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Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 903—MILK IN THE ST. LOUIS, MISSOURI, MARKETING AREA

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AUTHORITY: §§ 903.0 to 903.15, inclusive, issued under 48 Stat. 21, as amended; 7 U.S.C. and Sup. 601, et seq.

§ 903.0 *Findings and determinations*—(a) *Findings upon the basis of hearing record.* Pursuant to the act and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR, 1941 Supp. 900.1–900.17; 7 F.R. 3350, 8 F.R. 2815), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement and to the order, as amended, regulating the handling of milk in the St. Louis, Missouri, marketing area. It is hereby found upon the basis of the evidence introduced at such hearing, said findings being in addition to the findings made upon the evidence introduced at the original hearing on said order and in addition to the other findings made prior to or at the time of the original issuance of said order (which findings are hereby ratified and affirmed, save only as such findings are in conflict with the findings herein-after set forth), that:

(1) The order regulating the handling of milk in the said marketing area, as

amended and as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the St. Louis, Missouri, marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices set forth in the said order, as amended and as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

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

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

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

(2) The issuance of the said order, as amended and as hereby amended, is the only practical means pursuant to the declared policy of the act of advancing the interests of producers of milk which is produced for sale in the St. Louis, Missouri, marketing area; and

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(3) The issuance of the order, as amended and as hereby amended, is approved or favored by at least two-thirds of the producers who participated in a

referendum on the question of its approval and who, during the determined representative period, were engaged in the production of milk for sale in the said marketing area.

Order Relative to Handling

It is hereby ordered that such handling of milk in the St. Louis, Missouri, marketing area as is in the current of interstate commerce or as directly burdens, obstructs, or affects interstate commerce shall from the effective date hereof be in compliance with the terms and conditions of this order, as amended.

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

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (50 Stat. 246).

(b) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and to perform the duties, pursuant to the act, of the War Food Administrator.

(c) "St. Louis, Missouri, marketing area," hereinafter called the "marketing area," means the territory within the corporate limits of the cities of St. Louis, Kirkwood, and Valley Park, Missouri; the territory within St. Ferdinand, Normandy, Clayton, Jefferson, Lemay, and Gravois townships in St. Louis County, Missouri; and the territory within Scott Field Military Reservation, and East St. Louis, Centreville, Canteen, and Stites townships in St. Clair County, Illinois.

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

(e) "Producer" means any person, irrespective of whether such person is also a handler, who produces, under a dairy farm permit or rating issued by the proper health authorities for the production of Grade A or Grade B raw milk, milk which is received at a plant from which milk is disposed of as fluid milk in the marketing area. As used herein such "dairy farm permit or rating" means one issued by any of the health authorities duly authorized to administer regulations governing the quality of milk disposed of in the marketing area.

(f) "Handler" means any person who, on his own behalf or on behalf of others, receives milk from producers, associations of producers, or other handlers, all, or a portion, of which milk is disposed of as fluid milk in the marketing area, and who, on his own behalf or on behalf of others, engages in such handling of milk as is in the current of interstate commerce or which directly burdens, obstructs, or affects interstate commerce in milk and its products. This definition shall not be deemed to

include any person who is a handler under another Federal milk marketing agreement or order if such handler does not operate a plant from which bottled milk is distributed in the St. Louis, Missouri, marketing area.

(g) "Market administrator" means the person designated pursuant to § 903.2 as the agency for the administration hereof.

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

(i) "Nonhandler" means any person who is not a handler but who distributes fluid milk on retail or wholesale routes or who engages in the manufacture of milk products.

§ 903.2 *Market administrator*—(a) *Selection, removal, and bond.* The market administrator shall be selected, and shall be subject to removal at any time, by the War Food Administrator. Within 45 days following the date upon which he enters upon his duties, the market administrator shall execute and deliver to the War Food Administrator a bond conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the War Food Administrator.

(b) *Compensation.* The market administrator shall be entitled to such reasonable compensation as may be determined by the War Food Administrator.

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

(1) Administer the terms and provisions hereof; and

(2) Receive, investigate, and report to the War Food Administrator complaints of violations of the terms and provisions hereof.

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

(1) Keep such books and records as will clearly reflect the transactions provided for herein and submit such books and records to examination by the War Food Administrator as requested;

(2) Furnish such further information and such verified reports as the War Food Administrator may request;

(3) Obtain a bond with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(4) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof;

(5) Prepare and disseminate, for the benefit of producers, consumers, and handlers, such statistics and information concerning the operation hereof as does not reveal confidential information;

(6) Publicly disclose to handlers and to producers, unless otherwise directed by the War Food Administrator, the name of any handler who, within 15 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 903.5 and (ii) made payments pursuant to § 903.8; and

(7) Pay, out of the funds provided by § 903.9, the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market admin-

istrator, his own compensation, and all other expenses which will necessarily be incurred for the maintenance and functioning of his office and for the performance of his duties, except those expenses incurred and provided for under § 903.10 hereof.

(c) *Announcement of prices.* The market administrator shall compute and publicly announce prices as follows:

(1) Not later than the 5th day after the end of each delivery period, the price for each class of milk pursuant to § 903.4 and the differential pursuant to § 903.8 (b).

(2) Not later than the 10th day after the end of each delivery period, the individual uniform prices computed pursuant to § 903.7 (b) with the differentials applicable pursuant to § 903.8 (c).

§ 903.3 *Classification of milk*—(a) *Basis of classification.* The market administrator shall classify, on the basis of the classes set forth in (b) of this section and subject to the conditions of (c), (d), and (e), of this section, all milk, skim milk, and cream (including milk of his own production) received by each handler during the delivery period. In establishing the classification of milk received by a handler from producers, the burden rests upon such handler to account for such milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk the utilization of which is not established as Class II milk.

(2) Class II milk shall be all milk the skim milk and butterfat of which is established (i) as having been used or disposed of in any form other than as milk, and (ii) as actual plant shrinkage, but not to exceed 3 percent of the total receipts of milk from producers.

(c) *Interhandler and nonhandler transfers of milk.* (1) Milk or skim milk received by a handler from another handler shall be classified as Class I milk, and cream so received shall be classified as Class II milk: *Provided*, That if a different classification is agreed upon in writing between the receiving handler and the selling handler and is submitted to the market administrator on or before the 5th day after the end of the delivery period, then the milk, skim milk, or cream shall be classified according to such written agreement: *Provided further*, That the amount allocated to any class shall not be greater than the amount used in that class by the receiving handler.

(2) Milk or skim milk moved in fluid form from a handler's fluid milk plant to a plant from which no milk is disposed of for fluid consumption (regardless of whether the latter plant is operated by such handler or by a nonhandler) shall be Class II milk. Milk or skim milk moved in fluid form from a handler's plant to a nonhandler's plant from which fluid milk is distributed shall be Class I milk, except that any of this milk or skim milk in excess of the amount of milk, proved to the satisfaction of the market administrator to have been distributed in fluid

form by the nonhandler during the delivery period, shall be Class II milk: *Provided*, That all milk or skim milk moved in fluid form to plants more than 110 airline miles from the City Hall in St. Louis shall be Class I milk. Milk disposed of from a handler's plant to retail establishments which disposed of milk for both fluid and other uses shall be Class I milk.

(d) *Classification of excess milk or butterfat.* In the event that a handler, after subtracting receipts from other handlers and receipts from sources determined as other than producers or handlers, has disposed of milk, or butterfat, in excess of the milk, or butterfat, which, on the basis of his reports, has been credited to his producers as having been received from them, such milk, or the milk equivalent of such butterfat, shall be classified in accordance with its class utilization.

(e) *Classification of producer milk.* The market administrator shall determine the classification of milk received by each handler from producers as follows:

(1) Subtract from the total pounds of milk in each class the total pounds of milk, skim milk, and cream received from other handlers and allocated to such class pursuant to (c) of this section;

(2) Subtract from the remaining pounds of Class I milk the pounds of ungraded milk received from sources other than producers or handlers which was disposed of as fluid milk outside the marketing area;

(3) Subtract from the remaining pounds of milk in Class II (other than milk used for evaporated milk in hermetically sealed containers) an amount so utilized but not to exceed 5 percent of the total receipts of milk from producers: *Provided*, That a smaller percentage shall be applied under this subparagraph if designated by the handler on his report made pursuant to § 903.5 (a) (1).

(4) Subtract from the remaining pounds of milk in each class, in series beginning with the lower-priced Class II use, the pounds of milk, skim milk, and cream received from sources other than producers or other handlers; and

(5) Add to the net figure for Class II milk computed under (4) of this paragraph, the amount subtracted under (3) of this paragraph.

§ 903.4 *Minimum prices*—(a) *Class prices.* Except as set forth in (b) of this section, each handler shall pay at the time and in the manner set forth in § 903.8, not less than the following prices per hundredweight of milk:

(1) *Class I milk.* The price for Class I milk shall be the price computed under (3) of this paragraph, plus the following amount per hundredweight: \$1.10 for the delivery periods of July through November; \$0.90 for the delivery periods of December through March; and \$0.80 for the delivery periods of April through June.

(2) *Class II milk.* The price for Class II milk shall be the price computed under (3) of this paragraph, plus the following amount per hundredweight: \$0.40 for the delivery periods of July through November; \$0.25 for the delivery periods

of December through March; and \$0.20 for the delivery periods of April through June: *Provided*, That during any delivery period from January through June, the price of milk used by such handler for evaporated milk in hermetically sealed containers, or disposed of by such handler to the plant of any other person where such milk is manufactured into evaporated milk and placed in hermetically sealed containers, shall be the average of the basic, or field, prices per hundredweight determined for the plants listed in (3) of this paragraph.

(3) *Basic formula price.* The basic formula price to be used in determining the price for Class I and Class II milk pursuant to (1) and (2) of this paragraph shall be the price resulting from the following computation by the market administrator: determine the arithmetic average of the available basic, or field, prices per hundredweight, reported to the United States Department of Agriculture (or to such other Federal agency as may hereafter be authorized to perform this function), as paid during the delivery period for milk of 3.5 percent butterfat content to all farmers at the following plants or places:

Concern and Location

Carnation Company, Ava, Missouri.
Carnation Company, Seymour, Missouri.
Pet Milk Company, Greenville, Illinois.
Litchfield Creamery Company, Litchfield, Illinois.
Indiana Condensed Milk Company, Bunker Hill, Illinois.
Borden Company, Mt. Pleasant, Michigan.
Carnation Company, Sparta, Michigan.
Pet Milk Company, Hudson, Michigan.
Pet Milk Company, Wayland, Michigan.
Pet Milk Company, Coopersville, Michigan.
Borden Company, Greenville, Wisconsin.
Borden Company, Black Creek, Wisconsin.
Borden Company, Orfordville, Wisconsin.
Carnation Company, Chilton, Wisconsin.
Carnation Company, Berlin, Wisconsin.
Carnation Company, Richland Center, Wisconsin.
Carnation Company, Oconomowoc, Wisconsin.
Carnation Company, Jefferson, Wisconsin.
Pet Milk Company, New Glarus, Wisconsin.
Pet Milk Company, Belleville, Wisconsin.
Borden Company, New London, Wisconsin.
White House Milk Company, Manitowoc, Wisconsin.
White House Milk Company, West Bend, Wisconsin.

Provided, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be used: multiply by 3.5 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture (or by such other Federal agency as may hereafter be authorized to perform this price-reporting function) for the delivery period during which such milk was received, and add 20 percent thereof: *Provided*, That such price shall be subject to the following adjustments: (i) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above 5½ cents per pound or (ii) subtract 3½ cents per hundredweight for each full one-half cent that the price of such dry skim milk is below 5½ cents per

pound. For purposes of determining these adjustments the price per pound of dry skim milk to be used shall be the average of the carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, as published by such agency for the Chicago area during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, are not so published, the average of the carlot prices for dry skim milk for human consumption, delivered at Chicago, as published by such agency shall be used, and the following adjustments shall be made in lieu of the adjustments provided for under (i) and (ii) immediately above: Add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption delivered at Chicago is above 7½ cents per pound, or subtract 3½ cents per hundredweight for each full one-half cent that such price of dry skim milk is below 7½ cents per pound.

(b) *Location differentials to handlers.* With respect to milk received from producers at a handler's plant located outside the marketing area, such handler shall be allowed the amount per hundredweight of milk set forth in the schedule below for the mileage range in which falls the air-line distance of the plant where the milk was first received, from the City Hall in St. Louis:

Mileage zone:	Amount per hundredweight of milk (cents)
Not more than 10 miles.....	6
More than 10 but not more than 20 miles.....	12
More than 20 but not more than 30 miles.....	14
More than 30 but not more than 40 miles.....	16
Within each 10-mile zone thereafter— an additional 1 cent.	

Provided, That if any of such milk is moved to a plant where milk is received for manufacturing purposes only, the maximum differential under the above schedule to be allowed with respect to the quantity of milk so moved shall be 15 cents per hundredweight.

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

(1) On or before the 5th day after the end of each delivery period, (i) the receipts at each plant of milk, skim milk and cream, with butterfat tests, from all sources, including own production; (ii) the utilization of all milk, skim milk, and cream received, computed pursuant to § 903.3, including a separate statement of the disposition of Class I milk outside the marketing area, (iii) the name and address of each producer from whom milk is received for the first time, and the date on which such milk was first received; (iv) the name and address of each producer who discontinues deliveries of milk and the date on which the

milk of such producer was last received; and (v) the amount and category of any payments to be made pursuant to § 903.8 (d) with respect to milk received during such delivery period.

(2) On or before the 10th day after the request of the market administrator, a schedule of transportation rates which are charged and paid for the transportation of milk from the farm of such producer to such handler's plant or plants. Any changes made in this schedule of transportation rates and the effective dates thereof shall be reported to the market administrator within 10 days.

(3) Within 20 days after the end of each delivery period, his producer pay roll, or a report, which shall show for such delivery period and for each and every producer (i) his total delivery of milk with the average butterfat test thereof and (ii) the net amount of the payment made to him with the price, deductions, and charges involved.

(b) *Verification of reports.* (1) Each handler shall permit the market administrator or his representative, during the usual hours of business, to (i) verify the information contained in the reports submitted by such handler pursuant to this section, and (ii) weigh, sample, and test milk for butterfat.

§ 903.6 *Application of provisions—(a) Handlers who are also producers.* No provisions hereof shall apply to a handler who is also a producer and who receives no milk from producers or an association of producers other than that of his own production, except that such handler shall make reports to the market administrator at such time and in such manner as the market administrator may request and shall permit the market administrator to verify such reports.

§ 903.7 *Determination of uniform prices to producers—(a) Computation of the value of milk for each handler.* For each delivery period the market administrator shall compute the value of milk of producers disposed of by each handler, by (i) multiplying the hundredweight of such milk in each class by the price applicable pursuant to § 903.4, and adding together the resulting values of each class; and (ii) adding to such sum the value of any milk (or milk equivalent) classified under § 903.3 (d).

(b) *Computation of uniform price for each handler.* The market administrator shall compute for each handler the uniform price per hundredweight of milk received by him from producers during each delivery period as follows:

(1) Add to the value computed pursuant to (a) of this section the amount of the adjustment to be made pursuant to § 903.8 (c); and

(2) Divide the amount computed in (1) of this paragraph by the total quantity of milk received from producers: *Provided*, That if, in the verification of the report of purchases and sales of the handler for any previous delivery period, the market administrator finds that differences occur between the reported and actual quantities of milk received or between the reported and actual quantities of milk disposed of in each class, he shall

make an adjustment in the following manner: (i) Recompute for such handler his class use value of milk for the delivery period for which the report of purchases and utilization of milk is being verified, after making the adjustments for the differences in such reported and actual quantities of milk, and (ii) add to, or subtract from the uniform price of milk computed above, an amount representing the per hundredweight value of milk accounted for by such adjustment, such addition to, or subtraction from, such price to be separately set forth in a manner which will clearly state the amount of the adjustment for each delivery period or delivery periods verified pursuant to § 903.5 (b).

§ 903.8 *Payment for milk*—(a) *Time and method of payment.* On or before the 15th day after the end of each delivery period, each handler shall make payment to each producer, for the total value of milk received from such producer during such delivery period, at not less than the uniform price per hundredweight computed for such handler pursuant to § 903.7, subject to the differentials set forth in (b) and (c) of this section.

(b) *Butterfat differential.* If any handler has received from any producer, during the delivery period, milk having an average butterfat content other than 3.5 percent, such handler, in making payments pursuant to (a) of this section, shall add to the uniform price for such producer for each one-tenth of 1 percent of average butterfat content in milk above 3.5 percent not less than, or shall deduct from the uniform price for such producer for each one-tenth of 1 percent of average butterfat content in milk below 3.5 percent not more than, the following amount: add 20 percent of the price per pound of 92-score butter at Chicago as referred to in § 903.4 (a) (3) to such butter price, and divide the resulting sum by 10.

(c) *Location differentials to producers.* In making payments pursuant to (a) of this section, each handler shall deduct with respect to milk received from producers at a plant located outside the marketing area, the amount per hundredweight of milk set forth in the schedule below for the mileage range in which falls the air-line distance of the plant where the milk was first received, from the City Hall of St. Louis.

Mileage zone:	Amount per hundredweight of milk (cents)
Not more than 10 miles.....	6
More than 10 but not more than 20 miles.....	12
More than 20 but not more than 30 miles.....	14
More than 30 but not more than 40 miles.....	16
Within each 10-mile zone thereafter— an additional 1 cent.	

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

(e) *Additional payments.* Any handler may make payments to producers in addition to the payments to be made

pursuant to (a) of this section: *Provided,* That such additional payments shall be made on a uniform basis to all producers from whom milk meeting special quality, volume production, or evenness of production standards has been received.

§ 903.9 *Expense of administration*—(a) *Payments by handlers.* As his pro rata share of the expense of the administration hereof, each handler, on or before the 15th day after the end of each delivery period, shall pay to the market administrator, with respect to all milk received by him from producers or from an association of producers, or produced by him during such delivery period, an amount not exceeding 2 cents per hundredweight, the exact amount to be determined by the market administrator, subject to review by the War Food Administrator. Each handler, which is a cooperative association of producers, shall pay such pro rata share of expense only on that milk received from producers at a plant of such association.

§ 903.10 *Marketing services*—(a) *Deductions for marketing services.* Except as set forth in (b) of this section, each handler shall deduct an amount not exceeding 4 cents per hundredweight (the exact amount to be determined by the market administrator, subject to review by the War Food Administrator) from the payment made to each producer pursuant to § 903.8 (a) with respect to all milk of such producer received by such handler during the delivery period, and shall pay such deduction to the market administrator on or before the 15th day after the end of such delivery period. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk received from such producers and to provide them with market information; such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Producers cooperative associations.* In the case of producers for whom a cooperative association, which the War Food Administrator determines to be qualified under the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," is actually performing the services set forth in (a) of this section, each handler, in lieu of the deductions specified in (a) of this section, shall make the deductions from the payments made pursuant to § 903.8 (a) which are authorized by such producers, and, on or before the 15th day after the end of each delivery period, pay over such deductions to the cooperative associations rendering such services of which such producers are members.

§ 903.11 *Unfair methods of competition.* Each handler shall refrain from acts which constitute unfair methods of competition by way of indulging in any practices with respect to the transportation of milk for, and the supplying of goods and services to, producers from whom milk is received, which tend to defeat the purpose and intent of the terms and provisions hereof.

§ 903.12 *Market advisory committee*—(a) *Representation, selection, ap-*

proval, and removal. Subsequent to the effective date hereof, representatives of producers, handlers and consumers, respectively, may certify to the War Food Administrator the selection of three individuals by each group for membership on the market advisory committee. Upon approval of the War Food Administrator, the nine individuals so selected shall constitute the market advisory committee. Each member of the market advisory committee shall serve for a term of 1 year unless sooner removed by the War Food Administrator. After the market advisory committee has been constituted, vacancies in the membership thereof shall be filled in the same manner as the original selections were made.

(b) *Powers.* The market advisory committee shall have the power to recommend to the War Food Administrator amendments hereto originating within itself or submitted to it by interested parties, after a study of the facts available to the market advisory committee.

