE DAIRY AND POULTRY BRANCH, FOOD DISTRIBUTION ADMINISTRATION, UNITED STATES DEPARTMENT OF AGRICULTURE

1. Delete from § 932.4 (a) the language preceding the phrase "in the manner set forth in § 932.8" and substitute therefor the following:

(a) *Class prices.* Each handler shall pay producers or an association of producers,

2. Delete § 932.8 (a) and substitute therefor the following:

(a) *Token payments.* On or before the last day of each delivery period, each handler shall pay producers or an association of producers, with respect to the quantity of milk he received from each producer, or from an association of producers, during the first 15 days of the delivery period, the uniform price announced by the market administrator pursuant to § 932.7 (b) (7) for milk received during the delivery period next preceding.

3. In the first paragraph of § 932.8 (b) add the phrase "or from an association of producers" following the term "producers."

4. Add as § 932.8 (b) (3) the following:

(3) To an association of producers, with respect to milk which was caused to be delivered to him by such association, for the account of such association and for which such association collects payment, each handler shall make payment at not less than the class prices set forth in § 932.4, and subject to the butterfat differential provided in paragraph (d) of this section,

for the utilization value of such milk. On or before the fifteenth day after the end of each delivery period, such association shall pay to the market administrator the amount by which the utilization value of such milk, and of the milk of each producer which it caused to be delivered during the delivery period to a plant from which no milk is disposed of in the marketing area, is greater than the sum obtained by multiplying the hundredweight of such milk by the appropriate price required to be paid by handlers pursuant to paragraph (a) (1) of this section, and adding together the resulting amounts. For the purpose of determining the use classification of milk caused to be delivered by an association to a handler, the milk caused to be so delivered shall be ratably apportioned among the receiving handler's total Class I, Class II, and Class III milk.

5. Delete § 932.1 (a) (8) and substitute therefor the following:

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

6. Add as § 932.12 the following:

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

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: April 23, 1943.

[SEAL] THOMAS J. FLAVIN,
Assistant to the Secretary
of Agriculture.¹

[F. R. Doc. 43-6316; Filed, April 23, 1943; 11:33 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT LB-11]

SURFACE TRANSPORTATION CORPORATION OF NEW YORK

DIRECTION TO SUSPEND CERTAIN OPERATIONS

Pursuant to Executive Orders 8989, 9156, and 9214, and in order to assure the orderly and expeditious movement of necessary passenger traffic and to conserve and providently utilize manpower and existing transportation facilities and service, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. Surface Transportation Corporation of New York, New York, New York (hereinafter called "carrier"), in the transportation of passengers as a common carrier by bus in the Boroughs of

¹ Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

Manhattan and the Bronx, New York, New York, shall not operate buses:

(a) Over that section of its bus route described in the appendix hereto and designated as route "Bx-10—Riverdale Avenue", along Broadway between West 230th Street and West 207th Street, along West 207th Street between Broadway and Vermilyea Avenue, along Vermilyea Avenue between West 207th Street and Isham Street, and along Isham Street between Vermilyea Avenue and Broadway;

(b) Over that section of its bus route described in the appendix hereto and designated as route "Bx-18—Macombs Road", along East 170th Street between Teller Avenue and Jerome Avenue, along Andrews Avenue between West 176th Street and West 175th Street, along West 175th Street between Andrews Avenue and Montgomery Avenue, along Montgomery Avenue between West 175th Street and West Tremont Avenue, and along West Tremont Avenue between Montgomery Avenue and Andrews Avenue;

(c) Over that section of its bus route described in the appendix hereto and designated as route "Bx-50—Highbridge", along West 167th Street between Woodycrest Avenue and Ogden Avenue, along Ogden Avenue between West 167th Street and West 169th Street, along West 169th Street between Ogden Avenue and Nelson Avenue, and along Nelson Avenue between West 169th Street and West 167th Street;

(d) Over any bus route described and designated in the appendix hereto in excess of the bus miles that it operated on such route on March 1, 1943.

2. As used herein the term:

(a) "Bus" means any rubber-tired vehicle used on the streets, highways, or other thoroughfares in the transportation of passengers;

(b) "Bus miles" includes all miles of actual bus operation, whether in passenger service or otherwise.

3. The carrier shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

4. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, New York, New York, and should refer to "Special Order ODT LB-11".

This order shall become effective May 2, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly pro-

claimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of April, 1943.

JOSEPH B. EASTMAN,
Director.

APRIL 22, 1943.