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

(b) *Suspension and termination.* Any or all provisions hereof, or any amendment hereto, shall be suspended or terminated as to any or all handlers after such reasonable notice as the War Food Administrator may give, and shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

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

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

(d) *Liquidation, after suspension or termination.* Upon the suspension or

termination of any or all provisions hereof, the market administrator, or such person as the War Food Administrator may designate, shall, if so directed by the War Food Administrator, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid and owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

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

§ 903.15 *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

Issued at Washington, D. C., this 27th day of December 1943, to be effective on and after the 1st day of January 1944.

GROVER B. HILL,
Acting War Food Administrator.

Approved:

FRED M. VINSON,
Director of Economic Stabilization.

[F. R. Doc. 43-20616; Filed, December 28, 1943; 4:42 p. m.]

Chapter X—War Food Administration
(Production Orders)

[Rev. FPO 14]

PART 1202—FARM MACHINERY AND
EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Food Production Order No. 14, as amended,¹ is hereby revised and amended in its entirety to read as follows:

The fulfillment of requirements for the defense of the United States has resulted in a shortage in the supply of rationed farm equipment for defense and 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:

DEFINITIONS AND PURPOSE OF ORDER

Sec.

- 1202.260 Definitions.
1202.261 Purpose of this order.

ADMINISTRATION

- 1202.262 Authority of the Director.
1202.263 County Farm Rationing Committees.

RESTRICTIONS ON TRANSFERS

- 1202.264 General restrictions.
1202.265 Transfers which require purchase certificates.
1202.266 Transfers which do not require purchase certificates.
1202.267 Applications for purchase certificates.
1202.268 Standards of eligibility.
1202.269 Action by county farm rationing committee on application.
1202.270 Notification of applicant.
1202.271 Issuance of purchase certificates.
1202.272 Expiration or revocation of purchase certificates.
1202.273 Action by applicant.
1202.274 Action by dealer.

APPEALS

- 1202.275 Appeal to State AAA Committee.
1202.276 Action by the State AAA Committee.
1202.277 Review of State AAA Committee action.
1202.278 Other appeals.

RECORDS AND REPORTS

- 1202.279 Records and reports.

ENFORCEMENT

- 1202.280 Violations.
1202.281 Communications.
1202.282 Food Production Order No. 3 superseded.

AUTHORITY: §§ 1202.260 to 1202.282, inclusive, issued under 54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 9322, 9334, 9392; 7 F.R. 10179, 8 F.R. 3807, 5423, 14783.

DEFINITIONS AND PURPOSE OF ORDER

§ 1202.260 *Definitions.* When used in this order or in any order supplementary hereto:

(a) "Director" means the Director in charge of the Office of Materials and Facilities of the War Food Administration.

(b) "Manufacturer" means any person engaged in the business of making or assembling rationed farm equipment.

(c) "Mail order house" means any person engaged in the business of transferring rationed farm equipment for use directly to the transferees upon orders received primarily by mail.

(d) "Distributor" means any person engaged in the business of transferring rationed farm equipment other than for use.

(e) "Dealer" means any person engaged in the business of transferring rationed farm equipment for use.

NOTE: As the words, "manufacturer," "mail order house," "distributor" and "dealer" are used in this order, a single person may be classified in more than one such group, depending on whether he is engaged in more than one business as described in these definitions.

(f) "Person" means any individual, partnership, corporation, association, business trust, or any organized group of persons, whether incorporated or not. The term "person" shall also include the United States, or any agency thereof, and a State or territory or any political subdivision or agency thereof.

(g) "Transfer" means any actual or purported act or transaction, whether or not evidenced by writing, the purpose, intent, or effect of which is to create, surrender, release, change, or alter, directly or indirectly, any right, title, interest, or possession with respect to any rationed farm equipment. The use of rationed farm equipment in agricultural operations by a dealer, distributor, mail order house or manufacturer shall be deemed a transfer. Notwithstanding the foregoing, the delivery of rationed farm equipment to a carrier for shipment or the delivery of rationed farm equipment by a carrier to a consignee shall not be deemed to be a transfer within the meaning of this order.

(h) "Rationed farm equipment" means new farm machinery, equipment or supplies which are listed in and controlled by orders supplementary hereto. Any such equipment which is transferred in violation of this order shall continue to be subject to this order. Imported rationed farm equipment shall become subject to this order upon its physical entry into the continental United States, its territories and possessions.

(i) "Attachment" for farm equipment means a supplementary appliance which may be added to an otherwise complete unit of farm equipment to extend the utility of such equipment.

(j) "Continental United States" means the forty-eight States and the District of Columbia.

(k) "Type of equipment" means any general class of equipment, such as tractors, combines, grain drills, etc.

(l) "State AAA Committee" means the State Agricultural Conservation Committee of the Agricultural Adjustment Agency of each State.

(m) "County Agricultural Conservation Committee" means the County Agricultural Conservation Committee for each county for which such committee has been established.

§ 1202.261 *Purpose of this order.* This Food Production Order No. 14, Revision No. 1, establishes a general procedure for rationing the farm equipment which is listed in orders supplementary hereto. This order should be read in conjunction with such supplementary orders which set forth special procedures controlling the transfer of particular types of rationed farm equipment.

ADMINISTRATION

§ 1202.262 *Authority of the Director.* The administration of the rationing program established by this order and the powers of the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director shall be assisted in the administration of such rationing program by the State AAA Committees, County Agricultural Conservation Committees, county farm

¹ 8 F.R. 13217, 13233.

rationing committees, farm rationing committees of Alaska, Hawaii and Puerto Rico, and by such employees of the War Food Administration as the Director may designate; and such committees and employees are hereby authorized to administer the provisions of this order. County farm rationing committees shall perform their functions and duties under this order in accordance with instructions issued through the State AAA Committees and the County Agricultural Conservation Committees. The farm rationing committees in Alaska, Hawaii and Puerto Rico shall exercise such powers as may be conferred upon them by any order supplementary hereto.

§ 1202.263 *Farm rationing committees*—(a) *County farm rationing committees*. (1) The establishment of a county farm rationing committee for each county having a substantial agricultural area is hereby authorized. Each county farm rationing committee shall consist of three regular and two alternate members, none of whom shall be dealers. Members of the county farm rationing committee shall be chosen annually by the County Agricultural Conservation Committee as soon as practicable after the newly elected members of the County Agricultural Conservation Committee take office following the annual election. One of the regular members of the county farm rationing committee shall be a member of the County Agricultural Conservation Committee and shall be chairman of the county farm rationing committee. The other members of the county farm rationing committee shall be farmers resident in the county who are not members of the County Agricultural Conservation Committee. Members of the county farm rationing committee shall serve without compensation. The County Agricultural Conservation Committee may, at any time, remove any member of the county farm rationing committee for neglect of duty, malfeasance, or other cause. Members of the county farm rationing committee, including members appointed prior to the issuance of this order, shall serve until their successors have been appointed. Vacancies on the county farm rationing committee shall be filled by the County Agricultural Conservation Committee consistent with the provisions of this paragraph.

(2) The county farm rationing committee for Montgomery County, State of Maryland, shall also serve with respect to the District of Columbia.

(b) *Farm rationing committees for the territories and possessions*. A farm rationing committee is hereby established in Alaska, Hawaii and in Puerto Rico. Such committee shall be composed of three members. The Officer In Charge of the Agricultural Adjustment Agency in such territory or possession shall be the chairman of the farm rationing committee. The other two members shall be appointed by the chairman from the membership on the USDA War Board for such territory or possession. The farm rationing committee for Puerto Rico shall also act for the Virgin Islands.

RESTRICTIONS ON TRANSFERS

§ 1202.264 *General restrictions*. Except as otherwise provided in this order, regardless of the terms of any contract of sale or purchase, or other commitment, whenever made, no person shall make a transfer or accept a transfer of any rationed farm equipment, except pursuant to this order and orders supplementary hereto or other orders of the War Food Administrator, or pursuant to directives which may be issued by the Director.

§ 1202.265 *Transfers which require purchase certificates*. Unless otherwise specified in this order or in any order supplementary hereto, no person shall make a transfer or accept a transfer for agricultural use of rationed farm equipment, except pursuant to a purchase certificate issued in accordance with this order.

§ 1202.266 *Transfers which do not require purchase certificates*. (a) Unless otherwise specified in any order supplementary hereto, no purchase certificate shall be required in the case of a transfer of rationed farm equipment which is not a transfer for agricultural use.

(b) Any manufacturer may make a transfer and any person may accept a transfer of rationed farm equipment without a purchase certificate if such transfer: (1) Is of equipment manufactured by such manufacturer; (2) Is being transferred for the primary purpose of experimentation rather than agricultural production; (3) Is in accordance with such manufacturer's previous usual practice of conducting experiments with equipment manufactured by him; and (4) Is made without consideration from the transferee. As soon as the experimental use is completed, the equipment shall be retransferred to the manufacturer. Such equipment shall be deemed new equipment, until it is sold for use in accordance with this order.

(c) Purchase certificates will not be issued to Federal agencies. Federal agencies will obtain rationed farm equipment for agricultural or nonagricultural use as provided in orders supplementary hereto.

ACQUISITION AND USE OF PURCHASE CERTIFICATES

§ 1202.267 *Applications for purchase certificates*. Any person who desires to acquire rationed farm equipment for agricultural use in the continental United States, for which a purchase certificate is required, may file with the county farm rationing committee for the county in which such equipment is to be principally used an application for a purchase certificate for such equipment.

§ 1202.268 *Standards of eligibility*. The Director may from time to time establish or direct State AAA Committees to establish standards for the guidance of county farm rationing committees in determining the eligibility of applicants for purchase certificates for any type of rationed farm equipment. Such standards may differ from State to State and from county to county. Such

standards shall be designed so that the maximum utility of the rationed farm equipment can be obtained for the food program.

§ 1202.269 *Action by county farm rationing committee on application*. The county farm rationing committee shall at all times serve the objectives sought by the rationing program and allocate rationed farm equipment only for uses essential to the war effort and then in the order that such uses are most vital. The determination of facts in each case shall be made by the county farm rationing committee upon the basis of the application and all other information available to such committee.

§ 1202.270 *Notification of applicant*. After action upon an application the county farm rationing committee shall notify the applicant in writing of its decision. If the application is denied, the county farm rationing committee shall inform the applicant of the manner in which an appeal may be made.

§ 1202.271 *Issuance of purchase certificates*. Upon approval of applications, county farm rationing committees shall issue purchase certificates to applicants on a form prescribed by the Director. Such certificates shall be non-transferable. Unless otherwise specified in any supplementary order, a separate purchase certificate shall be issued for each unit of rationed farm equipment.

§ 1202.272 *Expiration or revocation of purchase certificates*. Transfer of any equipment described in a purchase certificate must be made on or before the expiration date named in such purchase certificate. Such expiration date may be fixed by the county farm rationing committee. Such purchase certificate shall be void if transfer is not made before the expiration date. The county farm rationing committee, however, may extend the expiration date. The county farm rationing committee may revoke a purchase certificate at any time before the purchase of the equipment described in such certificate has been completed, if it is satisfied (a) that the person to whom the purchase certificate was issued has misrepresented his circumstances in obtaining the certificate; or (b) that the circumstances of such person have so changed that the acquisition by such person of the equipment described in the purchase certificate would be contrary to the objectives sought by the rationing program; or (c) that such person is not proceeding in good faith to acquire the equipment described in the purchase certificate; or (d) that such purchase certificate was issued by mistake.

§ 1202.273 *Action by applicant*. After receipt of a purchase certificate an applicant shall sign the certificate and present it to the person from whom the equipment is to be purchased.

§ 1202.274 *Action by dealer*. A dealer shall not honor a purchase certificate unless such certificate is delivered to him properly executed by the county farm rationing committee and the purchaser. Upon transferring the rationed farm equipment described in a purchase

certificate the dealer shall notify the county farm rationing committee of such transfer in the manner specified on the certificate.

APPEALS

§ 1202.275 *Appeal to State AAA Committee.* Any applicant for a purchase certificate who has good reason to believe that the ruling of the county farm rationing committee on his application is not in accordance with the provisions of this order may, within 30 calendar days after written notification of such ruling, appeal to the State AAA Committee from such ruling. In so doing, the applicant shall file a written statement setting forth the specific reasons why he believes the action taken by the county farm rationing committee was not in accordance with this order. Such appeal shall be filed with the County Agriculture Conservation Committee for the same county as the county farm rationing committee appealed from. The County Agricultural Conservation Committee shall promptly transmit such appeal to the State AAA Committee, together with such other pertinent information as the County Agricultural Conservation Committee deems appropriate.

§ 1202.276 *Action by the State AAA Committee.* (a) The State AAA Committee may require the county farm rationing committee or the applicant to furnish pertinent information in addition to that furnished to the county farm rationing committee with respect to the appeal pending before such Committee. The State AAA Committee may affirm, reverse, or modify the ruling of the county farm rationing committee. The action of the State AAA Committee shall in all respects be in accordance with the provisions of this order.

(b) The State AAA Committee's decision shall be made as soon as is reasonably possible, shall be in writing, and notification thereof shall be given to the applicant and to the county farm rationing committee.

§ 1202.277 *Review of State AAA Committee action.* If an applicant has good reason to believe that the decision of the State AAA Committee on his appeal is not in accordance with the provisions of this order, he may, within 30 calendar days after notification thereof, file a written petition for review by the Director. Such written petition shall set forth the specific reasons why the applicant believes the decision of the State AAA Committee is not in accordance with the provisions of this order. The Director may require the furnishing of pertinent information by the applicant, the county farm rationing committee, or the State AAA Committee. The Director may affirm, reverse or modify the decision of the State AAA Committee, and he may remand the matter to the county farm rationing committee. The decision of the Director shall be in writing and shall be communicated to the applicant, to the county farm rationing committee, and to the State AAA Committee, and shall be final.

§ 1202.278 *Other appeals.* Any person seeking relief of a type not other-

wise provided for in this order may file with the Director a written statement of the relief which he seeks and the reasons why he believes he is entitled to such relief. The Director may grant such relief, if it would not defeat or impair the effectiveness of the rationing program established by this order and if the granting of similar relief to all persons in like circumstances would not hinder such program. The decision of the Director shall be in writing and shall be final.

RECORDS AND REPORTS

§ 1202.279 *Records and reports.* (a) Each dealer shall maintain for at least two years a file containing all purchase certificates, or copies thereof, which are accepted by such dealer. (This requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(b) Each manufacturer, mail order house, distributor and dealer shall make such reports and furnish such information as may be required from time to time by the Director, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(c) Each manufacturer, mail order house, distributor and dealer shall permit duly authorized representatives of the War Food Administration to audit and inspect his records and to inspect his inventories of rationed farm equipment.

ENFORCEMENT

§ 1202.280 *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, knowingly conceals a material fact or furnishes false information to any department or agency of the United States (including county farm rationing committees, State AAA Committees and County Agricultural Conservation Committees), or who conspires with another person to perform any of such acts, is guilty of a crime and, upon conviction may be punished by fine and imprisonment. In addition, any such person may be deprived of any priority assistance. Further, the Director may recommend to the Office of Price Administration or to the War Production Board that any person who violates any provision of this order be denied the right to receive, use, sell, or otherwise dispose of any other materials which now are or in the future may be under allocation.

§ 1202.281 *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the Director in charge of the Office of Materials and Facilities, War Food Administration, Washington 25, D. C., Ref: FPO 14.

§ 1202.282 *Food Production Order No. 3 superseded.* Food Production Order

No. 3, as amended,¹ is hereby superseded: *Provided,* That distribution directives issued to individual manufacturers under Food Production Order No. 3, as amended, for types of equipment listed on Schedules I and II of Supplementary Order No. 1 of this order shall remain in full force and effect, except as to the tagging provisions thereof: *And provided further,* That all provisions of Food Production Order No. 3, as amended, shall continue to remain in full force and effect for the purpose of allowing or sustaining any suit, action, prosecution or administrative or other proceeding, heretofore or hereafter commenced with respect to any violation committed or right or liability accruing under or pursuant to the terms of such provisions.

Issued this 28th day of December 1943.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 43-20589; Filed, December 28, 1943;
3:38 p. m.]

[Rev. FPO 14, Supp. Order 1]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Supplementary Order No. 1, as amended,² issued under Food Production Order No. 14,³ is hereby revised and amended in its entirety to read as follows:

Sec.	
1202.301	Purpose of this supplementary order.
1202.302	Scope.
1202.303	Compliance with this supplementary order.
1202.304	Manufacturer's reports on State and county distribution plans.
1202.305	Manufacturer's transfer of listed farm machinery and equipment.
1202.306	Transfers for agricultural use.
1202.307	Transfers to Federal agencies and for nonagricultural use.
1202.308	Records and reports by dealers and others.
1202.309	Manufacturer's records.
1202.310	Territorial application.
1202.311	Incorporation into Food Production Order No. 14.
1202.312	Communications.

AUTHORITY: §§ 1202.301 to 1202.312, inclusive, issued under 54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 9322, 9334, 9392; 7 F.R. 10179, 8 F.R. 3807, 5423, 14783.

§ 1202.301 *Purpose of this supplementary order.* This supplementary order explains the procedure to be followed in distributing listed farm machinery and equipment from manufacturers to retail outlets and it also sets forth the requirements of the rationing program which are of special importance to persons desiring such equipment. This supplementary order should be read in conjunction with Food Production Order No. 14 which establishes the general rationing program, and which contains definitions of certain terms used herein.

§ 1202.302 *Scope.* This supplementary order deals only with rationed farm

¹ 8 F.R. 5963, 7299, 7625, 8045, 9100, 9101, 10343, 11607.

² 8 F.R. 13221, 13966, 15809.

³ 8 F.R. 13217, 13283.

equipment as defined in Food Production Order No. 14, of the types listed in Schedules I, II and III of this supplementary order, which is produced for farm use in the United States, its territories and possessions. Such equipment is referred to generally in this supplementary order as "listed farm machinery and equipment." Listed farm machinery and equipment, depending upon the Schedule in which it is listed, also is referred to as Schedule I equipment, Schedule II equipment and Schedule III equipment.

This supplementary order does not deal with repair parts or attachments. No type of equipment which is listed in Schedules I, II and III shall be deemed to be an attachment or repair part.

§ 1202.303 *Compliance with this supplementary order.* Except as provided in § 1202.307, no person shall make a transfer or accept a transfer of listed farm machinery and equipment except pursuant to this order or other orders of the War Food Administrator, or pursuant to directives which may be issued by the Director.

§ 1202.304 *Manufacturer's reports on State and county distribution plans.* (a) On or before October 20, 1943, each manufacturer shall make a written report to the Director with respect to each type of listed farm machinery and equipment. For Schedule I and Schedule II equipment, such report shall be made in the form set forth in Exhibit A attached hereto, and, for Schedule III equipment, such report shall be made in the form set forth in Exhibit B attached hereto. This report is sometimes hereinafter referred to as the "State distribution plan." (Changes may be made in a State distribution plan under the provisions of paragraph (b) (2) of § 1202.305.)

(b) On or before November 5, 1943, each manufacturer shall make a written report, in the form set forth in Exhibit C attached hereto, to the State AAA Committee for each State with respect to the units of Schedule I equipment reported by him to the Director for distribution in such State pursuant to paragraph (a) of this section. Such report shall show the manufacturer's proposed distribution of such equipment by counties. This report is sometimes hereinafter referred to as the "county distribution plan." The State AAA Committee may, on or before December 10, 1943, change a county distribution plan by not more than 10 percent of the units of each type of equipment, but changes affecting more than 10 percent of any type of equipment may be made with the consent of the manufacturer. (This authority to change a county distribution plan shall not be construed to permit an increase in the total number of units of any type of equipment to be transferred in any State under such plan.) On or before December 10, 1943, the State AAA Committee shall notify the manufacturer of any change in his county distribution plan or that it will make no such change. (Other changes in a county distribution plan may be made under the provisions of paragraph (c) (2) of § 1202.305.)

(c) If a manufacturer is authorized at any time to manufacture listed farm machinery and equipment in addition to that shown in his reports made pursuant to paragraphs (a) and (b) of this section, such manufacturer shall, within 30 days of his receipt of such authorization, make a supplemental report to the Director with respect to such equipment in the same form as is required by paragraph (a) of this section and, in the case of Schedule I equipment, shall also make a supplemental report to the State AAA Committees with respect to such equipment in the same form as is required by paragraph (b) of this section. With respect to any such report to a State AAA Committee, such committee shall have 15 days in which to exercise its option to change the county distribution plan and to notify the manufacturer in accordance with the provisions of paragraph (b) of this section. (The reporting requirements of paragraphs (a), (b) and (c) of this section have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(d) On or before November 26, 1943, each State AAA Committee shall authorize each county farm rationing committee within the State to issue, beginning December 1, 1943, a specified number of purchase certificates for each type of Schedule I equipment. This authorization, however, shall not be more than the total number of units of such equipment which the State AAA Committee determines will probably be available for such county according to the county distribution plans. On or before December 15, 1943, each State AAA Committee shall notify each county farm rationing committee within the State of the number of units of each type of Schedule I equipment expected to be available for such county according to the county distribution plans. After receiving such notification no county farm rationing committee shall issue any purchase certificates (including purchase certificates issued on and after December 1, 1943) for such type of Schedule I equipment in excess of such number unless expressly permitted to do so by its State AAA Committee. The State AAA Committees are hereby authorized to grant such permission.

§ 1202.305 *Manufacturer's transfer of listed farm machinery and equipment.*

(a) Until a manufacturer has transferred listed farm machinery and equipment sufficient to fill distribution directives for any State issued to him under Food Production Order No. 3, as amended,* for any type of Schedule I or Schedule II equipment, he shall not make any other transfers of such type of equipment into such State.

(b) Subject to any distribution directives issued under Food Production Order No. 3, as amended, covering any Schedule I or Schedule II equipment, a manufacturer may transfer, without reference to any distribution plan but other-

wise in accordance with this supplementary order, any type of Schedule I, Schedule II or Schedule III equipment which was produced by him prior to July 1, 1943.

(c) (1) Subject to the provisions of paragraph (c) (2) of this section, after having made the reports to the Director and to the State AAA Committees pursuant to paragraphs (a), (b) and (c) of § 1202.304, a manufacturer shall transfer listed farm machinery and equipment covered by such reports in accordance with his State and county distribution plans (including any county distribution plan as changed by a State AAA Committee pursuant to paragraph (b) of § 1202.304). (Pending a State AAA Committee's action changing a county distribution plan, Schedule I equipment may be transferred in accordance with the county distribution plan contained in the manufacturer's report.) It is the intent of this requirement that listed farm machinery and equipment shall be so distributed as to be readily available in the trade areas comprising the various States and counties, in the quantities and types to which such States and, in the case of Schedule I equipment, counties are entitled under the distribution plans. A manufacturer will comply with this requirement by transferring listed farm machinery and equipment, which is for any State or, in the case of Schedule I equipment, county in accordance with his distribution plans, to a distributor or dealer whose trade territory includes part or all of such State or county, or to an individual for agricultural use in such State or county. Beginning not later than November 5, 1943, when a manufacturer transfers such equipment to a dealer, he shall notify such dealer of the State and, in the case of Schedule I equipment, of the county for which such equipment is intended for ultimate transfer for agricultural use. When a distributor receives any listed farm machinery and equipment from a manufacturer pursuant to this paragraph, he likewise, shall transfer such equipment to a dealer only in accordance with such manufacturer's distribution plans, and, beginning not later than November 5, 1943, shall notify such dealer of the State and, in the case of Schedule I equipment, of the county for which such equipment is intended for ultimate transfer for agricultural use. The notification to a dealer by a manufacturer or distributor required by this paragraph shall be given as early as possible, but not later than the date of shipment of the equipment.

(2) State and county distribution plans with respect to any type of listed farm machinery and equipment may be changed at any time in the following manner:

(i) In the case of Schedule I equipment, a manufacturer or distributor may change the manufacturer's county distribution plan within a State with the approval of the State AAA Committee. In seeking such approval, such manufacturer or distributor shall inform the State AAA Committee of the quantity,

* 8 F.R. 5968, 7299, 7625, 8045, 9100, 9101, 10343, 11607.

make and type of the equipment involved and of the counties from which such equipment would be taken and the counties in which it would be placed.

(ii) If the equipment has not been shipped from the factory, a manufacturer may appeal to the Director for permission to change his State distribution plan. In making this appeal, the manufacturer shall inform the Director of (a) the quantity, make and type of the equipment involved, (b) the States from which such equipment would be taken and the States in which it would be placed, and (c), in the case of Schedule I equipment, the counties in which such equipment would be placed. This appeal shall be accompanied by a written statement of concurrence from the State AAA Committee for the State from which such equipment would be taken.

(iii) If the equipment has been shipped from the factory to a manufacturer's branch house or to a distributor, the manufacturer or distributor may change the manufacturer's State distribution plan with the permission of the State AAA Committee for the State from which the equipment would be taken. In seeking such permission, the manufacturer or distributor shall inform the State AAA Committee of (1) the quantity, make and type of the equipment involved, (2), in the case of Schedule I equipment, the counties from which such equipment would be taken, and (3) the State, and in the case of Schedule I equipment, the counties in which such equipment would be placed. If the State AAA Committee permits the proposed change in the State distribution plan to be made, such Committee shall notify the Director accordingly, informing him of (1) the quantity, make and type of the equipment involved and (2) the State and, in the case of Schedule I equipment, counties in which such equipment will be placed. The State AAA Committee shall transmit a copy of this notification to the State AAA Committee for the State in which the equipment will be placed.

(d) Excluding Schedule I and Schedule II equipment transferred or to be transferred in accordance with directives issued under Food Production Order No. 3, as amended, 20 percent of each manufacturer's scheduled production of all listed farm machinery and equipment, which is required to be reported to the Director by paragraphs (a) and (c) of §1202.304 shall constitute a reserve to be transferred only as directed by the Director. The Director is hereby authorized to direct the transfer of such reserve. In so doing, the Director may direct the transfer of a manufacturer's current production at any given time or inventory of such equipment.

§ 1202.306 *Transfers for agricultural use.* (a) No person, other than a Federal Government agency, shall make a transfer or accept a transfer of Schedule I or Schedule II equipment for agricultural use, except pursuant to a purchase certificate specifying the type of equipment being transferred. No purchase certificate shall be required in the case of a transfer of Schedule III equipment,

(b) Purchase certificates issued under Food Production Order No. 3, as amended, for any type of farm machinery and equipment listed on Schedule I or Schedule II of this supplementary order shall continue to be valid as though issued under this order until their revocation or expiration. All purchase certificates issued on or before November 30, 1943, however, shall automatically expire at 12 midnight on that date.

(c) Dealers may transfer any Schedule I or Schedule II equipment to any person holding a purchase certificate for such equipment issued by any county farm rationing committee. Whenever any dealer has on hand any item of Schedule I or Schedule II equipment for which there is no apparent holder of a purchase certificate desiring such equipment, such dealer shall notify any one county farm rationing committee of the make and type of such equipment.

§ 1202.307 *Transfers to Federal agencies and for non-agricultural use.* (a) Purchase certificates will not be issued to Federal agencies. If a Federal agency wants any listed farm machinery and equipment for agricultural use in the United States, it must obtain a written authorization from the Director. In applying for such authorization from the Director, a Federal agency should submit a statement showing (1) the amount, make and type of the equipment desired; (2) whether alternative makes will be satisfactory; (3) the name and address of the supplier, if possible; (4) the use to which the equipment will be put; (5) the place where the equipment will be used; and (6) the latest delivery date which will satisfy the agency's need. If a Federal agency wants any listed farm machinery and equipment for non-agricultural use, or for export, it must comply with War Production Board Order No. L-257, as amended,⁸ or L-257a, as amended,⁹ and any other applicable War Production Board regulations.

(b) If any person other than a Federal agency wants any listed farm machinery and equipment for non-agricultural use, he must comply with War Production Board Order No. L-257, as amended, and any other applicable War Production Board regulations.

§ 1202.308 *Records and reports by dealers and others.* (a) Each dealer and each retail store of a mail order house transferring any unit of Schedule I or Schedule II equipment with a selling price of \$15.00 or more shall prepare an invoice or sales ticket containing the total sales price and a complete description of the equipment transferred, and shall forward such invoice or sales ticket to the county farm rationing committee issuing the purchase certificate covering such equipment, along with the notification required by § 1202.274 of Food Production Order No. 14.

(b) Mail order houses transferring through mail order channels any unit of Schedule I or Schedule II equipment with a selling price of \$15.00 or more, shall transmit to the county farm rationing

⁸ 8 F.R. 8163, 9712, 10300, 11717.

⁹ 8 F.R. 11723.

committee issuing the purchase certificate covering such equipment a true statement to the effect that the price for which the equipment was sold by such mail order house was not in excess of the price published for the equipment in the mail order house's latest current catalog. The statement shall accompany, or may be stamped on, the notification required by § 1202.274 of Food Production Order No. 14. (The reporting requirements of paragraphs (a) and (b) of this section have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(c) Reports made pursuant to this section shall be treated as confidential and shall be open for inspection only by duly authorized representatives of the Office of Price Administration or the War Food Administration, unless otherwise directed by the Director.

§ 1202.309 *Manufacturer's records.* Each manufacturer shall maintain for at least two years records of all transfers of listed farm machinery and equipment made by such manufacturer pursuant to this supplementary order. Such records shall show the States for which such equipment was transferred, and, in the case of Schedule I equipment, the counties for which such equipment was transferred. (This record keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

§ 1202.310 *Territorial application.* This Supplementary Order No. 1 shall apply only within the limits of the continental United States. (The transfer of farm machinery and equipment to the territories and possessions of the United States is controlled by Food Production Order No. 14, Supplementary Order No. 2.)

§ 1202.311 *Incorporation into Food Production Order No. 14.* This Supplementary Order No. 1 shall be added to and become a part of Food Production Order No. 14 and any violation of this Supplementary Order No. 1 shall be deemed to be a violation of Food Production Order No. 14.

§ 1202.312 *Communications.* All communications concerning this supplementary order shall, unless otherwise directed, be addressed to the Director in charge of the Office of Materials and Facilities, War Food Administration, Washington 25, D. C., Ref: FPO 14, Supp. 1.

Issued this 28th day of December 1943.

WILSON COWEN,
Assistant War Food Administrator.

EXHIBIT A

[This form may be reproduced by
manufacturers]

MANUFACTURER'S REPORT ON SCHEDULE I AND SCHEDULE II EQUIPMENT TO DIRECTOR, OFFICE OF MATERIALS AND FACILITIES, WAR FOOD ADMINISTRATION, WASHINGTON 25, D. C.

NOTE: 1. Report is due on or before October 20, 1943. (Report on any supplemental production is due 30 days from date of authorization.)

2. Use a separate form for each type of equipment, i. e., tractors, combines, etc. Report orchard sprayers and row crop sprayers as separate types of equipment.
 3. When reporting supplemental production insert number of units to be distributed under item III (d) and omit items II, III (a), (b) and (c).

Name of manufacturer _____
 Address of manufacturer _____
 I. Type of equipment _____
 FPO-14 Supp. 1 Item No. (s) _____

II. Total scheduled production (July 1, 1943, through July 31, 1944) for farm use in the United States, its territories and possessions (Claimant Agency—War Food Administration) _____

III. Computation of number of units to be distributed:
 (a) No. units produced on or after July 1, 1943, and which have been distributed in accordance with directives issued under Food Production Order 3 _____
 (b) No. units produced and to be produced on or after July 1, 1943, and still to be distributed in accordance with directives issued under Food Production Order 3 _____
 (c) Total subject to directives (a) plus (b) _____
 (d) Net (II minus III (c)) _____

IV. Distribution by manufacturer (80% of net—III (d)) _____
 V. Reserve (20% of net—III (d)) _____
 (To be distributed in accordance with orders or directives issued by the Director)

VI. Report of manufacturer's distribution plan by States: (Total for States should equal figure in IV.)

State	Units

(Extend list by using back side or additional sheet, if necessary.)
 Date _____
 Manufacturer _____
 By _____
 Title _____

EXHIBIT B
 [This form may be reproduced by Manufacturers]

MANUFACTURER'S REPORT ON SCHEDULE III EQUIPMENT TO DIRECTOR, OFFICE OF MATERIALS AND FACILITIES, WAR FOOD ADMINISTRATION, WASHINGTON 25, D. C.

NOTE: Report is due on or before October 20, 1943. (Report on any supplemental production is due 30 days from date of authorization.)

2. Use a separate form for each type of equipment, i. e., moldboard plows, cultivators (horse and tractor drawn), cultivators (tractor mounted), etc.
 3. When reporting supplemental production omit items II and III.

Name of manufacturer _____
 Address of manufacturer _____
 I. Type of equipment _____
 FPO-14 Supp. 1 Item No. (s) _____

State	Units

(Extend list by using back side or additional sheet, if necessary.)
 Date _____
 Manufacturer _____
 By _____
 Title _____

II. Total scheduled production (July 1, 1943, through July 31, 1944) for farm use in the United States, its territories and possessions (Claimant Agency—War Food Administration) _____

III. No. units produced on or after July 1, 1943, and distributed from July 1, 1943, through October 14, 1943, in accordance with directives issued under Food Production Order 3 _____

IV. Net (II minus III) _____
 V. Distribution by manufacturer (80% of net—IV) _____
 VI. Reserve (20% of net—IV) _____
 (To be distributed in accordance with orders or directives issued by the Director)

VII. Report of manufacturer's distribution plan by States: (Total for States should equal figure in IV.)

State	Units

(Extend list by using back side or additional sheet, if necessary.)
 Date _____
 Manufacturer _____
 By _____
 Title _____

SCHEDULE I
 PLANTERS (HORSE OR TRACTOR DRAWN AND TRACTOR MOUNTED)

Item No. _____
 4 Two row, corn, horse or tractor drawn.
 5 Two row, corn and cotton, horse or tractor drawn.

County	Units

(Extend list by using back side or additional sheet, if necessary.)
 Date _____
 Manufacturer _____
 By _____
 Title _____

EXHIBIT C
 [This form may be reproduced by manufacturers]

FARM MACHINERY MANUFACTURER'S REPORT TO STATE AAA COMMITTEE

NOTE: 1. Required for Schedule I equipment only. (Report on any supplemental production is due 30 days from date of authorization.)
 2. Report due on or before November 5, 1943.
 3. Use a separate form for each type of equipment, i. e., tractors, combines, etc. Report orchard sprayers and row crop sprayers separately.

Name of manufacturer _____
 Address of manufacturer _____
 I. Type of equipment _____
 FPO-14 Supp. 1 Item No. (s) _____

II. Report of manufacturer's distribution plan by counties: (The total for all counties within the State should equal the total for the State as reported to the Director.)

County	Units

(Extend list by using back side or additional sheet, if necessary.)
 Date _____
 Manufacturer _____
 By _____
 Title _____

SCHEDULE I
 PLANTERS (HORSE OR TRACTOR DRAWN AND TRACTOR MOUNTED)

Item No. _____
 4 Two row, corn, horse or tractor drawn.
 5 Two row, corn and cotton, horse or tractor drawn.

SCHEDULE I—Continued

PLANTERS (HORSE OR TRACTOR DRAWN AND TRACTOR MOUNTED)—continued

- Item No. _____
- 6 Three row and over, corn, horse or tractor drawn.
- 7 Three row and over, corn and cotton, horse or tractor drawn.
- 8 One row, corn, tractor mounted.
- 9 One row, corn and cotton, tractor mounted.
- 10 Two row, corn, tractor mounted.
- 11 Two row, corn and cotton, tractor mounted.
- 12 Three row and over, corn, tractor mounted.
- 13 Three row and over, corn and cotton, tractor mounted.

POTATO PLANTERS (HORSE AND TRACTOR DRAWN)

- 14 One row.
- 14a Two row and larger.

GRAIN DRILLS (HORSE OR TRACTOR DRAWN)

- 25 Fertilizer, 14 run and under.
- 25a Fertilizer, over 14 run.
- 26 Plain, 14 run and under.
- 26a Plain, over 14 run.
- 26b Press drills.
- 26c Plain drills.

MANURE SPREADERS

- 36 Four wheel, horse or tractor drawn.
- 37 Two wheel, tractor drawn.

POWER SPRAYERS (ORCHARD TYPE)

- 108a Orchard type, six to ten G. P. M., auxiliary engines.
- 108b Orchard type, six to ten G. P. M., power take-off.
- 108c Orchard type, eleven to twenty G. P. M., auxiliary engines.
- 108d Orchard type, eleven to twenty G. P. M., power take-off.
- 108e Orchard type, over twenty G. P. M., auxiliary engines.
- 108f Orchard type, over twenty G. P. M., power take-off.
- 108n Propeller blast type.

POWER SPRAYERS (ROW CROP TYPE)

- 108g Field or row crop type, six to ten G. P. M., auxiliary engines.
- 108h Field or row crop type, six to ten G. P. M., power take-off.
- 108i Field or row crop type, eleven to twenty G. P. M., auxiliary engines.
- 108j Field or row crop type, eleven to twenty G. P. M., power take-off.
- 108k Field or row crop type, over twenty G. P. M., auxiliary engines.
- 108l Field or row crop type, over twenty G. P. M., power take-off.
- 108m Field or row crop type, tractor mounted.
- 109a Traction sprayers, six G. P. M., and over.

COMBINES (HARVESTER-THRESHERS)

- 126 Width of cut, 6' and under, auxiliary engines.
- 126a Width of cut, 6' and under, power take-off.
- 127 Width of cut, over 6', including 10'.
- 128 Width of cut, over 10'.

CORN BINDERS

- 132 Corn binders, ground drive.
- 132a Corn binders, power take-off.

CORN PICKERS

- 133 One row, mounted type.
- 134 Two row, mounted type.
- 135 One row, pull type.
- 136 Two row, pull type.

POTATO DIGGERS AND PICKERS

- 139 One row, ground drive.
- 139a One row, power take-off.
- 139b Two row, power take-off.
- 139c Potato pickers.

SCHEDULE I—Continued

MOWERS

- Item No.
146 Horse or tractor drawn (ground drive).
147 Tractor mounted or semi-mounted (power take-off drive).

RAKES

- 149 Side delivery (including combination side rakes and tedders).

HAY LOADERS

- 151 Hay loaders.

PICK-UP HAY BALERS

- 153 Pick-up hay balers—power take-off.
153a Pick-up hay balers—auxiliary engine.

ENSILAGE CUTTERS—SILO FILLERS

- 162 Ensilage cutters (silo fillers).

STATIONARY HAY AND STRAW BALERS

- 172 Auxiliary engines.
172a Belt driven.
172b Power take-off.

SORTERS AND GRADERS

- 177 Potato sorters and graders.

TRACTORS

- 192 Special purpose, under 30 H. P.
193 Special purpose, 30 H. P. and over.
194 All purpose, under 30 H. P.
195 All purpose, 30 H. P. and over.

SCHEDULE II

LISTERS WITH PLANTING ATTACHMENTS (HORSE OR TRACTOR DRAWN AND TRACTOR MOUNTED)

Item No.

- 17 One row, horse or tractor drawn.
18 Two row, horse or tractor drawn.
19 Three row and over, horse or tractor drawn.
20 One row, tractor mounted.
21 Two row, tractor mounted.
22 Three row and over, tractor mounted.

MIDDLEBUSTERS—LISTERS WITHOUT PLANTING ATTACHMENTS (HORSE OR TRACTOR DRAWN AND TRACTOR MOUNTED)

- 65 Two row, horse or tractor drawn.
66 Three row, and larger, horse or tractor drawn.
67 One row, tractor mounted.
68 Two row, tractor mounted.
69 Three row and larger, tractor mounted.
69a Three row ridgers.

NOTE: The transfer of "Middlebustlers—Listers Without Planting Attachments (Horse or Tractor Drawn and Tractor Mounted)" from Schedule III to Schedule II will not have the effect of reinstating any distribution directives issued under Food Production Order No. 3, as amended.

FIELD ENSILAGE HARVESTERS

- 137 Field ensilage harvesters (row type).

HAYING MACHINERY

- 154 Field haychoppers and harvesters.

ELEVATORS—PORTABLE

- 188 Elevators, portable.