APPENDIX 1

DESCRIBING BUS ROUTES REFERRED TO THEREIN

Route Bx-10—Riverdale Avenue.
Beginning at the intersection of Riverdale Avenue and the North City Line; along Riverdale Avenue to the intersection of West 254th Street and Henry Hudson Parkway West; along Henry Hudson Parkway West to West 239th Street; along West 239th Street crossing Henry Hudson Parkway to Riverdale Avenue; along Riverdale Avenue to West 230th Street; along West 230th Street to Broadway; along Broadway to West 231st Street; along West 231st Street to Kingsbridge Avenue; along Kingsbridge Avenue to West 230th Street; also along Irwin Avenue between 230th Street and 231st Street; also along Henry Hudson Parkway East between West 239th Street and West 254th Street; along West 254th Street between Henry Hudson Parkway East and Henry Hudson Parkway West; also beginning at the intersection of West 239th Street and Henry Hudson Parkway East; along West 239th Street crossing Henry Hudson Parkway to Henry Hudson Parkway West; along Henry Hudson Parkway West to Kappock Street; along Kappock Street crossing Henry Hudson Parkway to Johnson Avenue; along Johnson Avenue to Irwin Avenue (also known as Spuyten Duyvil Road); along Irwin Avenue to West 230th Street; along West 230th Street to Broadway; along Broadway to West 207th Street; along West 207th Street to Vermilyea Avenue; along Vermilyea Avenue to Isham Street; along Isham Street to Broadway; also along Henry Hudson Parkway East between Kappock Street and West 239th Street.

Route Bx-18—Macombs Road.
Beginning at the intersection of Teller Avenue and East 170th Street; along East 170th Street to Jerome Avenue; along Jerome Avenue to Macombs Road; along Macombs Road to University Avenue; along University Avenue to West Tremont Avenue; along West Tremont Avenue to Andrews Avenue South; along Andrews Avenue South to West 175th Street; along West 175th Street to Montgomery Avenue; along Montgomery Avenue to West Tremont Avenue; along West Tremont Avenue to Andrews Avenue; also along West 176th Street between Andrews Avenue and University Avenue; also along University Avenue between West 176th Street and Macombs Road.

Route Bx-50—Highbridge.
Beginning at the intersection of East 161st Street at River Avenue, along East 161st Street to Girard Avenue crossing Girard Avenue from the south roadway of 161st Street, to the north roadway of 161st Street, along East 161st Street to Jerome Avenue to Woodycrest Avenue, along Woodycrest Avenue to West 167th Street, along West 167th Street to Ogden Avenue, along Ogden Avenue to West 169th Street, along West 169th Street to Nelson Avenue, along Nelson Avenue to West 167th Street, along West 167th Street to Anderson Avenue, along Anderson Avenue to 162nd Street, along 162nd Street to Ogden Avenue, along Ogden Avenue to Jerome Avenue, along Jerome Avenue to East 161st Street, along East 161st Street to River Avenue.

[F. R. Doc. 43-6286; Filed, April 22, 1943; 4:13 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 2 Under MPR 119]

DEERE & Co., AND J. L. CASE Co.

APPROVAL OF MAXIMUM PRICES

Pursuant to paragraph (f) in § 1315-1451, and for the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

(a) This order applies to the following two sellers and to the following six purchasers:

Sellers

Deere & Company, Moline, Illinois.
J. I. Case Company, Racine, Wisconsin.

Purchasers

Allis-Chalmers Mfg. Co., Milwaukee, Wisconsin.
International Harvester Co., Chicago, Illinois.
Massey-Harris Co., Racine, Wisconsin.
Minneapolis-Moline Power Implement Co., Minneapolis, Minnesota.
Oliver Farm Equipment Co., Chicago, Illinois.
Root-Heath Company, Plymouth, Ohio.

(b) The maximum prices for the sale or delivery by the two sellers named in paragraph (a) to any of the six purchasers named in paragraph (a) for the original equipment of vehicles of any of the farm implement tires and tubes which the sellers now have in inventory shall be the net cost to the particular seller of the tires and tubes involved increased by 5%. The net cost of the tires and tubes means the net price which the seller paid to the vendor from whom he purchased for the tires and tubes delivered to the seller here involved.

(c) There may be added to the maximum prices established by paragraph (b) the actual dollar amount of the federal excise tax which the seller paid on the tires and tubes involved as a separate item to the vendor from whom he purchased.

(d) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 2 shall become effective April 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6270; Filed, April 22, 1943; 12:20 p. m.]

[Order 39 Under RPS 6]

PHOENIX IRON COMPANY

ORDER GRANTING RELIEF

Order No. 39 under Revised Price Schedule No. 6—Iron and Steel Products; Docket No. 3006-40.