BLOWERS

- 190 Blowers, grain.
190a Blowers, forage.

GARDEN TRACTORS

- 196 Garden tractors (including motor tillers).

MILKING MACHINES

- 237 Milking machines (complete outfits).

FARM MILK COOLERS

- 241 Immersion type.
242 Surface or tubular type.

SCHEDULE II—Continued

DEEP AND SHALLOW WELL WATER SYSTEMS

Item No.

- 213 Deep well, reciprocal.
214 Deep or shallow well, jet type.
215 Shallow well, 250-499 gallons per hour.
216 Shallow well, 500 gallons per hour and over.

POWER PUMPS

- 217 Horizontal type, up to and including 75 gallons p. m. 100 lbs. pressure.

WINDMILLS

- 222 Windmill heads.
223 Windmill towers.

IRRIGATION PUMPS

- 227 Turbine pumps, 0 to 1,200 G. P. M.
228 Turbine pumps, 1,200 G. P. M. and up.
229 Centrifugal pumps.

SCHEDULE III

BEET AND BEAN DRILLS OR PLANTERS

- 23 Four row, horse or tractor drawn.
23a Six row, horse or tractor drawn.
23b Four row, tractor mounted.
23c Six row, tractor mounted.

MOLDBOARD PLOWS (TRACTOR DRAWN OR MOUNTED)

- 47 One bottom, tractor drawn.
47a One bottom, two way (one furrow), tractor drawn.
48 Two bottom, tractor drawn.
48a Two bottom, two way (two furrow), tractor drawn.
49 Three bottom, tractor drawn.
50 Four bottom, tractor drawn.
51 Five bottom, and larger, tractor drawn.
52 One bottom, tractor mounted.
52a One bottom, two way (one furrow), tractor mounted.
53 Two bottom, tractor mounted.

DISC PLOWS (TRACTOR DRAWN)

- 55 One disc.
56 Two disc.
57 Three disc.
58 One disc—direct connected (one wheel type).
59 Two disc—direct connected (one wheel type).
59a Three disc—direct connected (one wheel type).
59b Three disc, tool bar type.
60 Four disc.
61 Five disc.
62 Six disc and larger.

ONE WAY DISC PLOWS OR TILLERS

- 63 Under five feet.
63a Five feet and under eight feet.
63b Eight feet and over.

DISC HARROWS

- 80 Disc harrows, reversible, row disc, horse or tractor drawn.
80a Disc harrows, single, six feet and under (horse drawn type).
80b Disc harrows, single, over six feet (horse drawn type).
80c Disc harrows, tandem attachment for horse drawn type.
80d Disc harrows, single and tandem, six feet and under, tractor drawn.
80e Disc harrows, single and tandem, over 6 feet and under 11 feet, tractor drawn.
80f Disc harrows, tandem "heavy duty" "cover crop", "wide disc spacing" tractor drawn.
80g Disc harrows, wide disc harrows over ten feet, tractor drawn.
80h Disc harrows, offset—tractor drawn.
80i Disc harrows, brush and bog, tractor drawn.
81 Disc harrows, tractor mounted and tool bar type.

SCHEDULE III—Continued

DISC HARROWS—continued

Item No.

- 81a Cane disc harrows, tractor mounted and tool bar type.

SOIL PULVERIZERS AND PACKERS

- 83 Soil pulverizers and packers, single.
83a Soil pulverizers and packers, double.

CULTIVATORS (HORSE AND TRACTOR DRAWN)

- 93b Two row, riding, horse drawn, shovel or disc type.
94a Two row, horse drawn, listed corn type.
94b Two row, tractor drawn, listed corn type.
94c Three row, tractor drawn, listed corn type.
94d Four row, tractor drawn, listed corn type.
94e Five row, tractor drawn, listed corn type.
95a Beet and bean cultivators, four row, horse or tractor drawn.
95b Two row wing and disc hoes and hillers, potato, horse or tractor drawn.
96 Field cultivators, spring tooth type, seven foot and under.
96a Field cultivators, spring tooth type, over seven foot.
96b Field cultivators, stiff tooth type, seven feet and under.
96c Field cultivators, stiff tooth type, over seven feet.
96d Chisels and orchard cultivators, tractor drawn.

CULTIVATORS (TRACTOR MOUNTED)

- 95c Two row wing and disc hoes and hillers, potato.
98 One row.
99 Two row, shovel type.
99a Two row, listed corn type.
99b Two row, potato cultivator.
99c Two row, disc type.
100 Three and four row, shovel type.
101 Narrow row, four and six row (beet, bean, and vegetable cultivators).
101a Combination cultivators and planters, two row, corn and cotton.
101d Field cultivator, mounted and tool bar type.
101e Chisel and Orchard cultivators, mounted and tool bar type.

ROTARY HOES

- 102 Rotary hoes, horse or tractor drawn.

DUSTERS

- 121 Power duster, auxiliary engines.
121a Power duster, power take-off.
122 Traction dusters (except one and two row wheel barrow type).

GRAIN BINDERS

- 129 Grain binders (ground drive).
130 Grain binders (power take-off).

STATIONARY THRESHERS (GRAIN, RICE AND ALFALFA)

- 158 Threshers, width of cylinder under 28 inches.
159 Threshers, width of cylinder 28 inches and over.

STATIONARY PEA AND BEAN THRESHERS

- 160 Stationary pea and bean threshers.

FEED GRINDERS AND CRUSHERS

- 174 Power, burr type.
175 Hammer type.
175a Roughage mills, combination type with cutter head and grinders.

DISTRIBUTION EQUIPMENT

- 232 Portable pipe and extensions, sprinklers (excluding lawn sprinklers), valves and gates.

[F. R. Doc. 43-20587; Filed, December 28, 1943; 3:38 p. m.]

[Rev. FPO 14, Supp. Order 4]

PART 1202—FARM MACHINERY AND EQUIPMENT

PRESSURE COOKERS

Supplementary Order No. 4,¹ issued under Food Production Order No. 14,² is hereby revised and amended in its entirety to read as follows:

- Sec.
 1202.401 Purpose of this supplementary order.
 1202.402 Scope.
 1202.403 Compliance with this supplementary order.
 1202.404 Transfer of pressure cookers by manufacturers.
 1202.405 Transfers for use in canning food products in the continental United States.
 1202.406 Transfers for use other than in canning food products.
 1202.407 Transfers to a Federal agency.
 1202.408 Transfers to territories and possessions of the United States.
 1202.409 Transfers for use in the territories and possessions of the United States.
 1202.410 Records and reports.
 1202.411 Communications.
 1202.412 Incorporation into Food Production Order No. 14.

AUTHORITY: §§ 1202.401 to 1202.412, inclusive, issued under 54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 9322, 9334, 9392; 7 F.R. 10179, 8 F.R. 3807, 5423, 14783.

§ 1202.401 *Purpose of this supplementary order.* This supplementary order explains the procedure to be followed in distributing new pressure cookers from manufacturers to retail outlets and it also sets forth the requirements of the rationing program which are of special importance to persons desiring such equipment. This supplementary order should be read in conjunction with Food Production Order No. 14 which establishes the general rationing program and which contains definitions of certain terms used herein.

§ 1202.402 *Scope.* This supplementary order deals only with new pressure cookers, which are rationed farm equipment as defined in Food Production Order No. 14. As used herein, "Pressure cooker" means any device commonly known as a pressure cooker or pressure canner which may be used for canning food products under steam pressure, which has a capacity of from 5 up to and including 14 one-quart glass jars, and which is equipped with a dial, indicating or weighted gauge, a venting device, and a safety valve.

§ 1202.403 *Compliance with this supplementary order.* No person shall make a transfer or accept a transfer of any pressure cooker, except pursuant to this supplementary order or pursuant to directions which may be issued by the Director.

§ 1202.404 *Transfer of pressure cookers by manufacturers.* (a) Subject to the provisions of this supplementary order, a manufacturer may transfer (1) any pressure cookers manufactured by

him prior to April 14, 1943, and (2) 80 percent of his scheduled production of pressure cookers under the War Production Board Order L-30-d (8 F.R. 9939).

(b) Twenty percent of each manufacturer's scheduled production of pressure cookers under War Production Board Order L-30-d shall constitute a reserve. The Director is hereby authorized, in his discretion, to direct the transfer of such reserve. In so doing, the Director may direct the transfer of a manufacturer's current production at any given time, or he may direct the transfer of the reserve from the inventory of pressure cookers.

§ 1202.405 *Transfers for use in canning food products in the continental United States.* Notwithstanding any provision of Food Production Order No. 14, any person may make a transfer or accept a transfer, without a purchase certificate, of any pressure cookers in the continental United States for use in the canning of food products, except that a Federal agency shall be subject to the provisions of § 1202.407 of this supplementary order.

§ 1202.406 *Transfers for use other than in canning food products.* No person shall make a transfer or accept a transfer of any pressure cooker for use other than in canning food products, except pursuant to a written authorization from the Director.

§ 1202.407 *Transfers to a Federal agency.* No Federal agency may accept a transfer of any pressure cooker, except pursuant to a written authorization from the Director.

§ 1202.408 *Transfers to territories and possessions of the United States.* No person shall make a transfer or accept a transfer of any pressure cooker for shipment to Alaska, Hawaii, Puerto Rico, the Virgin Islands, or any other territory or possession of the United States, except pursuant to a written authorization from the Director.

§ 1202.409 *Transfers for use in the territories and possessions of the United States.* Notwithstanding any provision of Food Production Order No. 14, the Farm Rationing Committee for Alaska, Hawaii and for Puerto Rico and the Virgin Islands is hereby authorized, in its discretion, to direct the distribution of pressure cookers and to prescribe the uses for which they may be transferred. The Farm Rationing Committee shall at all times serve the objectives sought by the rationing program and allocate pressure cookers in such manner as will afford the maximum contribution to agricultural production. Any regulations issued by a Farm Rationing Committee shall be published in the FEDERAL REGISTER.

§ 1202.410 *Records and reports.* Each manufacturer shall maintain records which will enable him upon request from time to time by the Director to report the total number of sizes of pressure cookers produced and the total number of any

size distributed by States. Each manufacturer shall also make such other reports as the Director may from time to time request, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942. (The record keeping requirement of this section has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

§ 1202.411 *Communications.* All communications concerning this Supplementary Order No. 4 of Food Production Order No. 14, shall, unless otherwise directed, be addressed to the Director of the Office of Materials and Facilities, War Food Administration, Washington 25, D. C., Ref: FPO 14, Supp. 4.

§ 1202.412 *Incorporation into Food Production Order No. 14.* This Supplementary Order No. 4 shall be added to and become a part of Food Production Order No. 14 and any violation of this Supplementary Order No. 4 shall be deemed to be a violation of Food Production Order No. 14.

Issued this 28th day of December 1943.

WILSON COWEN,
 Assistant War Food Administrator.

[F. R. Doc. 43-20588; Filed, December 28, 1943; 3:38 p. m.]

[3d Rev. FPO 9, Order 2]

PART 1220—FEED

DELIVERIES OF PROTEIN MEAL BY COUNTY AGRICULTURAL CONSERVATION COMMITTEES

Correction

In F.R. Doc. 43-20336 appearing at page 17289 of the issue for Friday, December 24, 1943, the heading for § 1220.4 should read "Approval of deliveries of protein meal by County Agricultural Conservation Committees." The bracket heading should read as set forth above.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 79—PRESCRIBED SERVICE UNIFORM

FLIGHT NURSE BADGE

The regulations prescribing service uniforms for Army nurses, physical therapy aides, and hospital dietitians are amended to include a badge for flight nurses, § 79.82 being added as follows:

§ 79.82 *Badge, flight nurse.* A pair of wings 2 inches in width, of gold color metal with the letter "O" in the center of the wings, superimposed thereon the Army Nurse Corps insignia.

(R.S. 1296; 10 U.S.C. 1391) [Par. 32½, AR 600-37, 29 July 1943, as added by C-1, 15 December 1943]

[SEAL] ROBERT H. DUNLOP,
 Brigadier General,
 Acting The Adjutant General.

[F.R. Doc. 43-20617; Filed, December 29, 1943; 9:55 a. m.]

¹ 8 F.R. 14111.

² 8 F.R. 13217, 13283, *supra*.

Chapter VIII—Procurement and Disposal of Equipment and Supplies

[Procurement Regs. 1, 2, 3, 5, 6, 7, 9, 10, 13]

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments and additions to the regulations contained in Parts 81 and 83 are hereby prescribed. These regulations are also contained in War Department Procurement Regulations dated 5 September 1942 (7 F.R. 8082) as amended by Change 29, 17 December 1943,¹ the particular regulations amended being Nos. 1, 2, 3, 5, 6, 7, 9, 10, and 13.

In section numbers the figures to the right of the decimal point correspond with respective paragraph numbers in the procurement regulations.

AUTHORITY: Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U. S. C. 1193-1195, and the First War Powers Act 1941, 55 Stat. 838; 50 U. S. C. Sup. 601-622.

[Procurement Reg. 1]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

GENERAL INSTRUCTIONS

In § 81.107 paragraph (h) is amended as follows:

§ 81.107 *Authority with respect to procurement.* * * *

(h) *Delegation of authority to Legal Assistant to Director of Matériel and to Chief, Legal Branch to approve contract forms.* Under date of 12 November 1943 the following memorandum was issued:

Memorandum for: Legal Assistant to the Director of Matériel and to the Chief, Legal Branch, Director of Matériel.

Subject: Delegation of Authority to Approve Contract Forms and Deviations from Approved Forms.

The authority delegated to the Director, Purchases Division, by the Commanding General, Services of Supply, dated September 15, 1942 and the authority delegated to me by the Under Secretary of War, dated September 15, 1942 (in respect of matters relating to the Army Air Forces) to act for the Secretary of War or the Under Secretary of War in approving War Department contract forms and deviations from approved forms is hereby further delegated to the Legal Assistant to the Director of Matériel, and to the Chief, Legal Branch, Director of Matériel, Army Service Forces, or either of them, and to any person who for the time being may be acting in either capacity.

ALBERT J. BROWNING,
Brigadier General, General Staff Corps,
Director, Purchases Division.

[Procurement Reg. 2]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

GENERAL PURCHASE POLICIES

In § 81.223 (g) paragraph (2) is amended as follows:

For previous changes see 7 F.R. 9268, 10184, 10906, 8 F.R. 3339, 3486, 5210, 6576, 7526, 8629, 8918, 9908, 11606, 12043, 13083, 13791, 14512, 16009 and 16100.

§ 81.223 *Factors governing placement of contracts.* * * *

(g) *Other factors.* * * *

(2) *Small business concerns.* Placement of contracts so as to make the most effective utilization of the small plants of the nation. To this end, as large a proportion of awards as practicable will be made to qualified small concerns, directly if feasible and, if not, through awards to larger firms which will subcontract to small concerns. To achieve these objectives, payment of a reasonable premium is authorized where necessary, in accordance with directives from time to time in effect.

Section 81.253 is amended as follows:

§ 81.253 *Financial analysis*—(a) *Organization.* Each technical service will maintain appropriate agencies to perform financial analysis functions and to act as fact finding units with respect to costs and profits on its contracts and subcontracts for use in negotiations by contracting officers as well as in renegotiation by price adjustment sections. The chief of each technical service may assign the financial analysis functions to such place in the organization of the service as seems most appropriate to him to permit their effective performance; they need not be placed in the fiscal section of the technical service unless the chief of the service so decides.

(b) *Functions.* When a financial analysis study of any contractor is made to prepare reports for the price adjustment section, there will also be made such study as seems appropriate in each case to aid procurement officers in future contract negotiations with the contractor. In addition, whenever price analysis indicates that prices or costs of a particular contractor or subcontractor are out of line and the procurement officer so requests, the financial analysis agency will make necessary studies of any contractor or subcontractor. Such studies will be limited to the extent necessary to obtain the desired information.

[Procurement Reg. 3]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

CONTRACTS

In § 81.304 (a) paragraphs (1), (2) and (3) are amended as follows:

§ 81.304 *Definitions*—(a) *Standard forms of contract.* The phrase "standard forms of contract", as used in this section, includes:

(1) Forms of contract which may from time to time be approved for the general use of all technical services by the Legal Assistant to the Director of Matériel or the Chief, Legal Branch, Director of Matériel, Headquarters, Army Service Forces. The following contract forms are hereby approved for such use:

(iii) *Short form supply contracts.*

Purchase Order and Voucher (see § 81.1317a).¹

Purchase Order (see § 81.1317b).¹
Government's Order and Contractor's Acceptance (see § 81.1317c).¹

Informal Invitation, Informal Bid, and Acceptance (see § 81.1317d).¹

Delivery Order (see § 81.1317e).¹

Contractor's Offer and Government's Acceptance (see § 81.1317f).¹

(2) Forms of contract, devised by a particular technical service, or a staff division exercising procurement functions, to meet the needs of a recurrent situation of a special type, which may from time to time be approved by the Legal Assistant to the Director of Matériel or the Chief, Legal Branch, Director of Matériel, Headquarters, Army Service Forces (see § 81.107 (h)), for the general use of that technical service or staff division. Forms so approved should be periodically revised (see § 81.301 (a)) to accord with requirements of these procurements regulations published following approval of the forms. If deviation from such requirements appears to be necessary, the forms should be resubmitted for approval.

(3) * * *

¹To be used in accordance with instructions appearing in the cited paragraph.

Office of the Quartermaster General: * * *
QMC Form No. 1013----- Contract for Warehouse Services.

Office of the Chief Signal Officer:
O. C. S. O. Form No. 6-D----- Purchase Order.
²W. D. S. C. Form No. 57----- General Contract for Trunkline and other Communication Facilities and Services.
²W. D. S. C. Form No. 134----- Contract for Communication and Electric Time Facilities and Services.

W. D. S. C. Form No. 1137----- Telephone Service Order.
²W. D. S. C. Form No. 1165----- General Contract for Commercial Telephone Service Similar to that Furnished the Business Public.

²A. T. & T. Co. Form C276C
(5-37)----- Application for Private Line Service or Channel.

Letter Order for Supplies (no price stated).
Letter Contract for Motion Picture Training Film.
Contract for Motion Picture Training Film.

²General Contract for Operation and Maintenance in connection with Army Telephone Systems.

*It is emphasized that these forms should contain the standard clauses set forth in §§ 81.323, 81.325, and General Condition 11 of W. D. Contract Form No. 47 (§ 81.1317c (a)).

Office of the Chief of Transportation: (Form added)

TC Form No. 103----- Standard Master Ship Repair Contract.

Army Air Forces: (Letter contract amended).

Letter Contract for Supplies or Services (Fixed Price).
Letter Contract for Supplies or Services (CPFF).

In § 81.306 paragraph (d) is amended as follows:

§ 81.306 *Making and approval of contracts, supplemental agreements and change orders.* * * *

(d) *Contracts, supplemental agreements and change orders requiring approval of Purchases Division.* The approval of the Purchases Division, Headquarters, Army Service Forces shall be obtained, as herein provided, in connection with all contracts other than those specified in paragraph (a) of this section; and all supplemental agreements and change orders other than those specified in paragraph (c) of this section. Where approval is necessary solely because one or more provisions of the contract, supplemental agreement or change order fail to comply with the requirements of §§ 81.322-81.367 or present a matter or matters of policy which should be considered by authority higher than the technical service, the necessary approval may be obtained, prior to execution of the instrument on behalf of the technical service, on submission of the contract or the material provisions thereof to the Legal Assistant to the Director of Matériel or the Chief, Legal Branch, Director of Matériel, Headquarters, Army Service Forces, whose approval will be signified by indorsement, memorandum, letter or telegram in response to the request for approval, or on submission of the contract, supplemental agreement or change order, after execution on behalf of the technical service, for approval and manual execution by the Director, Purchases Division. In every other instance the contract, supplemental agreement or change order must be submitted, after execution on behalf of the technical service, for approval and manual execution by the Director, Purchases Division. Upon receipt of requests for the approval of deviations from the contract clauses set forth in § 81.365, the Legal Assistant to the Director of Matériel or the Chief, Legal Branch, Director of Matériel, Headquarters, Army Service Forces, will attend to all necessary clearances with the Insurance Branch, Fiscal Division, Headquarters, Army Service Forces.

In § 81.318b (c) (1) subdivision (x) is added as follows:

§ 81.318b *Contract procedure.* * * *

(c) (1) * * *

(x) Contracts for furnishing local transportation to Government and other personnel, executed in accordance with Circular No. 80, War Department, 1943 and Memorandum No. W55-15-43, issued by the Office of the Adjutant General,

will be numbered as service command contracts.

In § 81.321 paragraph (o) is added:

§ 81.321 *Advance payments.* * * *

(o) *Advance payment for communications services and facilities in accordance with established tariffs of foreign communications companies.* In accordance with the First War Powers Act and Executive Order No. 9001, contracts covering the procurement of commercial communications services or facilities in foreign countries may authorize advance payment of charges therefor when such advance payment is provided for in established tariffs or is in accordance with rules, practices, or regulations applicable to the furnishing of similar services and facilities to the general public. It is hereby determined that the insertion of such advance payment provisions will facilitate the prosecution of the war. In connection with such advance payments, it will not be necessary to make any of the reports provided for in paragraph (n) of this section.

In § 81.332 notes 5 and 6 are amended as follows:

§ 81.332 *Government-owned facilities clause.*

Note 5: In cases where facilities are hereafter to be acquired or manufactured by, or furnished by the Government to, a contractor, a clause may be included granting an option to the contractor to purchase the facilities, provided the chief of the technical service finds that such action will be in the interest of the Government. (The power to make this finding is not subject to delegation by the chief of the technical service, unless the Director, Purchases Division, Headquarters, Army Service Forces, specifically authorizes a delegation.) In such cases, unless otherwise authorized by the Director, Purchases Division, Headquarters, Army Service Forces, the option will contain the following features:

(i) The option will come into effect only upon the date of expiration of the standby-plus-storage period, and will cover all, but not part of, the facilities as to which a standby obligation arose and as to which no notice under paragraph (K) of intention to remove has been served upon the contractor during the standby-plus-storage period.

(ii) The option period will extend for not more than fifteen days after the date specified in Note 5 (1).

(iii) The option price will be the full cost of the facilities to the Government (including transportation and installation charges) less specified rates of depreciation, plus storage charges incurred under paragraph (M).

Note 6: Amendments may be made of existing contracts, substituting the article above set forth (or pertinent portions thereof) for provisions regarding Govern-

ment-owned facilities now appearing in such contracts, subject to the following:

(i) Uniformity of treatment is considered essential. Accordingly, authority to make these amendments will not be exercised until the technical service concerned apprises all its contractors holding Government-owned facilities of the promulgation of the article above set forth and specifically informs them that they may negotiate with the Government for amendment of their contracts.

(ii) Government negotiators must recognize that contractors will typically derive substantial benefits from these amendments. For example, under the article above set forth the standby period is ninety days and storage is at Government expense, while under the article previously authorized the standby period was one year, and storage expenses were not chargeable to the Government. In general, the article above set forth facilitates the conversion of plants. Accordingly, amendments of existing contracts will be permitted only where the Government receives material and adequate consideration, measured by any difference in value to the contractor between the superseded article and the article inserted by amendment.

(iii) Except with the approval of the chief of the technical service concerned, no amendment will be permitted of an existing Government-owned facilities article which includes a purchase option, unless, as part of the amendment, the purchase option is modified to include the features mentioned in Note 5 (1), (ii) and (iii) above. (The power to give such approval is not subject to delegation by the chief of the technical service, unless the Director, Purchases Division, Headquarters, Army Service Forces, specifically authorizes a delegation.) The approval of the Director, Purchases Division, Headquarters, Army Service Forces, will be obtained before any existing Government-owned facilities article which does not include a purchase option, is amended to grant such option.

(iv) The technical services will maintain close supervision of all amendments under this Note 6 and will require adequate records to be prepared and preserved of the negotiations leading to the amendments.

Section 81.342a is amended as follows:

§ 81.342a *Renegotiation by mutual agreement.* There may be included in any contract (1) which is for an amount of \$100,000 or less and (2) which is also developmental or experimental in character a clause substantially as follows:

ARTICLE —. Price revision by mutual agreement. (a) Upon the written demand of the Contracting Officer, made at any time until sixty (60) days after the completion or termination of this contract, the Contractor will renegotiate the contract price to reduce it to an amount representing fair and reasonable compensation for the performance of the contract. In such negotiations the efficiency of the Contractor in production, buying and management will be given due weight.

(b) The Contractor will furnish to the Contracting Officer such statements of actual costs of production and such other financial statements, at such times and in such form and detail, as the Contracting Officer may prescribe, and will permit such audits and inspections of its books and records as the Contracting Officer may request.

(c) The Government shall retain from amounts otherwise due the Contractor, or the Contractor shall repay to the Government if paid to him, any amount of the contract price found as a result of such renegotiation to represent an excessive price and not eliminated through reductions in con-

tract price or otherwise, as the Contracting Officer may direct.

(d) The provisions of this article shall not be construed as precluding any renegotiation which may be required under section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended.

(e) As used in this article the term "this contract" means this contract as originally written or as modified from time to time.

Section 81.368 is added as follows:

§ 81.368 *Subcontracting clause.* All cost-plus-a-fixed-fee supply contracts, except those in which, in the opinion of the Contracting Officer, subcontracting is impracticable, will contain the following clause without deviation:

Subcontracting. It is mutually understood and agreed that the policy of the Government, as declared by Congress in Public Law 603—77th Congress (the Smaller War Plants Act) is to bring about the greatest utilization of small plants which is consistent with efficient production of war materials. It is also recognized that business concerns operating small plants are frequently unable to produce certain articles at as low a per unit cost as business concerns operating large plants. Accordingly, the Contractor, with the written approval of the Contracting Officer, may, in cases where the manufacturing costs are found to be greater, pay to firms operating small plants higher prices than to firms operating large plants to the extent determined to be reasonable in the light of the differences in their costs of manufacturing the article to be sub-contracted.

[Procurement Reg. 5]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

FOREIGN PURCHASES

In § 81.509 (i) subparagraph (2) is amended:

§ 81.509 *Purchases from Canadian suppliers.*

(i) *Northwest Purchasing Limited.*

(2) Contracts for the purchase of materials, machinery, machine tools and equipment necessary in connection with the construction and maintenance of the above-mentioned projects will not ordinarily be entered into directly with contractors domiciled in the Dominion of Canada, but will be entered into with Northwest Purchasing Limited. However, direct contracts may be made with contractors domiciled in the Dominion of Canada in accordance with such regulations as may be issued by the Commanding General of the Northwest Service Command.

[Procurement Reg. 6]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

INTERBRANCH AND INTERDEPARTMENTAL PURCHASES

In § 81.605 paragraphs (a) and (c) are amended:

§ 81.605 *Assignments—(a) Assignment of fuel: charcoal, coal, coke, dust fuels, gas, gasoline, oil (fuel), wood, etc. (FSSC Class 7).*

Items	Spec. ¹	Req.	Funds	Pur.	Insp.
Army Air Forces Aircraft:					
All fuels.....	AAF	AAF	AAF	AAF	AAF
Automotive, excluding fire apparatus, and vehicles required for construction activities of the Corps of Engineers:					
Gasoline.....	ORD	QMC	QMC	QMC	QMC
Fuel oil diesel.....	ORD	QMC	QMC	QMC	QMC
Railway:					
Gasoline.....	ORD	TC	TC	QMC	QMC
Fuel oil.....	ORD	TC	TC	QMC	QMC
Fuel oil diesel.....	ORD	TC	TC	QMC	QMC
Coal, coke, firewood, etc.....	TC	TC	TC	QMC	TC
Marine, except for tactical equipment not operated by the Transportation Corps:					
Gasoline.....	ORD	TC	TC	QMC	QMC
Fuel oil.....	ORD	TC	TC	QMC	QMC
Fuel oil diesel.....	ORD	TC	TC	QMC	QMC
Coal, coke, firewood, etc.....	TC	TC	TC	QMC	TC
Utility, For space heating, power, incineration, refrigeration, utility plants, maintenance equipment, pumping, fire apparatus, utility shops, cooking, baking, smithing, water heating, process steam, and incidental industrial uses (except for manufacturing arsenals, manufacturing depots, and for technical requirements at proving grounds):					
Gasoline.....	ORD	ENG	ENG	QMC	QMC
Fuel oil.....	ORD	ENG	ENG	QMC	QMC
No. 1 fuel oil (kerosene).....	ORD	ENG	ENG	QMC	QMC
Coal, coke, charcoal, dust fuels, firewood, etc.....	ENG	ENG	ENG	QMC	ENG
Gas, natural or mfgd.....	ENG	ENG	ENG	ENG	ENG
Construction, for activities of the Corps of Engineers:					
Gasoline.....	ORD	ENG	ENG	QMC	QMC
Fuel oil.....	ORD	ENG	ENG	QMC	QMC
Coal, coke, charcoal, dust fuels, firewood, etc.....	ENG	ENG	ENG	QMC	ENG
Gas, natural or mfgd.....	ENG	ENG	ENG	ENG	ENG
Manufacturing, for arsenals, manufacturing depots, and for technical requirements at proving grounds, including all operational equipment:					
Gasoline.....	ORD	ALL	ALL	QMC	QMC
Fuel oil.....	ORD	ALL	ALL	QMC	QMC
Coal, coke, charcoal, dust fuels, firewood, etc.....	ALL	ALL	ALL	QMC	ALL
Gas, natural or mfgd.....	ENG	ALL	ALL	ALL	ALL
Fog oil, and incendiary oil for incendiary bombs, flame throwers and smoke.....	CWS	CWS	CWS	QMC	QMC
All other uses:					
Gasoline (all types).....	ORD	QMC	QMC	QMC	QMC
Fuel oil.....	ORD	QMC	QMC	QMC	QMC
Fuel oil Diesel.....	ORD	QMC	QMC	QMC	QMC
Coal, coke, charcoal, dust fuels, firewood, etc.....	QMC	QMC	QMC	QMC	QMC

¹ The service or services (other than the Army Air Forces) assigned the function of "Specification" for the petroleum products listed above shall coordinate and clear this function with the War Department Committee on Liquid Fuels and Lubricants through the Fuels and Lubricants Division, Office of the Quartermaster General.

To the extent that the assignments of responsibility for the functions of procurement set forth in this paragraph (a) are inconsistent with the provisions of Circular No. 33, Headquarters, Army Service Forces, 1943, the provisions of said Circular No. 33 are superseded hereby.

The assignment of responsibility for Determination of Requirements and Provision of Funds applies both to the Zone of the Interior and to the Theaters of Operation.

(c) *Assignment of oils (illuminating and lubricating), greases and all lubricants (FSSC Class 14).*

Items	Spec. ¹	Req.	Funds	Pur.	Insp.
All oils, greases, lubricants, cleaning solvents (except petroleum solvents), rust preventive compounds, corrosion preventives, and hydraulic fluids for Army Aircraft, except oils, greases and lubricants for AGF Aircraft.....	AAF	AAF	AAF	AAF	AAF
Agricultural sprays, including petroleum oils required for all insect and pest control.....	QMC	QMC	QMC	QMC	QMC
Cattle spray.....	QMC	QMC	QMC	QMC	QMC
Compound, rust preventives.....	ORD	ORD	ORD	ORD	ORD
Corrosion preventives.....	ORD	ORD	ORD	ORD	ORD
Cutting oils.....	ORD	ALL	ALL	ALL	ALL
Kerosene (illuminating and cleaning).....	ORD	QMC	QMC	QMC	QMC
Oils, greases and lubricants for all motor, armored and track-laying vehicles, excluding fire apparatus and vehicles required for construction activities of the Corps of Engineers.....	ORD	QMC	QMC	QMC	QMC
Special oils, greases and lubricants for locomotives, other rolling stock, and marine use, except for tactical equipment not operated by the Transportation Corps.....	ORD	TC	TC	QMC	QMC
Special lubricants and greases for weapons, including railroad artillery equipment.....	ORD	ORD	ORD	ORD	ORD
Recoil and hydraulic fluids.....	ORD	ORD	ORD	ORD	ORD
Oils, lubricants and greases for construction activities of the Corps of Engineers.....	ORD	ENG	ENG	QMC	QMC
Oils, lubricants and greases for manufacturing arsenals, manufacturing depots, and for all technical requirements at proving grounds; including all operational equipment.....	ORD	ALL	ALL	QMC	QMC
Oils, lubricants and greases for utilities—For space heating, power, incineration, refrigeration, utility plants, maintenance equipment, pumping, fire apparatus, utility shops, cooking, baking, smithing, water heating, process steam, and incidental industrial uses (except for manufacturing arsenals, manufacturing depots, and for technical requirements at proving grounds).....	ORD	ENG	ENG	QMC	QMC
Oil, transformer and insulating.....	ORD	QMC	QMC	QMC	QMC
Oil, tempering.....	ORD	QMC	QMC	QMC	QMC
Oil, floor.....	ENG	QMC	QMC	QMC	QMC
Paraffine wax—amorphous, refined and crude, and manufactured articles.....	ORD	QMC	QMC	QMC	QMC
Petroleum (medicinal).....	MED	MED	MED	QMC	MED
Paraffine, refined for histological and pharmaceutical use.....	MED	MED	MED	QMC	MED
Solvents, petroleum.....	ORD	QMC	QMC	QMC	QMC
Oils, lubricants and greases,—all other uses.....	ORD	QMC	QMC	QMC	QMC

¹ The service or services (other than the Army Air Forces) assigned the function of "Specification" for the petroleum products listed above shall coordinate and clear this function with the War Department Committee on Liquid Fuels and Lubricants through the Fuels and Lubricants Division, Office of the Quartermaster General.

To the extent that the assignments of responsibility for the functions of procurement set forth in this paragraph (c) are inconsistent with the provisions of Circular No. 33, Headquarters, Army Service Forces, 1943, the provisions of said Circular No. 33 are superseded hereby.

² Except responsibility for specification for Oil, Fuel Diesel No. 2 or equal (FSSC Class 7), which is the responsibility of the Ordnance Department.

The assignment of responsibility for Determination of Requirements and Provision of Funds applies both to the Zone of the Interior and to the Theaters of Operation.

Section 81.605c is added as follows:

§ 81.605c *Standard master ship repair contract.* (a) A form of contract for the repair and alteration of vessels has been approved as a standard form of contract and assigned the number "TC Form No. 103" (see § 81.304 (a) (3)), TC Form No. 103 is the War Department version of a master contract for the repair and alteration of vessels devised jointly by the War Department, the Navy Department and the War Shipping Administration.

(b) When executed with a particular contractor, TC Form No. 103 establishes the basis upon which that contractor will perform such repair and alteration work on vessels within the jurisdiction of the War Department as may be assigned to the contractor by means of job orders issued pursuant to the contract. All such work will be assigned to the contractor by means of job orders under the contract, unless the Chief of Transportation or his authorized representative grants prior approval to the use of a different method of contracting.

(c) Colonel Harold S. Wright, T. C., Commanding Officer, Army War Ship Repair Contract Agency, 25 Broad Street, New York 4, N. Y. (see Memorandum No. S55-15-43, 7 June 1943, creating this Agency), has been appointed contracting officer for the execution and administration of contracts written on TC Form 103, and authority has been delegated to the Chief of Transportation to appoint a successor and additional contracting officers for the same purpose. Contracts on TC Form No. 103 will be executed only by contracting officers appointed pursuant to this paragraph.

(d) Contracting officers appointed pursuant to paragraph (c) above have authority to designate officers and civilian officials of the War Department as their representatives and to empower such representatives to take all action under particular contracts or groups of contracts on TC Form No. 103 which could lawfully be taken thereunder by the contracting officers themselves, including the power to issue and administer job orders.

(e) Colonel Wright has designated the following as his representatives, with power to issue and administer job orders, subject to various conditions and limitations:

(1) The officer certified for the purpose by or under the direction of the Commanding General of each Service Command, the Commanding General, Army Air Forces, and the Chief of Engineers, for each installation under their respective commands.

(2) The officer certified for the purpose by the commanding officer of each port of embarkation and by each Zone and District Transportation Officer.

Certification of a contracting officer's representative may be made by name or official title. Certification is effective upon acknowledgement of receipt by Colonel Wright.

(f) From time to time the Chief of Transportation will cause to be published information concerning the contracts on TC Form No. 103 which have been executed for the War Department, including the contract numbers, names and addresses of contractors, location of shipyards, contract periods, "billings rates," etc. The publications will

also name the contracting officer's representatives who have been authorized to issue job orders under the contracts, and set forth instructions applicable to the issuance and administration of job orders.

(g) A Joint Board, consisting of one representative each for the Secretary of War, the Secretary of the Navy and the War Shipping Administrator, has been constituted to perform certain functions in connection with the master contracts for repair and alteration of vessels executed by the three agencies. The Joint Board endeavors to obtain uniformity of interpretation and administration of these contracts. It also makes recommendations regarding the quarterly revision of "billing rates" in order that the same rate may be in force under the contracts with a particular contract executed by the three agencies.

Section 81.605d is added as follows:

§ 81.605d *Indefinite quantity contracts executed by the Office of the Quartermaster General.* The tabulation set forth below contains certain information with respect to all indefinite quantity contracts executed by the Office of the Quartermaster General, which are applicable to purchases made by activities outside the jurisdiction of the Quartermaster General. More complete information as to these contracts is contained in the Contract Bulletins referred to in the tabulation. Copies of these Contract Bulletins are available at most Adjutant General Depots. If not, they may be obtained by communicating with the General Administrative Services Division, Office of the Quartermaster General, Washington 25, D. C.

INDEFINITE QUANTITY CONTRACTS EXECUTED BY OFFICE OF QUARTERMASTER GENERAL

Contract bulletin number	Contract bulletin date	Commodity	Contract period	Contract symbol number	Contractor	Area serviced	Tax information	Applicability
78	1 July 1943	Oil, Engine, Lubricating, All purpose; Lubricant, Gear Universal.	1 July 1943 to 31 Dec. 1943.	W950 qm-5406.	The Texas Company..	Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Maine, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia.	Tax exclusive: Contractor obtains Blanket Tax Exemption Certificate upon application to Washington Quartermaster Depot.	All War Department activities within continental United States for domestic consumption, exclusive of maneuvers ordered by Army Ground Force Headquarters.
				W950 qm-5482.	Union Oil Co. of California.	Arizona, California, Nevada, Oregon, Washington.		
				W950 qm-5488.	Gulf Refining Company.	Arkansas, Louisiana, Texas.		
				W950 qm-5478.	Standard Oil Co. (Indians).	Colorado, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Montana, North Dakota, South Dakota, Wisconsin, Wyoming.		
				W950 qm-5506.	General Petroleum Corporation of California.	Idaho, Utah.		
				W950 qm-5509.	Socony-Vacuum Oil Co., Inc.	Kansas, Nebraska.		
				W950 qm-5508.	Magnolia Petroleum Company.	New Mexico, Oklahoma..		
				81	1 July 1943	Books.....		