On February 5, 1943, The Phoenix Iron Company of Phoenixville, Pennsylvania, filed an application for adjustment of prices that may be charged by them on semi-finished steel. Due consideration has been given to the petition and an

opinion in support of this Order No. 39 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) The Phoenix Iron Company may sell and deliver and agree, offer, solicit and attempt to sell and any person may buy and receive from The Phoenix Iron Company mild steel ingots rerolling grade, rerolling grade billets, blooms and slabs, forging quality ingots, and forging quality billets, blooms and slabs at prices not in excess of those stated in paragraph (b) hereof, f. o. b. Phoenixville, Pennsylvania.

(b) (1) The maximum base price which may be charged for mild steel ingots rerolling grade is \$38.75 per gross ton.

(2) The maximum base price which may be charged for rerolling grade billets, blooms and slabs is \$41.00 per gross ton.

(3) The maximum base price which may be charged for forging quality ingots is \$43.00 per gross ton.

(4) The maximum base price which may be charged for forging quality billets, blooms and slabs is \$47.00 per gross ton.

(5) The maximum base prices set forth in 1, 2, 3 and 4 above shall be applicable to shipments of all material produced after February 5, 1943.

(c) All prayers of the petitioner not granted herein are denied.

(d) This Order No. 39 may be revoked or amended by the Price Administrator at any time.

(e) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to terms used herein.

(f) This Order No. 39 shall be effective as of February 5, 1943.

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6267; Filed, April 22, 1943; 12:21 p. m.]

[Order 13 Under RPS 67 and MPR 137]

THE MEASUREGRAPH COMPANY

DENIAL OF APPLICATION, ETC.

Order No. 13 under Revised Price Schedule No. 67—New Machine Tools and Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services; Docket Nos. 3067-51, 3067-52, 3067-53, 3067-54, 3136-224, 3136-225.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and Procedural Regulation No. 6, *It is hereby ordered:*

(a) The applications for adjustment filed on March 1, 1943 by The Measuregraph Company of St. Louis, Missouri, are denied.

(b) Any contract entered into by The Measuregraph Company, in accordance with Procedural Regulation No. 6, at prices above the maximum prices established by Revised Price Schedule No. 67 or Maximum Price Regulation No. 136, as amended, shall be revised to conform with the terms of this order, any payment made to The Measuregraph Company in excess of the maximum prices authorized by Maximum Price Regulation No. 136, as amended, or Revised Price Schedule No. 67, on account of deliveries made subsequent to March 1, 1943, and prior to the effective date of this order, shall be refunded to the purchaser, and, within 30 days after the date on which this order was mailed to him, the applicant shall file a statement with the Office of Price Administration in Washington, D. C., to the effect that such contracts were revised in accordance with the terms of this order and, wherever required, refunds were made.

(c) The issuance of this order shall not in any way affect or relieve The Measuregraph Company for any violation of any regulation or order issued by the Office of Price Administration.

This Order No. 13 shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6268; Filed, April 22, 1943; 12:20 p. m.]

[Rev. Gen. Order 32, Amendment 4]

REGIONAL ADMINISTRATORS

DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR

Revised General Order No. 32 is amended in the following respects:

1. Paragraph (a) (6) is added to read as follows:

(6) Granting permission sought by sellers pursuant to § 1351.1001b of Maximum Price Regulation No. 271 (Certain Perishable Food Commodities, Sales Except at Retail).

2. Paragraph (b) (5) is added to read as follows:

(5) Granting permission sought by sellers pursuant to § 1351.1001b of Maximum Price Regulation No. 271 (Certain Perishable Food Commodities, Sales Except at Retail).

This amendment to Revised General Order No. 32 shall become effective April 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6269; Filed, April 22, 1943; 12:20 p. m.]

[Order 6 Under MPR 39]

HOLT-WILLIAMSON MANUFACTURING COMPANY

GRANTING ADJUSTMENT OF MAXIMUM PRICES

Order No. 6 under Maximum Price Regulation No. 39—Woven Decorative Fabrics; Docket No. 3039-21.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered:*

(a) On and after April 23, 1943 the Holt-Williamson Manufacturing Company of Fayetteville, North Carolina, herein called the petitioner, may sell and deliver and any person may purchase and receive from it the following woven decorative fabrics at prices not in excess of the prices set forth below:

Style no.:	Maximum prices per yd.
475.....	\$.375
824.....	.375
831.....	.4375
851.....	.3255
853.....	.53

(b) Except for the adjusted maximum prices granted herein, all sales of the constructions of woven decorative fabrics set forth above shall be subject to the provisions of Maximum Price Regulation No. 39.

(c) Petitioner shall mail or cause to be mailed to all persons who purchase from it the constructions of woven decorative fabrics listed above for sale at retail a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you to the following:

Style no.:	Maximum prices per yd.
475.....	\$.375
824.....	.375
831.....	.4375
851.....	.3255
853.....	.53

These increases granted to us represent only those parts of cost increases which we are unable to absorb and they were granted with the understanding that retail prices will not be raised. The Office of Price Administration has not permitted you or any other seller to raise your maximum prices for sales of these woven decorative fabrics.