INDEFINITE QUANTITY CONTRACTS EXECUTED BY OFFICE OF QUARTERMASTER GENERAL—Continued

Contract bulletin number	Contract bulletin date	Commodity	Contract period	Contract symbol number	Contractor	Area serviced	Tax information	Applicability
95	26 July 1943	Compressed Yeast.	Fiscal Year 1944.	W199 qm-33843	Standard Brands Incorporated, 595 Madison Ave., N. Y., N. Y.	1st, 4th, 8th and 9th Service Commands.	Tax inclusive; in the event of an increase, decrease or elimination of the Tax or charge which must be borne by the contractor, the contract price is increased or decreased, accordingly and any amount due the contractor as a result of such change is charged to the government. <i>Provided, however,</i> That the government reserves the right to issue to the contractor, in lieu of such payment a tax exemption certificate.	All Branches of the War Department.
				W199 qm-33845	National Grain Yeast Corp., 800 Mill St., Belleville, N. J.	3rd Service Command Military District of Washington.		
				W199 qm-33846	Red Star Yeast & Products Co., 221 E. Buffalo St., Milwaukee, Wis.	5th and 6th Service Commands.		
				W199 qm-33844	Anheuser-Busch, Inc., 721 Pestalozzi St., St. Louis, Mo.	2nd and 7th Service Commands.		
98	30 July 1943	Malt.....	1 July 1943 to 31 Dec. 1943.	W199 qm-33847	Malt-Diastase Company, Wyckoff Ave. & Decatur St., Brooklyn, New York.	1st, 2nd and 3rd Service Commands; Military District of Washington.	Same as Tax clause under Contract Bulletin Number 95.	All branches of the War Department.
				W199 qm-33848	Anheuser-Busch, Inc., 721 Pestalozzi St., St. Louis, Mo.	4th Service Command.....		
				W199 qm-33849	Pabst Sales Company, 221 North La Salle St. Chicago, Ill.	5th Service Command.....		
				W199 qm-33850	Birk Bros. Brewing Co., Webster & Wayne Avenues, Chicago, Ill.	6th Service Command.....		
				W199 qm-33851	Standard Brands Incorporated, 595 Madison Ave., N. Y., N. Y.	7th, 8th and 9th Service Commands.		
133	25 Oct. 1943	Paper Rolls, for Cash Registers.	Fiscal Year 1944.	W1913 qm-16081	Bradner Smith & Co., 33 So. Desplaines St., Chicago, Ill.	Regions VII, VIII and IX as defined in Contract Bulletin.	Tax exclusive.....	All posts, camps and stations.
				W1913 qm-16082	The National Cash Register Co., Dayton, Ohio.	Regions I through VII as defined in Contract Bulletin and Brooklyn (for overseas shipment). Oakland, California (for overseas shipment). New Orleans (for overseas shipment). Charleston (for overseas shipment).		

In § 81.606 paragraph (g) is amended as follows:

§ 81.606 Purchases under contracts of Procurement Division, Treasury Department. * * *

(g) *Mandatory schedules.* The following is a list of the classes of the General Schedule of Supplies which are mandatory on the field services of the War Department:

Description of item	Schedule of supplies	Period
Explosives and blasting accessories.....	4, Supp. No. 1.....	Jan. 1 to Dec. 31, 1943 (extended to June 30, 1944).
Gasoline, Tank Wagon and Drum Deliveries, Tank-Car, Transport-Truck and Marine Deliveries.	7 and Supps., Regions 1 to 6, incl.	July 1, 1943 to June 30, 1944.
Fuel Oil, Tank-Wagon and Drum Deliveries, Tank-Car, Transport-Truck, and Marine Deliveries.	7 and Supps., Regions 1 to 6, incl.	July 1, 1943 to June 30, 1944.
Gasoline, Diesel Oil, and Lubricating Oil, Service-Station Deliveries.	7 and 14.....	July 1, 1943 to June 30, 1944.
Tire chains.....	8, Supp. No. 3.....	July 1, 1943 to June 30, 1944.
Greases and gear lubricants.....	14, Supp. No. 1.....	May 15, 1943 to Dec. 31, 1943 (see Note: (1)).
Automotive storage batteries.....	17, Supp. No. 2.....	Sept. 15, 1943, to Mar. 15, 1943 (extended to Mar. 15, 1944).
Telephones and parts.....	17, Supp. No. 6.....	Sept. 1, 1941 to Aug. 31, 1942 (portion extended to Feb. 29, 1944).
Electric lamps.....	17, Supp. No. 3A.....	Sept. 1, 1942 to Aug. 31, 1943 (extended to Aug. 31, 1944).
Wood furniture.....	26, Part I.....	Jan. 1 to Dec. 31, 1942 (portion extended to Dec. 31, 1943) (see Note: (2)).
Wood furniture.....	26, Part I.....	January 1 to Dec. 31, 1943 (see Note: (2)).
Victory chairs.....	26, Part I, Supp. No. 1.....	Apr. 1 to Dec. 31, 1943 (see Note: (2)).
Common spline-seat chair.....	26, Part I, Supp. No. 2.....	June 1, 1943 to Dec. 31, 1943 (see Note: (2)).

Description of item	Schedule of supplies	Period
Steel furniture.....	26, Part II.....	Jan. 1 to Dec. 31, 1942 (portion extended to Dec. 31, 1944).
Steel insulated filing cabinets.....	26, Part II, Supp. No. 1.....	July 1, 1943 to Dec. 31, 1943 (see Note: (2)).
Floor coverings.....	27, Supp. No. 6.....	Jan. 1 to Sept. 30, 1943 (extended to Mar. 31, 1944).
Floor and window coverings (not obligating the field services of the War Department for certain items).....	27, Supp. No. 7.....	Apr. 15 to Sept. 30, 1943 (portion extended to Mar. 31, 1944).
Books.....	35.....	Dec. 1, 1943 to Nov. 30, 1944.
Machine tools (only the following items: 40-M-9-100, and 40-P-22 to 40-P-37, incl.).....	40.....	Sept. 1, 1943 to Feb. 29, 1944.
Woodworking saws.....	40, Supp. No. 1.....	Aug. 15, 1942, to June 30, 1943 (extended to June 30, 1944).
Paper drinking cups.....	53, Supp. No. 2.....	July 1, 1943 to June 30, 1944.
Office equipment.....	54.....	July 1, 1942 to June 30, 1943 (portion extended to June 30, 1944).
Offset duplicating supplies and certain office equipment.....	54.....	July 1, 1943 to June 30, 1944.
Electric typewriters.....	54, Supp. No. 5 (issued in Amendment No. 56).....	Aug. 1, 1942 to June 30, 1943 (extended to June 30, 1944).
Office equipment.....	54, Supp. No. 7 (issued in Amendment No. 113).....	Oct. 24, 1942 to June 30, 1943 (extended to June 30, 1944).
Office equipment.....	54, Supp. No. 10.....	Dec. 22, 1942 to June 30, 1943 (extended to June 30, 1944).
Copy holders and recording and reproducing machines.....	54, Supp. No. 11.....	Feb. 15 to June 30, 1943 (portion extended to June 30, 1944).
Portable drinking fountains.....	63, Supp. No. 1.....	Mar. 1, 1942, to Feb. 28, 1943 (extended to Feb. 29, 1944).
Airplane tires and tubes.....	83.....	Apr. 24 to June 30, 1942 (extended to Mar. 31, 1944).
Recording and transcription service.....	103, Supp. No. 2.....	Sept. 15, 1942, to Aug. 31, 1943 (extended to Aug. 31, 1944).
Household and quarters furniture.....	(Part 1).....	July 1 to Dec. 31, 1943 (see Note: (2)).
Household and quarters furniture.....	(Part 2).....	June 15 to Dec. 31, 1943 (see Note: (2)).
Household and quarters furniture.....	(Part 3).....	July 1 to Dec. 31, 1943 (see Note: (2)).

NOTE

(1) This schedule will not be extended. As of the date of the latest revision of paragraph (17 December 1943), it was anticipated that an indefinite quantity contract for greases and gear lubricants (which would be mandatory on all services) would be executed by the Office of the Quartermaster General. Information about this indefinite quantity contract will be published subsequently in § 81.605d.

(2) As of the date of the latest revision of this paragraph (17 December 1943), it was anticipated that the period of these schedules would be extended or new schedules made.

(3) Some of the schedules listed above are mandatory only upon some of the activities of the War Department. In case of doubt as to whether it is mandatory that a particular item be procured under a schedule, the schedule itself should be consulted and provisions of the schedule should be regarded as controlling.

(4) Attention is called to the provisions of § 81.1157. Items, the purchase of which is restricted by that paragraph, shall not be purchased except in accordance with the provisions of that paragraph even though they may be listed on the General Schedule of Supplies.

In § 81.608 paragraph (c) is amended as follows:

§ 81.608 *Purchases from Federal Prison Industries, Inc., Department of Justice.* * * *

(c) *General clearances.* The following general clearance, dated 16 November 1943, which covers purchases up to 30 June 1944, indicated not only the items as to which such clearance has been granted but also those items which are available, and which, accordingly, must be purchased from Federal Prison Industries, Inc.:

THE UNDER SECRETARY OF WAR,
Washington, D. C.

DEAR SIR: Subject to applicable conservation and limitation orders, the following articles and services are available and can be furnished by Federal Prison Industries, Inc., from industries established under the Act of Congress approved May 27, 1930 (46 Stat. 891):

Brushes: All brushes listed in our Schedule of Products.

Canvas goods: Shell covers, tarpaulins, truck covers, truck curtains, barrack bags, shower curtains, bags, bandoleers.

Cargo nets.

Castings: Bomb noses; also manhole frames and covers, grates, grate bars, and gutter drains for delivery in the following states only: Wisconsin, Michigan, Illinois, Indiana, Ohio, Pennsylvania, New Jersey, Maryland, West Virginia, Virginia, Kentucky, and the District of Columbia.

Fibre furniture.

Laundry services required by posts and stations within 25 miles of the Federal Corre-

tional Institution, Tallahassee, Fla., and by posts and stations within 100 miles of the U. S. Penitentiary, Alcatraz, Calif.

Mattresses: Cotton felt.

Milk: 1,000 lbs. per day for delivery to Ft. Bliss, Texas, only.

Sheet metal products: Storage shelving, transfer cases, food trays, tool boxes, tool cabinets, tool racks, fin assemblies, and stops for bomb storage.

Other metal products: Bomb dunnage racks; welded metal specialties.

Printing: See § 810.9 [§ 81.610 (1)], Army Procurement Regulation No. 6.

Wood furniture and specialties: Douglas, 4C, wide arm, and side chairs; desk trays; coat-rimers; tool handles.

CLEARANCE C-23445

1. Clearance is granted to purchase from other sources articles manufactured or services rendered by Federal Prison Industries, Inc., not listed above.

2. Clearance is granted to purchase from other sources articles manufactured or services rendered by Federal Prison Industries, Inc., including the items listed above, in the following cases:

(a) By contractors or contracting officers under cost-plus-a-fixed-fee construction or supply contracts;

(b) By contracting officers under fixed-price (lump sum) construction or supply contracts, wherein the Government is required to furnish certain Government materials;

(c) When immediate delivery or performance is required by the public exigency;

(d) When suitable second hand or used articles can be procured;

(e) When required in small quantities and for delivery within ten days.

3. This clearance is to cover purchases made by the War Department only, and is

effective for the period January 1, to June 30, 1944, inclusive.

4. Copy of this clearance should be attached to your contract or voucher when transmitted to the General Accounting Office, or reference made thereon to this clearance number.

Very truly yours,

FEDERAL PRISON INDUSTRIES, INC.

By (Signed) A. H. CONNER,
Associate Commissioner.

[Procurement Reg. 9]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

LABOR

In § 81.918 paragraph (c) is amended as follows:

§ 81.918 *General instructions.* * * *

(c) Contracting officers are responsible for seeing that contractors to whom are awarded contracts subject to the Walsh-Healey Act are furnished Posters, Form PC-13 (Revised October 1943), simultaneously with the making of the award, or as soon thereafter as possible. All copies of previously issued posters, which bear no revision date or a revision date other than October 1943, must be destroyed and be replaced by that revised issue. These forms may be obtained from the Record Keeping and Control Section, Room 1106, Department of Labor, Washington 25, D. C. In this connection, see paragraph (a) of this section, second sentence.

In § 81.960 paragraph (j) is added as follows:

§ 81.960 *Textile industry.* * * *

(j) The manufacture of adhesive tape of the type used with surgical gauze or bandages. (Adhesive tape for industrial purposes is not now subject to any minimum wage determination under the Walsh-Healey Act.)

Date effective. June 24, 1942.

Wage. 40 cents an hour or \$16.00 for a week of 40 hours, arrived at on a time or piece work basis.

Learners may be employed at subminimum rates only in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act, as amended on March 22, 1943, which were adopted for the purposes of this determination.

This determination shall not be interpreted as abrogating any obligation that may have occurred under the previous determination for the industry or under the previous wage determination for the manufacture of bobbins which is covered by the present definition of the Textile Industry.

In § 81.961 paragraph (a) is amended by deleting from the list "Magnesium powder, black", and "Magnesium metal powder", and adding in its proper sequence "magnesium metal, when chemically compounded".

§ 81.961 *Chemical and related products industry.* * * *

(a) *Illustrative list of commodities:*

Magnesium metal, when chemically compounded.

In § 81.977q paragraph (a) is amended as follows:

§ 81.977q *Commissioner's approval not required.* * * *

(a) *Bonuses.* On November 14, 1943, the Commissioner of Internal Revenue issued a statement to guide employers in determining what bonus payments may be made to employees under his jurisdiction without formal application for approval under the salary stabilization program. Subject to certain limitations, the general effect of the Commissioner's statement was to enable employers to pay bonuses without obtaining prior approval if the bonuses do not exceed amounts paid the 1941-1942 period.

While the statement outlined the conditions under which bonus payments may be made without prior approval, the Commissioner explained that other types of bonuses may also be paid, if submitted to him for approval and receive his approval. The purpose of the statement was to advise employers that no application for approval is necessary to pay bonuses for the bonus year 1943 or subsequent years, if such bonuses meet any one of the following conditions:

(1) If the employee's base salary has not been increased since October 3, 1942 (in the case of salaries of more than \$5,000 per annum), or October 27, 1942 (in the case of salaries of \$5,000 or less per annum), as the case may be, he may be paid a bonus which does not exceed the higher of the following amounts:

(i) The dollar amount paid for the employer's last accounting year ended prior to October 3, 1942, or

(ii) The dollar amount of a bonus authorized under the Salary Stabilization regulations for the employer's first accounting year ending after October 3, 1942: *Provided*, The bonus does not exceed 50 per cent of the base salary.

(2) If the employee's base salary has been increased since October 3, 1942, he may be paid a bonus not to exceed the same dollar amount of bonus paid him for the employer's first accounting year ending after October 3, 1942: *Provided*, The bonus does not exceed 20 per cent of his present base salary.

(3) If the employee has been paid regularly, in accordance with an established policy of the employer, a bonus based on a percentage of base salary, such bonus payment may be made, regardless of dollar amount: *Provided*, The percentage has not been changed since October 3, 1942, or October 2, 1942, as the case may be.

(4) An employee may also be paid a bonus which, together with all other compensation for personal services, does not increase his total compensation for the current year over the total earned in the calendar year 1941 by more than (i) 15 per cent if the total compensation for the year 1941 was \$2,400 or less, (ii)

10 per cent if the total compensation for the year 1941 was over \$2,400 but not over \$4,000, (ii) five per cent if the total compensation for the year 1941 was over \$4,000 but not over \$7,500.

Base salary for purposes of the statement means salary exclusive of bonuses and other forms of additional compensation.

In § 81.977ll paragraph (k) is amended:

§ 81.977ll *Functions and jurisdictions of the Salary Stabilization Unit and its regional offices.* * * *

(k) *Decisions and rulings.* (1) Every decision approving or disapproving, wholly or in part, an increase or decrease in a salary rate, a new or modified salary agreement or salary-rate schedule, will be set forth in a memorandum to be known as a "decision memorandum," which will show the name and address of the applicant, the precise nature of the proposed action for which the Commissioner's approval is requested, and the decision with respect thereto. Every such memorandum will be signed by the head of the regional office, or by the Deputy Commissioner, in his own name, following the words "By direction of the Commissioner." The original will be transmitted promptly to the applicant, and copies of decisions made by the heads of regional offices will be forwarded promptly to the Deputy Commissioner. Every decision memorandum approving an application, wholly or in part, will be supported by a concise statement, on a separate sheet, of the reasons for approval. Every adverse decision memorandum will be accompanied by a copy of the regional office's letter to the applicant disapproving his application, which letter will include a concise statement of the reasons for disapproval. Copies of decision memorandums will also be furnished to such officers of the Internal Revenue Bureau and other Government agencies as the Commissioner may from time to time direct.

(2) Rulings with respect to exemptions will be prepared, signed, and dispatched by heads of regional offices, or by the Deputy Commissioner, in the same manner as decision memorandums.

In § 81.979 paragraphs (g), (h) (3), and (k) are amended, paragraph (l) is redesignated (s) and new paragraphs (l) to (r) are added as follows:

§ 81.979 *Jurisdiction and procedure of Regional War Labor Boards.* * * *

(g) *Application by Employers' Association for approval of wage or salary adjustment.* (1) Application for approval of a wage or salary adjustment may be made on a form approved by the National War Labor Board on behalf of more than one employer by an employers' association or other similar organization. Such an application may be executed by the appropriate representative of the association or other similar organization acting on behalf of all such employers.

(2) The application shall state, in addition to the other matters required by paragraphs (e) to (h), the name and ad-

dress of each employer on whose behalf it is made and who has not signed the application and shall be accompanied by (i) a written statement by each such employer stating that the association has been authorized to file the application on the employer's behalf, or (ii) a certification by the association that it is duly authorized to file the application on behalf of the employers covered thereby or (iii) a duly authenticated copy of the by-laws or regulations of the association, or an agreement or other document demonstrating its authority to file the application on behalf of the employers covered thereby. The application shall be filed with the Wage and Hour office, in the city where the association or other similar organization customarily carries on its wage or salary negotiations.

(3) The application shall be accompanied by individual statements which shall contain for each employer the information required by the National War Labor Board's Form No. 10, except that, where such information is identical for all or some of the employers, an appropriate consolidated statement containing such information may be filed with the application.

(4) In all other respects the procedure herein set forth shall obtain, and the word "employer" wherever used herein shall, for the purpose of this section, include, "employers' association or other similar organization".

(h) *Single application by employer with plants or establishments in more than one region.* * * *

(3) The application shall be accompanied by individual statements which shall contain for each plant or establishment covered by the application all the information required by the National War Labor Board's Form No. 10, except that the regional director of the Wage and Hour Office may, in appropriate cases and for good cause shown, modify this requirement so as to provide for one or more consolidated statements covering all or some of the plants or establishments.

(k) *Appeals procedure.* This procedure is set forth in paragraphs (l) to (r), inclusive.

(l) *Definitions.* The term "Board" refers to the National War Labor Board. The term "agent of the Board," unless the context clearly requires otherwise, includes regional war labor boards, industry commissions of the National War Labor Board, the Wage Adjustment Board for the building construction industry, or any other agency to which the National War Labor Board has delegated, or may hereafter delegate, authority to issue, subject to review by the National War Labor Board, (1) final rulings on voluntary applications for approval of wage or salary adjustments or (2) final directive orders in dispute cases.

(m) *Stay of order or ruling of an agent of the Board—(1) Rulings in voluntary wage or salary cases—(i) Effective date.* Rulings of an agent of the Board on a voluntary application for a wage or salary adjustment shall take effect when issued to the parties.

(ii) *Stay of issuance to parties.* Rulings of agent of the Board on a voluntary application for approval of a wage or salary adjustment may be issued to the parties when made, except that, if any member of such agent who votes upon a ruling which is not unanimous requests that it be stayed, such ruling shall forthwith be transmitted by such agent to the Board and may be issued to the parties only upon the expiration of ten days after its receipt in Washington, unless (a) the ruling is earlier approved by the Board or (b) within such ten day period the Board set the case down for review. In the latter event the executive assistant to the Board shall notify the agent of the Board, and the issuance of the ruling to the parties shall be stayed until the case is finally disposed of.

(2) *Directive orders in dispute cases.* Agents of the Board shall issue their directive orders to the parties when made. If after the issuance of such an order no timely petition for review is filed (as provided in paragraph (n) of this section) and if the Board within such a period does not review the agent's order on its own motion, the order shall on the day following the last day for filing such a petition stand confirmed as the order of the Board and shall immediately be effective according to its terms: *Provided*, That the Board may at any time prior to the expiration of the time for the filing of a petition for review make such an order, or any part thereof, immediately effective pending any further proceedings. If a timely petition for review of a directive order of an agent of the Board is filed by a party or if the Board reviews such an order on its own motion, the entire order shall be suspended, unless the Board directs, or has directed otherwise or unless the parties otherwise agree. However, the date of expiration of the escape period fixed in a directive order of an agent of the Board granting a maintenance-of-membership provision shall not be affected by the filing of a petition for a review of this or any other provision of the order.