(d) All prayers of the petitioner not granted herein are denied.

(e) This Order No. 6 may be revoked or amended at any time by the Office of Price Administration.

(f) This Order No. 6 shall become effective April 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6283; Filed, April 22, 1943; 4:00 p. m.]

[Administrative Exception Order 4 Under RO 17]

DALE SYSTEM, INCORPORATED

AUTHORIZATION TO RECEIVE RATION CREDIT

Administrative Exception Order No. 4 under Ration Order 17—Shoes.

Dale System, Incorporated is a business enterprise engaged in rendering services to clients, consisting principally of owners of retail stores, to test the efficiency and honesty of the clients' sales clerks. The method used involves the making of a complete purchase of an article and observing the actions of the sales clerk in the course of the transaction. The article purchased is later returned to the owner of the store for refund, at the same or another establishment of the client, in a way to prevent revealing to the client's employees the identity of the individual making the test. The Dale System, Incorporated requests authority to secure ration currency to enable it to continue to make test purchases of shoes in the course of its business.

The granting of the request in this and all similar cases would not defeat or impair the effectiveness of the policy of the Ration Order because it would not increase the quantity of shoes used.

It is hereby ordered, That Dale System, Incorporated, 1776 Broadway, New York, New York, is authorized to receive a ration credit or a supply of ration currency from the Office of Price Administration, Washington, D. C., which it may use as a revolving fund to enable its employees to make purchases of shoes from its clients in the manner otherwise permitted by Ration Order 17. As soon as practicable after making a purchase of shoes, it shall return them unused to the client from whom they were acquired and receive special shoe stamps or a ration check for the number of pairs returned. To facilitate its handling of ration checks received from its clients, Dale System, Incorporated is authorized to open a shoe ration bank account or accounts in the manner otherwise permitted by General Ration Order 3A, and to obtain further supplies of special shoe stamps from its board in exchange for a certified ration check drawn on its account to the account of the Office of Price Administration. The Dale System, Incorporated shall keep records of the shoes acquired hereunder and the return of the shoes and shall make such reports as the Office of Price Administration may require. The amount of the ration credit or ration currency and the number and location of the shoe ration bank accounts shall be determined by the Director of the Miscellaneous Products Rationing Division, Office of Price Administration, Washington, D. C.

It is hereby further ordered, That any other persons similarly situated may be authorized on similar conditions, to receive a ration credit or ration currency to be used to make test purchases of shoes. Such authority may be granted in writing by the Director of the Miscellaneous Products Rationing Division, Office of Price Administration, Washington, D. C.

This order shall become effective April 24, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507, and 429, 77th

Cong.; W.P.B. Dir. 1, 7 F.R. 562; E.O. 9125, 7 F.R. 2719)

Issued this 23d day of April 1943.

PAUL M. O'LEARY,
Deputy Administrator in Charge
of Rationing.

[F. R. Doc. 43-6303; Filed, April 23, 1943;
11:18 a. m.]

[Order 12 Under MPR 28]

PUBLICKER COMMERCIAL ALCOHOL COMPANY OF LOUISIANA, INCORPORATED

ORDER DENYING ADJUSTMENT

Order No. 12 under Maximum Price Regulation No. 28—Ethyl Alcohol (Excluding West Coast Ethyl Alcohol); Docket No. 3028-19.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) The petition of Publicker Commercial Alcohol Company of Louisiana, Incorporated, of Philadelphia, Pennsylvania, Docket No. 3028-19, for an adjustment of the maximum prices established by Maximum Price Regulation No. 28 for sales of ethyl alcohol, is denied.

This order shall become effective April 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6306; Filed, April 23, 1943;
11:18 a. m.]

[Revocation of Order 18 Under MPR 122]

T. A. D. JONES AND COMPANY

ORDER OF REVOCATION

Correction

In the first sentence of the document appearing on page 4803 of the issue for Tuesday, April 13, 1943, the order number should read, "Order No. 18".

[Order 23 Under MPR 136 as Amended]

RIEGEL PAPER CORPORATION

Order No. 23 under Maximum Price Regulation 136 as amended—Machines and Parts, and Machinery Services.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, and § 1390.11 (f) of Maximum Price Regulation No. 136, as amended, *It is hereby ordered:*

(a) Riegel Paper Corporation of Riegelsville, New Jersey, is hereby authorized to sell to Automatic Paper Machinery Company, Inc., of Hoboken, New Jersey, one second-hand Yankee Paper Machine (known as No. 12), together with

auxiliary equipment for the maximum price of \$492,846.78, and Automatic Paper Machinery Company, Inc., is hereby authorized to pay the Riegel Paper Corporation such maximum price.