(n) *Petitions for review.* (1) Within 14 days after an agent of the Board issues a ruling denying or modifying a voluntary application for approval of a wage or salary adjustment or issues a directive order in a dispute case, any party to the case may file with the Board at Washington, D. C., an original and four copies of a petition, including supporting documents, seeking review by the Board of such ruling or directive order. The petition shall (i) state the petitioner's reasons for believing that one or more of the criteria set forth below is satisfied, (ii) set forth fully and in detail the contentions of the petitioner with respect to the merits of each issue raised by the petition, with specific references to any pertinent portions of the record in the case, and (iii) state that a copy of the petition has been served upon the other parties to the case and upon the agent of the Board whose ruling or order is sought to be reviewed and the dates of each such service.

(2) No such petition shall be granted unless the petitioner has demonstrated by substantial proof that (i) the order exceeds the Board's jurisdiction, or (ii) the order contravenes the established policies of the Board, or (iii) a novel question is involved of such importance as to warrant national action, or (iv) the procedure resulting in the order was unfair to the petitioner and has caused substantial hardship. The party filing a petition shall at the same time serve a copy thereof, together with any supporting documents, upon each of the other parties to the proceeding and upon the appropriate agent of the Board.

(o) *The answer.* Any party desiring to file an answer must do so within 14 days after receipt of the petition. An original and four copies of the answer shall be transmitted to the Board in Washington, D. C., a copy shall at the same time be served upon the appropriate agent thereof and upon each of the other parties to the case. Such an answer shall include a statement that a copy thereof has been served as required above, and shall show the date of such service. An answer may not contain a request for review of an order or any part thereof; such a request must be filed, if at all, in the form of a petition for review in the manner and within the time limit provided in paragraph (n) of this section. Each answer should state fully but concisely the respondent's reasons for believing (1) that the petition ought not to be entertained, and (2) that, if the Board decides to entertain the petition, the petition should be denied on the merits.

(p) *Review by the Board on its own motion.* The Board may, on its own motion, assume jurisdiction over any case at any stage of the proceedings either before or after the issuance of the final order or ruling of an agent of the Board.

(q) *Processing by Appeals Committee of petitions for review.* (1) All petitions for review of a ruling or directive order of an agent of the Board shall, when filed with the Board, be referred to the Appeals Committee. If the Appeals Committee determines from a review of the petition and the answer, if any, (i) that it has not been demonstrated that any of the criteria enumerated in paragraph (n) of this section has been met and that the petition should therefore be denied, or (ii) that the petition has met one of these criteria and should therefore be entertained, or (iii) that as to some issues the petition should be denied and as to others it should be entertained, the Committee shall make an appropriate recommendation to the Board. If the petition is denied, in whole or in part, the Board shall issue an appropriate directive order or ruling as provided in paragraph (r) of this section. If the Board decides that the petition should be entertained in whole or in part, the Committee shall report to the Board, as soon as may be, its recommendations as to the merits. When the Committee considers the merits of any issue, it shall consider the petition, the answer, if any, the record made in the case before the agent of the Board, and

the comments if any submitted by the Board's agent, together with any further information obtained by such investigation as the Committee may on its own motion deem necessary provided that information obtained as a result of such investigation shall not be used as the basis for its recommendations unless and until such information has been made available to the parties and they have had an adequate opportunity for rebuttal orally or in writing, as they may elect.

(2) If any members dissent from any recommendation by the majority of the Committee, they may indicate to the Board the grounds of their dissent.

(r) *Decisions of the Board.* The Board will make its decision on a petition for review upon the basis of the record before the agent of the Board and on the basis of the petition, the answer, if any, the recommendations of the Appeals Committee, and such further argument and proof as the Board may require. If the petition for review is denied because the grounds for review set forth therein are deemed to be insufficient, the Board shall issue an appropriate directive order or ruling adopting as its own the ruling or order to which the petition relates. If the petition for review is granted, the Board will issue an appropriate directive order or ruling adopting, reversing, or modifying the order or ruling to which the petition relates or remanding the case to the appropriate agent of the Board for such further action as is specified in the order or ruling of the Board.

(s) *Regional War Labor Boards subject to National War Labor Board policies.* Decisions, regulations, and policies which the National War Labor Board will continue to announce from time to time shall control the regional war labor boards, Wage and Hour Offices, and staffs in performing the duties and exercising the power assigned to them herein.

In § 81.980d paragraph (b) is amended to show correct date of order.

§ 81.980d *General Order No. 4.* * * *

(b) *General Order No. 4-C.* General Order No. 4 of the National War Labor Board, dated October 9, 1942, exempting employers who employ not more than eight individuals from the provisions of Executive Order 9250, shall not apply to logging, sawmill, or planing mill operations in California, Oregon, Washington, Idaho, or Western Montana.

Section 81.981a is amended as follows:

§ 81.981a *West Coast Lumber Commission.* By virtue of and pursuant to the powers vested in it by Executive Order No. 9017 of January 12, 1942, the Executive Orders and regulations issued under the Act of Congress of October 2, 1942, and the War Labor Disputes Act of June 25, 1943, the National War Labor Board, on November 20, 1943, supplemented and amended its directive order of September 17, 1942, as amended by directive orders of October 14, 1942, and January 5, 1943, to read as follows:

1. The West Coast Lumber Commission, hereinafter called the Commission, shall consist of six members appointed by the Na-

tional War Labor Board. Of the persons so appointed, two shall represent labor, two shall represent industry, and two shall represent the public. The two industry members of the Commission shall be appointed upon recommendation of the industry members of the National War Labor Board. One of the two labor members of the Commission shall be appointed upon recommendation of the AFL members of the National War Labor Board, the other upon recommendation of the CIO members of the National War Labor Board. The National War Labor Board shall designate one public member of the Commission to act as chairman. Four alternate industry members of the Commission shall be appointed by the National War Labor Board upon recommendation by the industry members of the National War Labor Board. Four alternate labor members of the Commission shall be appointed by the National War Labor Board, two of whom shall be recommended by the AFL members of the National War Labor Board and two by the CIO members of the National War Labor Board. The labor and industry members of the Commission, both regular and alternate, may be chosen from either within or outside of the lumber industry. Not more than two industry members and not more than two labor members of the Commission shall be permitted to sit and transact business of the Commission at any one time. Three members of the Commission shall constitute a quorum, providing labor, industry, and the public are represented in such quorum. The vote of a majority of the quorum shall be deemed sufficient to render a binding decision by the Commission.

2. The Commission shall have jurisdiction over labor disputes, voluntary wage adjustments, and salary adjustments (where the rate at which the salary, exclusive of bonuses and additional compensation and without regard to the contemplated adjustment, computed on an annual basis, is not in excess of \$5,000 per annum) in all cases which involve the production of lumber and lumber products in Oregon, Washington, Idaho, Montana, and California. The Commission shall have power (a) to conduct hearings and labor disputes and to issue directive orders affecting the same and (b) to receive and make final rulings on applications for voluntary wage or salary adjustments in the lumber industry submitted for approval of the National War Labor Board in accordance with the national wage stabilization policy. All rulings and orders of the Commission shall be filed with the National War Labor Board.

3. That, in view of the vital importance of the lumber industry to the production of those things essential to the successful prosecution of the war, the Commission shall have the power to promulgate such rules and regulations, issue such orders and take such actions relating to the issues before it as may be necessary to effectuate a stabilization of labor conditions in the lumber industry of the area designated in paragraph two above, secure industrial harmony in said area, and assure maximum production of lumber and lumber products.

4. The Commission shall not take original jurisdiction over any dispute case but it shall have the power to determine whether, within the terms of this order, it may properly assume jurisdiction over any dispute after the dispute had been referred to the Commission by the Board. However, in case of a strike or threatened strike in the lumber industry, the Commission may issue an order requiring the workers to remain on their jobs or to return to their jobs and maintain the status quo as it existed prior to the dispute pending conciliation by the United States Conciliation Service, or if necessary, determination on the merits by the Commission after reference of the case to the Commission by the National War Labor

Board. Such order shall be issued only after consultation with the United States Conciliation Service. Immediately upon being apprised of a dispute the Commission shall notify the liaison officer of the United States Conciliation Service or, in his absence, the conciliator nearest to the dispute. In the event that a strike should occur or be threatened subsequent to certification, the Commission shall order the workers to return to work or to remain on their jobs and shall refuse to exercise its jurisdiction until they have complied with the order. The United States Conciliation Service shall be free to call upon the Commission to cooperate with it in the settlement of any dispute during the period of conciliation and prior to actual certification. The Commission shall inform the National Board promptly of strikes or threatened strikes and shall keep the Board informed as to the status of such matters.

5. The rulings of the Commission on voluntary wage or salary adjustments, as well as its directive orders on wage issues in dispute cases, shall conform to the policies of the National War Labor Board, based on Executive Orders 9250 and 9328, the policy directive of May 12, 1943, issued by the Director of Economic Stabilization, and the War Labor Disputes Act of June 25, 1943. Accordingly, any wage or salary adjustment approved or ordered by the Commission "which may furnish the basis either to increase price ceilings or to resist otherwise justifiable reductions in price ceilings or, if no price ceilings are involved, which may increase the production costs above the level prevailing in comparable plants or establishments," shall become effective only if also approved by the Director of Economic Stabilization. Notice to this effect shall be contained in all rulings and orders issued by the Commission in wage cases. The Commission may give approval to all applications which request authority to adjust wages, including adjustment of piece rates, to conform with the wages determined by the Commission in cases involving wage disputes in the same community.

6. In cases of voluntary applications for approval of wage or salary adjustments and in dispute cases involving wage or salary issues, the Commission shall follow the procedure outlined in paragraphs 979 through 979.12 [§ 81.979]. The West Coast Lumber Commission shall exercise those powers, duties, and functions which are listed in said paragraphs as being applicable to regional war labor boards and regional attorneys. For the purpose of this order, and within the sphere of its jurisdiction, the Commission shall sit in lieu of said regional boards and regional attorneys.

7. The Commission shall, so far as practicable, utilize the information, data, and staff services of the National War Labor Board or the regional boards, and of other Federal departments and agencies. The employment by the Commission of additional personnel, facilities, or services shall be subject to the approval of the National War Labor Board.

8. The rulings of the Commission on voluntary wage or salary adjustments and upon preliminary inquiries concerning proposed wage or salary adjustments and the directive orders of the Commission in dispute cases shall have the same effect and shall be subject to the same provisions for stay and review by the National War Labor Board as rulings and orders of the regional war labor boards, as set forth in paragraphs (a) to (1) of § 81.979.

9. The decisions, general orders, and other actions of the Commission rendered pursuant to the authority conferred upon the Commission by the National War Labor Board's directive order of September 17, 1942, as amended by directive orders of October 14, 1942 and January 5, 1943, shall remain in full force and effect unless modified herein, or unless previously modified by the Na-

tional War Labor Board action. All provisions of the aforesaid directive order of September 17, 1942, as amended shall remain in full force and effect unless and until further amended by the National War Labor Board.

10. The Commission shall submit to the National War Labor Board monthly reports concerning pending dispute and voluntary wage and salary cases and its actions during the preceding month relative to both pending and closed cases.

(a) *Members of Commission.* On October 6, 1942, the National War Labor Board appointed the following persons as paid members of the West Coast Lumber Commission:

Chairman: Ben H. Kizer.
For industry: E. B. McNaughton and Dean Ballard.
For labor: James Landye and William Geurts.

[Procurement Reg. No. 10]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

PLANT FACILITIES EXPANSIONS

Section 81.1003a is added.

§ 81.1003a *New policy with respect to tax amortization.* (a) Under date of 5 October 1943 the Under Secretary of War issued the following memorandum:

On 5 October 1943 the Regulations governing the issuance of Necessity Certificates under section 124 of the Internal Revenue Code were amended by the following addition:

3 (d) The construction, reconstruction, erection, installation, or acquisition of a facility shall not be deemed necessary unless (1) the beginning of the construction, reconstruction, erection, installation, or the date of acquisition of such facility, was prior to October 5, 1943; or (2) an application for a Necessity Certificate describing such facility was filed before October 5, 1943; or (3) the Secretary of War or the Secretary of the Navy, in exceptional cases, has determined prior to the beginning of such construction, reconstruction, erection, installation, or the date of such acquisition that there is a shortage of facilities for a supply required for military or naval uses and that it is to the advantage of the Government that additional facilities for such supply be privately financed.

It will be noted that unless the beginning of construction, reconstruction, erection or installation, or the date of acquisition, of the facility was prior to 5 October 1943, Necessity Certificates will not be granted unless decision to that effect has been made before the facility was begun or acquired.

Every effort will be made to avoid the creation of additional facilities by requiring full use of existing facilities. Where additional facilities are required by a company or individual which is unable or unwilling to finance them privately without the benefit of a Necessity Certificate, efforts will be made to supply the need from Government facilities presently owned. In cases where this is impossible or impracticable, contractual arrangements for Governmental financing should be made.

In the exceptional case where this cannot be done, a full report and recommendation will be submitted to the Under Secretary of War, explaining the reasons for determining (a) that there is a shortage of facilities for the supply required and (b) that such facilities should be privately financed. The Tax Amortization Branch, Purchases Division, Army Service Forces, is designated as

the agency which will receive such reports on behalf of the Under Secretary of War.

You will bring this to the attention of all procurement agencies promptly.

(b) The publication of the memorandum referred to in paragraph (a) of this section will necessitate a revision of §§ 81.1004 and 81.1016-81.1019 and of any other paragraphs of these Procurement Regulations relating to tax amortization. In the meantime, the above memorandum should be regarded as controlling.

Section 81.1015 is amended as follows:

§ 81.1015 *Approval of contracts or agreements required in certain cases.* The following contracts will be submitted to the Director, Purchases Division, Headquarters, Army Service Forces, for approval:

(a) All Emergency Plant Facilities Contracts.

(b) All Special Facilities Contracts.

(c) Contracts containing provisions which are required to be submitted under § 81.1007.

(d) Supply contracts containing "Government-Owned Facilities" clauses which deviate in substance from § 81.332 or any provision of which is required to be submitted under the notes to § 81.332.

(e) Separate lease agreements referred to in § 81.723 except those which are (1) written on a standard form of contract for lease of equipment (see § 81.304 (a)) or (2) embody substantially the provisions of § 81.332, and do not contain any provision which is required to be submitted under the notes to § 81.332.

[Procurement Regs. No. 13]

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS
FORMS OF CONTRACTS

In § 81.1304 Art. III-E of contract form is amended by adding a new paragraph *q* in section 1, the former paragraphs *q* and *r* being redesignated *r* and *s*.

§ 81.1304 *W. D. Contract Form No. 4.*

Art. III-E. *Reimbursement for expenditures.* 1. * * *

q. Expenses of procuring necessary field forces and the transportation and traveling expenses to the work of such personnel (including personnel already in the employ of the Architect-Engineer) for the economical and successful prosecution of the work, and return when such services are no longer required; expenditures under these items shall be either authorized or approved in writing by the Contracting Officer.

r. Reimbursement under this Article shall include all actual expenditures directly chargeable to the work and services provided herein performed at the Architect-Engineer's home office, its field office, or elsewhere.

s. In the event the Contracting Officer shall determine that the best interests of the Government require that the Architect-Engineer initiate or defend litigation in connection with claims of third parties arising out of the performance of this contract, the Architect-Engineer will proceed with such litigation in good faith and the costs and expenses of such litigation, including judgments and court costs, allowances rendered or awarded in connection with suits for wages, overtime or salaries, and reasonable attorneys' fees for private counsel when the Government does not furnish Government counsel, shall be reimbursable under this contract.

In § 81.1307 the footnote pertaining to paragraph 6 (c) of contract form is amended to read as follows:

The italicized words will be omitted where existing letter orders and letters of intent are amended to contain the standard termination provisions as authorized by subparagraph (2) of § 88.15-107 (b). The italicized words will be included in new letter orders and letters of intent only in compliance with § 81.203a (a).

In § 81.1317a paragraphs (2) and (3) of explanatory notes preceding paragraph (a) are amended:

§ 81.1317a *W. D. Contract Form No. 383 (W. D. Forms Nos. 383, 383a, 383b and 383c)—Short form.*

Explanatory notes. * * *

(2) The form is available for optional use by all procuring agencies other than posts, camps and stations, under the conditions mentioned in (1) above.

(3) The procedure for use and distribution of the form by posts, camps and stations is graphically shown in Army Service Forces Manual M403.

In § 81.1326 paragraph (1) (b) of explanatory notes preceding paragraph (a) is amended as follows:

§ 81.1326 *W. D. Contract Form No. 26.*

Explanatory notes. (1) * * *

(b) Sales to the Defense Plant Corporation. Special forms have been approved for use in effecting sales of property by the War Department to the Defense Plant Corporation, and by the Defense Plant Corporation to the War Department. These are reproduced in Ordnance Procurement Instructions, paragraphs 13.006.3 and 13.006.4.

[Procurement Reg. 7]

PART 83—DISPOSITION OF SURPLUS AND UNSERVICEABLE PROPERTY
DISPOSITION OF PROPERTY

Section 83.701a is added as follows:

§ 83.701a *Production Division and Readjustment Division.* Wherever the term Production Division, Headquarters, Army Service Forces is used in this Procurement Regulation No. 7, it shall be deemed to refer to the Readjustment Division, Headquarters, Army Service Forces.

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 43-20544; Filed, December 27, 1943; 4:50 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 294]

PHYSICAL REQUIREMENTS AND MEDICAL CERTIFICATES FOR MILITARY PERSONNEL OF CIVIL AERONAUTICS ADMINISTRATION WAR TRAINING SERVICE

SPECIAL CIVIL AIR REGULATION

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 20th day of December 1943.

Effective December 20, 1943, Regulation Serial Number 266 (8 F.R. 3565)¹ relating to physical requirements and medical certificates for military personnel of the Civil Aeronautics Administration War Training Service, adopted by the Civil Aeronautics Board on March 16, 1943, is hereby repealed.

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

By the Civil Aeronautics Board:

[SEAL] FRED A. TOOMES,
Secretary.

[F. R. Doc. 43-20619; Filed, December 29, 1943; 10:23 a. m.]

[Regs., Serial No. 295]

PHYSICAL REQUIREMENTS FOR PERSONNEL OF ARMED FORCES ASSIGNED FOR PILOT TRAINING WITH CAA WAR TRAINING SERVICE OR TO SERVICE AS AIR-TRAFFIC CONTROL-TOWER OPERATORS

SPECIAL CIVIL AIR REGULATION

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 20th day of December 1943.

The following Special Civil Air Regulation is made and promulgated to become effective December 20, 1943.

Regular or reserve members of the armed forces, assigned by their respective services for pilot training with the Civil Aeronautics Administration War Training Service or to duty requiring them to serve as air-traffic control-tower operators, shall upon application for the issuance of pilot or air-traffic control-tower operator certificates be deemed to have met the physical standards required by Parts 20 and 26 of the Civil Air Regulations respectively and shall not be required to be possessed of a medical certificate while performing such duties.

This regulation shall be effective for the duration of the war and not more than six months thereafter.

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

By the Civil Aeronautics Board:

[SEAL] FRED A. TOOMES,
Secretary.

[F. R. Doc. 43-20620; Filed, December 29, 1943; 10:23 a. m.]

[Regs. Serial No. 296]

DURATION OF EXISTING PILOT CERTIFICATES

SPECIAL CIVIL AIR REGULATION

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 20th day of December 1943.

Effective December 20, 1943, Regulation Serial Number 203 (7 F.R. 597)² relating to the duration of existing pilot certificates, adopted by the Civil Aero-

¹ The provisions of this regulation are now included in Regulation Serial Number 295, effective December 20, 1943, *infra*.

² Regulation Serial Number 203 is now covered by § 20.310 of the Civil Air Regulations, as amended.

navics Board on January 28, 1942, is hereby repealed.

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

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 43-20621; Filed, December 29, 1943;
10:23 a. m.]

[Civil Air Regs., Amdt. 20-6]

PART 20—PILOT CERTIFICATES

DURATION OF EXISTING PILOT CERTIFICATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 20th day of December 1943.

Effective December 20, 1943, § 20.310 of the Civil Air Regulations is amended by striking the words "April 1, 1942" wherever they occur and substituting in lieu thereof the words "January 1, 1942".

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

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 43-20618; Filed, December 29, 1943;
10:23 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50981]

VESSEL REPAIRS AND EQUIPMENT—DUTY LIABILITY SUSPENDED

DECEMBER 28, 1943.