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

This order shall become effective April 9, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6308; Filed, April 23, 1943;
11:19 a. m.]

[Order 284 Under MPR 188¹]

THE OHIO FOUNDRY AND MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 284 under § 1499.153 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This order sets temporary maximum prices for sales of 3 new fireplace grates manufactured by The Ohio Foundry and Manufacturing Company, Steubenville, Ohio. It applies only to the grates described in an application submitted by the manufacturer to the Office of Price Administration. The order is temporary. No sales or deliveries may be made under its authority after December 31, 1943.

The prices stated below may be charged only if the manufacturer attaches to the grate, a written warranty described in paragraph (b). If the manufacturer does not make the warranty, the maximum prices for sales by it and by wholesalers and retailers shall be computed by deducting 25% from the prices stated below.

(1) For sales by the manufacturer to wholesalers or jobbers, the maximum prices are:

Model No. 2.....	\$5.25
Model No. 3.....	5.25
Model No. 4.....	4.75

The above prices are f. o. b. Steubenville, Ohio.

(2) For sales by the manufacturer to retailers, the maximum prices are:

Model No. 2.....	\$5.80
Model No. 3.....	5.80
Model No. 4.....	5.25

The above prices are f. o. b. Steubenville, Ohio.

¹ 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980, 3105, 3788, 3850, 4140, 4931.

(3) For sales at wholesale by persons other than the manufacturer, the maximum prices are:

Model No. 2.....	\$7.00
Model No. 3.....	7.00
Model No. 4.....	6.33

The above prices are f. o. b. the seller's city.

(4) For sales at retail, the maximum prices are:

Model No. 2.....	\$10.50
Model No. 3.....	10.50
Model No. 4.....	9.50

(b) The maximum prices set forth in paragraph (a) can be charged only if the manufacturer sells the grate with a written warranty in the following form:

The Ohio Foundry and Manufacturing Company, Steubenville, Ohio, the manufacturer of this grate, warrants to the retailer and to any person buying from him that this grate will withstand the heat generated by the burning of..... for one year from the date of purchase by the consumer.

The company shall insert "coal or wood" in the blank in the warranty attached to Model No. 2 grates. It shall insert the word "coal" in the warranty attached to Model No. 3 grates. It shall insert the word "wood" in the warranty attached to Model No. 4 grates.

If the manufacturer desires to do so, it may add to the warranty: "This warranty, however, does not protect against rough handling by the consumer." The warranty shall be attached to the grate before shipment by the manufacturer and shall not be detached until the grate has been delivered to the consumer.

(c) Before delivery of a grate to any purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price of the grate. For example, the tag or label attached to a Model No. 2 grate shall state, "Retail Ceiling Price \$10.50." The tag or label shall not be detached until the grate has been delivered to the consumer.

(d) Each seller of the grate to a purchaser for resale shall notify such purchaser of the maximum price set by this order for resales by the purchaser. This notice shall be given at or prior to the first invoice to each purchaser after April 23, 1943. It may be given in any convenient form.

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

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

This order shall become effective April 24, 1943, and shall terminate on the 31st day of December 1943.

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6304; Filed, April 23, 1943; 11:19 a. m.]

No. 81—9

[Order 285 Under MPR 188]

AMERICAN FIXTURE AND MFG. CO.

APPROVAL OF MAXIMUM PRICE

Order No. 285 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other than Apparel.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, *It is hereby ordered:*

(a) The American Fixture & Mfg. Co. may sell, offer for sale, transfer or deliver its Model A-285, household ice-box manufactured by that company, at a price no higher than the following:

To distributors:

\$40.29 f. o. b. factory, less a discount of 20 and 5%.

To dealers:

\$40.29 f. o. b. factory, subject to the following quantity discounts: 5% on purchases of 11 to 24 ice refrigerators, 10% on purchases of 25 or more but less than carload lots, 15% on purchases of carload lots.

All the above prices to distributor and dealer are subject to a discount of 2% 10 days, net 30 days.

(b) This Order No. 285 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 285 shall become effective on the 24th day of April 1943.

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6309; Filed, April 23, 1943; 11:19 a. m.]

[Order 13 Under MPR 244]

WILSON STOVE & MFG. CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 13 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings; Docket No. 3244-19.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices for gray iron castings sold by Wilson Stove & Mfg. Co., Inc. (a) On and after March 15, 1943, Wilson Stove & Mfg. Co., Inc., of Metropolis, Illinois, is hereby authorized to sell, offer to sell and deliver gray iron castings for stoves and ranges for which maximum prices would otherwise be determined under § 1421.166 (a) of Maximum Price Regulation 244, and any person is authorized to buy, offer to buy and receive such castings from said Company, at prices not in excess of \$5.40 per cwt. f. o. b. Metropolis, Illinois: *Provided*

however, That in any case in which said Company's maximum price under § 1421.166 (a) for a gray iron casting is in excess of \$5.40 per cwt. f. o. b. Metropolis, Illinois, said Company may, if it so chooses, determine its maximum price for such casting under § 1421.166 (a).

(b) The permission herein granted to Wilson Stove & Mfg. Co., Inc., is subject to the following condition: Said Company shall submit to the Office of Price Administration, Washington, D. C., on or before the last day of each month following the close of each quarter year beginning with the quarter ending March 31, 1943, the following documents signed under oath or affirmation and prepared in accordance with recognized accounting principles: (1) profit and loss statements for the preceding quarter, (2) balance sheets as of the close of the preceding quarter, (3) the profit and loss statements filed pursuant to (1) of this paragraph (b) must show (i) net sales, (ii) cost of commodities and services sold, stating separately total labor costs, total material costs, and total other manufacturing costs, (iii) general and administrative expenses, segregating compensation to officers and directors, and (iv) net profits before income and excess profit taxes: *Provided*, That said Company need not file any of the foregoing financial data if he has filed such data or in the future does file such data on or before the time limits specified in this paragraph (b), on Form A—Annual Financial Report or Form B—Interim Financial Report, issued by the Office of Price Administration.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

This Order No. 13 shall become effective April 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6307; Filed, April 23, 1943; 11:18 a. m.]

[Order 14 Under MPR 244]

STANDARD BUFFALO FOUNDRY, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 14 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings; Docket No. 3244-18.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices for gray iron castings sold by Standard Buffalo Foundry, Inc. (a) On and after March 15, 1943, Standard Buffalo

Foundry, Inc., 743 Hertel Avenue, Buffalo, New York, is hereby authorized to sell, offer to sell and deliver to Hercules Motors Corporation of Canton, Ohio, and Hercules Motors Corporation is hereby authorized to buy, offer to buy and receive, the oil pan gray iron casting, pattern number 20190-D, at prices not in excess of \$10.81 each, f. o. b. foundry, Buffalo, New York: *Provided however*, That said Standard Buffalo Foundry, Inc. shall submit to the Office of Price Administration, Washington, D. C., on or before the last day of each month following the close of each quarter year beginning with the quarter ending March 31, 1943, the following documents signed under oath or affirmation and prepared in accordance with recognized accounting principles: (1) profit and loss statements for the preceding quarter, (2) balance sheets as of the close of the preceding quarter, (3) the profit and loss statements filed pursuant to (1) of this paragraph (a) must show (i) net sales, (ii) cost of commodities and services sold, stating separately total labor costs, total material costs, and total other manufacturing costs, (iii) general and administrative expenses, segregating compensation to officers and directors, and (iv) net profits before income and excess profit taxes, and *Provided further*, That said Company need not file any of the foregoing financial data if it has filed such data or in the future does file such data on or before the time limits specified in this paragraph (a), on Form A—Annual Financial Report or Form B—Interim Financial Report, issued by the Office of Price Administration.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

This Order No. 14 shall become effective April 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6310; Filed, April 23, 1943; 11:18 a. m.]

[Order 1 Under MPR 291]

PENICK & FORD LTD.

PERMISSION TO PAY PREMIUM PRICE

Order No. 1 under § 1351.1352 (d) of Maximum Price Regulation No. 291—Certain Syrups and Molasses.

Permission to Penick & Ford, Ltd., to pay a premium price for invertase syrup, produced by Kessler & Sternfels, Belle Rose, Louisiana.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) Penick & Ford, Ltd., 420 Lexington Avenue, New York, New York, may pay and Kessler and Sternfels of Belle Rose, Louisiana, may charge a premium of 1¢ per gallon over maximum prices established in § 1351.1367 (a) of Maximum Price Regulation No. 291 for Louisiana cane syrup, i. e. 36¢ per gallon net f. o. b. producer's factory, in tank cars supplied by the buyer, for invertase Louisiana cane syrup which tests one degree Baumé heavier than standard Louisiana cane syrup as defined in Maximum Price Regulation No. 291.

(b) Such permission is given on the specific condition that Penick & Ford, Ltd., shall neither increase nor apply for an increase in the maximum prices set forth in Maximum Price Regulation No. 291, or in any other regulation for such syrup or anything made or manufactured from it, because of paying such premium.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

This Order No. 1 shall become effective this 24th day of April 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-6305; Filed, April 23, 1943; 11:18 a. m.]

[Order 33 Under RPS 57]

NEW JERSEY CARPET MILLS, INC.

APPROVAL OF MAXIMUM PRICES

Correction

In the document appearing on page 4940 of the issue for Friday, April 16, 1943, the last sentence of paragraph (a) should read:

"These prices shall be subject to a discount of 10 and 5% on sales to distributors, and subject to terms of 4% 10 days, 60 days extra on all sales."

Regional Office, Region VIII.

[Order 1 Under Ration Order 14]

FIREWOOD

REGISTRATION BY DEALERS

Pursuant to the authority conferred upon the Regional Administrator by Ration Order No. 14—Firewood, the following order is prescribed:

Every dealer shall register on March 20, 22, 23, 24, or 25, 1943, in the manner prescribed in Ration Order No. 14. Any person who becomes a dealer after March 25, 1943, shall register within ten days after becoming a firewood dealer.

This order shall become effective March 15, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 597, 77th Cong.; Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1-U, 8 F.R. 1835; E.O. 9125, 7 F.R. 2719)

Issued this 13th day of March 1943.

FRANK E. MARSH,
Acting Regional Administrator.

[F. R. Doc. 43-6266; Filed, April 22, 1943; 12:22 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-663, 70-677]

AMERICAN UTILITIES SERVICE CORP., ET AL.

ORDER APPROVING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of April 1943.

In the matters of American Utilities Service Corporation, File No. 70-663; and Walter M. Jensen, John A. Larson, Frank N. Dahlberg, Oscar G. Dahlberg, Fred E. Dahlberg and Carl Dahlberg; File No. 70-677.

American Utilities Service Corporation ("American"), a registered holding company, having on August 31, 1942, filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan for compliance with section 11 (b) (2); and

The Commission having thereafter instituted proceedings pursuant to section 11 (b) (1) and section 11 (b) (2) of said Act; and

American having subsequently on January 11, 1943, filed an application, pursuant to section 11 (e) of said Act, regarding the sale and transfer of all the outstanding common stock (2,000 shares) of its subsidiary company, Northwestern Wisconsin Electric Company ("Northwestern") for approximately \$264,365 in cash, and the acquisition and retirement out of the proceeds of said sale of \$250,000 principal amount of its Collateral Trust 6% Bonds, Series A, due 1964 by call or through invitation for tenders by the Continental Illinois National Bank and Trust Company of Chicago, Indenture Trustee, as a plan for partial compliance with said sections 11 (b) (1) and 11 (b) (2) of said Act; and

American, having requested that the order of the Commission approving said plan of January 11, 1943 conform to the definition of the term "order of the Securities and Exchange Commission" contained in section 373 (a) of the Internal Revenue Code, as amended, and that such order contain the recitals, specifications and itemizations described in sections 371 (b), 371 (f) and 1808 (f) of said Internal Revenue Code as amended; and

Walter M. Jensen, John A. Larson, Frank N. Dahlberg, Oscar G. Dahlberg, Fred E. Dahlberg and Carl Dahlberg, having filed an application, and an amendment thereto, pursuant to sections 9 (a) (2) and 10 of the Act with

respect to the acquisition of the common stock of Northwestern; and

The above described applications having been consolidated for the purpose of hearing; and

A public hearing having been held after appropriate notice; and the Commission having considered the record in this matter and having made and filed its Findings and Opinion herein; and

The Commission having found that said plan of January 11, 1943 is necessary and appropriate to effectuate the provisions of section 11 (b) of the Act and is fair and equitable to the persons affected thereby:

It is ordered, That said plan of January 11, 1943, be, and it is hereby approved, and that American shall within 120 days after the date thereof; (a) sell and transfer all of the common stock (2,000 shares) of its subsidiary, Northwestern; and (b) use the proceeds from said sale, or so much thereof as may be necessary, for the acquisition and retirement of \$250,000 principal amount of its Collateral Trust 6% Bonds, Series A, due 1964; and (c) make such sale and use such proceeds thereof in accordance with the proposals as set forth in said plan of January 11, 1943.

It is further ordered, That the foregoing transactions be and they hereby are specifically authorized, permitted and approved to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 within the meaning of section 373 (a) of the Internal Revenue Code as amended.

It is further ordered, That the said application, as amended, by Walter M. Jensen, John A. Larson, Frank N. Dahlberg, Oscar G. Dahlberg, Fred E. Dahlberg and Carl Dahlberg be, and hereby is, approved subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-6319; Filed, April 23, 1943; 11:43 a. m.]

[File No. 70-690]

CENTRAL OHIO LIGHT & POWER COMPANY
ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of April, A. D. 1943.

Central Ohio Light & Power Company, a subsidiary of Crescent Public Service Company, a registered holding company, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and the order of the Commission dated February 19, 1941, File No. 70-228, with respect to the declaration and payment of dividends in the aggregate amount of \$20,000 to the holders of its common stock in April, 1943; and

Said declaration having been filed on March 23, 1943, and notice of said filing

having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission having considered the declaration and it appearing that the payment of dividends as proposed will not be detrimental to the public interest or the interest of investors or consumers;

It is ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 and to the additional terms and conditions set forth in the order aforesaid dated February 19, 1941, that said declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-6320; Filed, April 23, 1943; 11:43 a. m.]

[File No. 54-32]

NORTH SHORE GAS CO., ET AL.

ORDER WITH RESPECT TO PAYMENT OF FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of April, A. D. 1943.

In the matter of North Shore Gas Company, North Shore Coke & Chemical Company, North Continent Utilities Corporation.

North Continent Utilities Corporation, a registered holding company, and North Shore Gas Company and North Shore Coke & Chemical Company, subsidiaries of North Continent Utilities Corporation, having filed applications and declarations under section 11 (e) and other applicable sections of the Public Utility Holding Company Act of 1935, with respect to a plan of reorganization for the North Shore Gas Company and North Shore Coke & Chemical Company;

The Commission having entered an order on November 13, 1941, approving said plan, subject to certain conditions and reservations, including a reservation of jurisdiction with respect to the payment of fees and expenses incurred or to be incurred in connection with the plan; and directing that the applicants file with the Commission a notification and itemized statement of all claims against them for such fees and expenses;

The applicant companies and various claimants having filed statements with respect to the fees and expenses requested herein; a hearing having been held thereon after due notice; briefs having been filed and oral argument having been heard; the Commission having entered orders on December 3, and December 30, 1942, with respect to certain of the fees and expenses in this proceeding; the Commission having considered

the record and having made and filed its findings and opinion herein;

It is ordered, That the following fees and expenses be and they hereby are allocated against North Shore Gas Company and North Continent Utilities Corporation in the following manner; and that, as allocated, the said fees and expenses are approved:

Claimant	Allocated against	
	North Shore Gas Co.	North Continent Utilities Corporation
Pam, Hurd & Reichmann, attorneys.....	\$12,318.45	\$28,473.59
Arthur Young & Co., accountants.....	8,593.37	6,093.36
Duff and Phelps, analysts.....	6,665.45	

It is further ordered, That North Continent Utilities Corporation reimburse North Shore Gas Company in the amount of \$3,123.59, representing the amount paid by North Shore Gas Company to Pam, Hurd & Reichmann in excess of the amount allocated to North Shore Gas Company, thus leaving a net amount of \$25,350.00 to be paid by North Continent Utilities Corporation to Pam, Hurd & Reichmann.

It is further ordered, That the amounts allocated against North Continent Utilities Corporation may be paid in installments, one-third within thirty days from the date of this order, one-third within one year after the expiration of such thirty-day period, and one-third within two years after the expiration of such period;

It is further ordered, That jurisdiction is reserved as to the fees and expenses of The William A. Baehr Organization, Inc.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-6322; Filed, April 23, 1943; 11:43 a. m.]

[File No. 52-17]

NORTHWEST CITIES GAS CO.

ORDER PERMITTING POST-EFFECTIVE AMENDMENT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of April 1943.

In the matter of John H. Rauscher, W. D. Courtright, Earl W. Huntley, Paul C. Harper, and Frederick T. Sutton, as bondholders' advisory committee for Northwest Cities Gas Company.

The Commission having permitted to become effective a declaration, as amended, and a post-effective amendment to such declaration, pursuant to Rule U-62 promulgated under the Public Utility Holding Company Act of 1935, with respect to the solicitation by John H. Rauscher, W. D. Courtright, Earl W. Huntley, Paul C. Harper, and Frederick

T. Sutton, as bondholders' advisory committee for Northwest Cities Gas Company, of acceptances to the plan of reorganization of Northwest Cities Gas Company; and

The District Court of the United States for the Eastern District of Washington, Southern Division, having entered an order on March 24, 1943, which order permits further solicitation and provides, in part, for additional time for filing claims and for filing acceptances or rejections of the plan of reorganization,

and reclassifies creditors and stockholders; and

Said Bondholders' Advisory Committee having on April 19, 1943 filed supplemental solicitation material as a post-effective amendment to said declaration, pursuant to authorization granted by said Court order, and having requested an acceleration of the effective date of such amendment;

The Commission having considered such post-effective amendment and finding that the requirements of Rule U-62

are complied with and deeming it appropriate to grant the request that the effective date of such post-effective amendment be accelerated;

It is ordered, That such post-effective amendment be permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

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