Application of section 466, Tariff Act of 1930, requiring entry for repairs made to and equipment purchased for vessels of the United States and the payment of duty thereon, with certain exceptions, temporarily suspended.

PART 57—VESSEL REPAIRS AND EQUIPMENT

§ 57.1 *Entry requirements suspended.* In view of Public Law 200, approved December 17, 1943,¹ all regulations, instructions, and practices established for the

¹ Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the application of the provisions of sections 3114 and 3115 of the Revised Statutes, as amended (U. S. C., 1940 ed., title 19, secs. 257 and 258), is hereby suspended.

Sec. 2. This Act shall remain in force until two years after the date of the enactment of this Act, or until the day following the date of the cessation of hostilities in the present war (as defined in section 780 (e) of the Internal Revenue Code), whichever shall first occur, and shall apply to all duties which have accrued on repairs made, or equipment purchased, on or after December 8, 1941: *Provided*, That no claim for a refund of duty pursuant to this Act shall be allowed unless a written application for such refund is filed by the party in interest within six months from the date of the enactment of this Act with the collector of customs at the port where entry was made or the Bureau of Customs: *Provided further*, That nothing in this Act shall be construed to require any Federal department or agency to obtain a refund of duty pursuant to this Act.

administration of R. S. 3114 and 3115, as amended (section 466, Tariff Act of 1930), are hereby suspended for the effective period of Public Law 200, except as to transactions involving repairs made or equipment purchased prior to December 8, 1941. (Pub. No. 200, 78th Congress, R. S. 161, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 1624)

§ 57.2 *Unliquidated entries.* All unliquidated entries made pursuant to R. S. 3114, as amended, covering repairs made or equipment purchased on or after December 8, 1941, shall be liquidated free of duty. Entries which have been transmitted to the War Shipping Administration or to the Bureau will be returned to the collector of customs concerned for such liquidation. (Pub. No. 200, 78th Congress, R. S. 161, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 1624)

§ 57.3 *Refunds.* No duty shall be refunded pursuant to Public Law 200 unless a written application for the refund is filed by the party in interest with the collector of customs at the port where entry was made or in the Bureau of Customs within six months from December 17, 1943. When such an application is filed with the Bureau it will be forwarded to the collector at the port where the entry was made. Upon the receipt of such an application by the collector, the appropriate entry shall be reliquidated free of duty as to repairs made or equipment purchased on or after December 8, 1941, and the duties paid on such repairs or equipment shall be refunded pursuant to section 520 (a) (1), Tariff Act of 1930, as amended. (Pub. No. 200, 78th Congress, R.S. 161, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 1624)

§ 57.4 *Oaths.* The oaths of ownership on customs Forms 1258 and 1259, provided for in §§ 3.18 (a) and (b), 3.30 (d), 3.31, 3.34 (b) and (c), 3.42 (d), 3.43 (e), and 3.44, Customs Regulations of 1943 (19 C.F.R. 3.18 (a) and (b), 3.30 (d), 3.31, 3.34 (b) and (c), 3.42 (d), 3.43 (e), and 3.44), and the master's oaths on customs Forms 1280 and 1304, provided for in §§ 3.18 (d), 3.25 (d), 3.30 (d), 3.31, 3.34 (b) and (c), 3.42 (d), 3.43 (e), and 3.44, Customs Regulations of 1943 (19 C.F.R. 3.18 (d), 3.25 (d), 3.30 (d), 3.31, 3.34 (b) and (c), 3.42 (d), 3.43 (e), and 3.44), shall be modified in every case:

(a) By deletion of the matter pertaining to foreign equipment or repairs, when the oath is executed before December 18, 1945, or before the cessation of hostilities in the present war (as defined in section 780 (e) of the Internal Revenue Code), whichever shall first occur; and

(b) By deleting from the matter pertaining to foreign equipment or repairs the words "within the year immediately preceding the date of this application, to wit, the ----- day of -----, 19--" and by inserting in lieu thereof "since -----, 19--" the date inserted being December 17, 1945, or the date of cessation of hostilities in the present war (as defined in section 780 (e) of the Internal Revenue Code), whichever shall first occur, when the oath is executed during the year immediately following that date.

(Pub. No. 200, 78th Congress, R.S. 161, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 1624)

The following footnote and reference material is hereby added to the Customs Regulations of 1943 (19 CFR, Parts 1-26):

PART 3—DOCUMENTATION OF VESSELS

The following shall be inserted as a footnote to section 3.30 (c):

Pursuant to Public Law 200, approved December 17, 1943, this regulation is suspended with respect to affidavits concerning repairs made or equipment purchased before December 18, 1945, or before the cessation of hostilities in the present war (as defined in section 780 (e) of the Internal Revenue Code), whichever shall first occur.

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

The following shall be inserted as a footnote to § 4.14:

Pursuant to Public Law 200, approved December 17, 1943, this regulation is suspended for two years from that date, or until the cessation of hostilities in the present war (as defined in section 780 (e) of the Internal Revenue Code), whichever shall first occur, so far as it affects repairs made or equipment purchased on or after December 8, 1941.

The following shall be added to footnote 27 to § 4.14:

(These provisions of law were temporarily suspended by Public Law 200, 78th Congress, approved December 17, 1943.)

PART 6—AIR COMMERCE REGULATIONS

The following shall be added to the note following § 6.8 (a) (8):

(Section 4.14 has been temporarily suspended. See footnote to that section.)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: December 28, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. D. Doc. 43-20655; Filed, December 29, 1943;
11:19 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-468]

NATIONAL SUPPLY CORPORATION

J. Goldberg and Sidney E. Goldberg, as partners doing business as National Supply Corporation, at 130 Mitchell Street, S. W., Atlanta, Georgia, fabricators of or dealers in processing machinery, as defined in General Limitation Order L-215, between February 26, 1943, and April 21, 1943, accepted orders for and made deliveries of processing machinery to pro-

ducers, without obtaining authorization from the War Production Board. These sales and deliveries were in violation of General Limitation Order L-215. J. Goldberg and Sidney E. Goldberg, as partners doing business as National Supply Corporation, dealt in other materials and products controlled by orders and regulations of the War Production Board, and had knowledge of general restrictions applicable to their business, and their failure to take the necessary steps to insure compliance with General Limitation Order L-215 must be considered wilful.

These wilful violations of General Limitation Order L-215 have diverted scarce critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing; it is ordered, that:

§ 1010.468 *Suspension Order No. S-468.* (a) J. Goldberg and Sidney E. Goldberg, individually, and as partners doing business as National Supply Corporation, their and its successors or assigns, shall not order, purchase, accept orders for, obtain or make deliveries of, or otherwise deal in processing machinery, as defined in General Limitation Order L-215, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve J. Goldberg and Sidney E. Goldberg, individually, and as partners doing business as National Supply Corporation, their and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on December 28, 1943 and shall expire on March 28, 1944, at which time the restrictions contained in this order shall be of no further effect.

Issued this 21st day of December 1943.

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

[F. R. Doc. 43-20606; Filed, December 28, 1943;
4:50 p. m.]

PART 937—ZINC

[General Preference Order M-11-a, as
Amended Dec. 29, 1943]

ZINC OXIDE

Section 937.2 *General Preference Order M-11-a* is hereby amended to read as follows:

§ 937.2 *General Preference Order M-11-a—(a) Scope of this order.* This order controls deliveries of lead-free zinc oxide from a producer or dealer. No producer or dealer shall deliver lead-free zinc oxide to any person, and no person shall accept delivery of lead-free zinc oxide from any producer or dealer, except as provided in this order. The order also restricts the use which may be made of the lead-free zinc oxide after it is received. The permitted uses will be

found listed below in paragraph (e). Production of zinc oxide under toll agreement is restricted.

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

(1) "Zinc oxide" means all grades of zinc oxide, including lead-free and leaded, produced from ores, concentrates, metallic zinc, or other primary material and from scrap, dross, ashes, skimmings, or other secondary material.

(2) "Lead-free zinc oxide" means all grades of zinc oxide containing 98 per cent or more of zinc as ZnO.

(3) "Producer" means any person producing zinc oxide and any person who has zinc oxide produced for him under a toll agreement.

(4) "Toll agreement" means any agreement by which title to material remains vested in a person other than the one processing the material.

(5) "Dealer" means any person who regularly receives physical delivery of zinc oxide and sells or holds the same for resale without change in form.

(6) "Production" means a producer's total production of zinc oxide as packed for sale.

(c) *Deliveries of lead-free zinc oxide.* Producers and dealers may deliver lead-free zinc oxide, and persons may accept delivery of lead-free zinc oxide from a producer or dealer in the following cases only:

(1) *Small order delivery.* Deliveries from a producer or dealer may be accepted without the necessity of obtaining any specific authorization from the War Production Board if (i) The delivery in question, combined with all other deliveries of lead-free zinc oxide to the purchaser during that calendar month, from whatever source, will not aggregate more than two tons; (ii) The purchaser has not requested from the War Production Board authorization for that particular month to accept delivery of lead-free zinc oxide in any quantity—see paragraph (c) (5) below (a request to the War Production Board shall be deemed a request within the meaning of this paragraph, regardless of whether it has been granted or denied); (iii) The lead-free zinc oxide purchased will be used in the manufacture of the items or for the purposes specified in paragraph (e) of this order and not for resale; and (iv) The inventory of the purchaser is not, and will not upon acceptance of the delivery become, in excess of a forty-five day supply on the basis of his current method and rate of operation. The producer or dealer may make deliveries without any specific authorization from the War Production Board unless he knows or has reason to believe, that the delivery will be in violation of the provisions of this paragraph (c) (1) or that the lead-free zinc oxide delivered is to be used in violation of the restrictions of this or other applicable orders of the War Production Board.

(2) *Deliveries to dealers.* Deliveries may be made to and accepted by dealers.

(3) *Deliveries to Metals Reserve Company.* Deliveries may be made to and accepted by Metals Reserve Company for the sole purpose of stockpiling or redistribution.

(4) *Lead-free zinc oxide for export.* Deliveries may be made to and accepted by a person for export without change in the form of the lead-free zinc oxide provided the delivery is accepted pursuant to an export license from the Foreign Economic Administration.

(5) *WPB authorization.* Other deliveries may be made only on specific authorization of the War Production Board and in accordance with an authorization certificate issued by the War Production Board on Form WPB-410. Deliveries so specifically authorized shall take precedence over any preference rating which may be assigned to deliveries on other contracts or orders. Authorization certificates will be issued on or about the first of each month for this purpose. An authorization certificate will authorize the holder to accept from a producer or dealer deliveries of specified amounts of lead-free zinc oxide shipped during the month for which the certificate is issued. The producer or dealer may ship on notification from the purchaser of the date and serial number of the authorization certificate. Any person wishing to apply for an authorization certificate should file an application on Form WPB-410 not later than the fifteenth day of the month preceding the month in which the authorization to purchase is desired. A producer need not accept a new order (other than a new order bearing a AAA, preference rating) although supported by a preference rating or an authorization certificate, if his entire production for the month is committed and he has reason to believe that other purchase orders will be presented during the month by the person or persons to whom his production is committed in amounts at least equal to his production.

(d) *Restriction on toll agreements.* Unless specifically authorized in writing by the War Production Board, no person shall produce any zinc oxide under any existing or future toll agreement.

(e) *Use of lead-free zinc oxide.* No person shall use any lead-free zinc oxide except for the manufacture of the items, or for one or more of the purposes, following:

1. Abrasive wheels.
2. Adhesive and surgical tapes.
3. Agriculture sprays and insecticides.
4. Artists colors.
5. Chemical treatment for metal surfaces.
6. Dental cement.
7. Explosives for industrial use only.
8. Glass (except ornamental or non-utility ware).
9. Glazes (except for ornamental purposes).
10. Insulated wire and cable.
11. Linoleum and printed floor covering.
12. Lubricants.
13. Matches.
14. Paint for food can coatings and closure coatings.
15. Paint (Marine).
16. Paint—other—(to the extent the lead content of other pigments prevents their use in lieu of lead-free zinc oxide).
17. Pharmaceuticals and cosmetics.
18. Printing and lithographing inks (to the extent necessary for color stability in tints and for maintaining light fasteners).
19. Rayon.

20. Rubber products made from natural or synthetic hydrocarbons.
21. Vitreous enamels.
22. Zinc borate.
23. Zinc chromate.
24. Zinc plating.
25. Zinc stearate, resinates and other zinc organic chemical compounds.
26. Any other product, or any component to be physically incorporated into such product, which is being produced by or for the account of, or for use by the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, and for which lead-free zinc oxide is expressly specified in composition specifications or for which lead-free zinc oxide is required to fulfill the requirements of performance specifications, applicable to the contract, subcontract or purchase orders.

(f) *Special directions.* The War Production Board may, from time to time, issue special directions to any person as to the source, destination, or amounts of zinc oxide to be shipped and delivered by any producer or dealer or received by any person.

(g) *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.

(h) *Reports.* All producers, dealers, and users of zinc oxide shall file, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, such reports as the War Production Board may from time to time prescribe.

(i) *Appeals and Communications.* Any appeal from the provisions of paragraph (e) of this order should be filed by letter, in triplicate, 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. All other applications, statements or communications filed pursuant to this order or concerning the subject matter hereof, should be addressed to: War Production Board, Zinc Division, WPB Dept. 7515, Washington 25, D. C., Ref.: M-11-a.

(j) *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.

(k) *Effective date.* This order, as amended, shall become effective February 1, 1944.

Issued this 29th day of December 1943.

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

[F. R. Doc. 43-20662; Filed, December 29, 1943;
11:52 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Limitation Order L-126, Schedule V as Amended Dec. 29, 1943]

REQUIRED SPECIFICATIONS FOR COMMERCIAL WALK-IN REFRIGERATORS

Section 1071.7 *Schedule V to Limitation Order L-126* is hereby amended to read as follows:

§ 1071.7 *Schedule V to Limitation Order L-126—(a) Definitions.* For the purpose of this schedule: (1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles commercial walk-in refrigerators.

(2) "Commercial walk-in refrigerator" means an insulated enclosure of either the prefabricated or sectional type, or built-in type, designed for non-mechanical (iced) refrigeration or mechanical refrigeration and furnished with or without low (pressure) side or high (pressure) side, having one or more entrance doors and of such dimensions that the products to be refrigerated or the major portion of such products, are not within convenient reach of a person outside of the enclosure.

(b) *Required specifications.* Pursuant to Limitation Order L-126 the following required specifications are hereby established for commercial walk-in refrigerators:

(1) No producer shall:

(i) Use any non-ferrous metals in the manufacture of commercial walk-in refrigerators except when used for the following (when not prohibited by the terms of any other order or any other schedule issued pursuant to Limitation Order L-126):

(a) High (pressure) side or condensing unit;

(b) Refrigerant connections between high (pressure) side and low (pressure) side;

(c) Electric current carrying apparatus;

(d) Controls and valves, or

(e) Galvanized coating on ice bunker (in nonmechanical types).

(ii) Use any ferrous metals in the manufacture of commercial walk-in refrigerators except when used for the following, (when not prohibited by the terms of any other order or any other schedule issued pursuant to Limitation Order L-126):

(a) High (pressure) side or condensing unit;

(b) Low (pressure) side or evaporator;

(c) Bolts, nuts, washers, cotter pins, nails, screws, door hinges, door fasteners, and meat hooks;

(d) Drains and drip pans;

(e) Thresholds;

(f) Ice bunkers (in non-mechanical types);

(g) Floors clad with metal not heavier than 22 gauge; or

(h) Wire mesh for rodent proofing.

(c) *Applicability of order.* (1) The required specifications established by paragraph (b) (1) shall not prohibit:

(i) The production, delivery and acceptance of commercial walk-in refrigerators which are not in conformity with paragraph (b) of this schedule, for use aboard ship or at advanced bases by the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration.

(ii) The delivery and acceptance of commercial walk-in refrigerators which were in a producer's stock in finished form on April 6, 1943.

(iii) The production, delivery, and acceptance of commercial walk-in refrigerators produced from fabricated parts which were in a producer's stock on April 6, 1943.

Issued this 29th day of December 1943.

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

[F. R. Doc. 43-20663; Filed, December 29, 1943;
11:53 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-315 as Amended Dec. 29, 1943]

ENCLOSED SAFETY SWITCHES, ENCLOSED BRANCH AND SERVICE CIRCUIT BREAKERS, SERVICE ENTRANCE EQUIPMENT, PANEL AND DISTRIBUTION BOARDS AND KNIFE SWITCHES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used in the production of enclosed safety switches, enclosed branch and service circuit breakers, service entrance equipment, panel and distribution boards and knife switches for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.132 *General Limitation Order L-315—(a) Definitions.* For the purposes of this order:

(1) "Secondary electrical distribution equipment" means only the following new devices, rated at not more than 600 volts, which are intended to be used to provide control or protection for service entrance, branch, or feeder circuits:

(i) Enclosed safety switches rated from 30 amperes to 2400 amperes, inclusive;

(ii) Enclosed branch or service circuit breakers. This term includes only devices rated at not more than 600 amperes and in which the circuit breakers are of the type in which all current carrying parts except the terminals are completely enclosed by an insulating case;

(iii) Service entrance equipment;

(iv) Panel and distribution boards. This term includes only devices accessible from the front and designed to be supported in or against a wall;

(v) Knife switches rated from 30 amperes to 1200 amperes, inclusive.

Secondary electrical distribution equipment does not include power switchgear, as defined in Schedule IV of Limitation Order L-154, busway plugs, electric control equipment as defined in Limitation Order L-250, or snap and toggle switches of less than 30 ampere capacity.

(2) "Enclosures" means any steel enclosing cases designed to enclose current carrying parts of secondary electrical distribution equipment.

(3) "General-purpose enclosures" means enclosing cases which are designed to protect current-carrying parts from accidental contact or mechanical damage, but do not meet the requirements of rain-tight, dust-tight, or explosion-proof, as defined in the National Electrical Code approved by the American Standards Association, August 7, 1940.

(4) "Rain-tight enclosures" means enclosing cases which are designed to be rain-tight in accordance with Article 100 of the National Electrical Code approved by the American Standards Association, August 7, 1940.

(5) "Manufacturer" means any enterprise to the extent that it is engaged in the business of manufacturing secondary electrical distribution equipment, or enclosures, and includes sales and distribution outlets and warehouses owned by any such person.

(b) Restrictions on manufacturers' sales and deliveries. No manufacturer shall sell or deliver any secondary electrical distribution equipment or enclosures unless the sale or delivery bears a preference rating of AA-5 or higher. However, this restriction shall not apply to repair parts for secondary electrical distribution equipment or enclosures.

(c) Conservation of materials. After December 16, 1943, no manufacturer shall put into process any material for the manufacture of secondary electrical distribution equipment or enclosures, or parts thereof, except in accordance with the restrictions contained in Schedule A of this order. Nothing in this paragraph or Schedule A shall prohibit a manufacturer from assembling into complete devices any parts which he has in stock on December 16, 1943.

(d) Exemptions. The limitations of paragraph (c) shall not apply to the manufacture of any device or item of equipment for direct use by the Army, Navy, Maritime Commission or War Shipping Administration, where such equipment is required for shipboard use, or to the manufacture of any device or item of equipment for direct use on aircraft.

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

(2) Violations. Any person who willfully violates any provisions 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.

(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 communications concerning this order, except where specific reference is made therein to the contrary, shall be addressed to War Production Board, General Industrial Equipment Division, Washington, 25, D. C., Ref: L-315.

Issued this 29th day of December 1943.

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

SCHEDULE A—CONSERVATION RESTRICTIONS RELATING TO THE PRODUCTION OF SECONDARY ELECTRICAL DISTRIBUTION EQUIPMENT

(1) Panel and distribution board enclosures of the general-purpose and rain-tight type shall not exceed the thickness gauge for specific dimensions and areas as listed below:

NOTE: The following table amended, Dec. 29, 1943.

Maximum size of largest surface of box (measured inside of box)		Maximum thickness of steel U. S. S. gauge	
Length or width in inches	Area in sq. inches	Box ¹	Door, front, barrier, or cover
12.....	144.....	18	18
24.....	360.....	18	18
40.....	1,000.....	16	14
60.....	1,500.....	14	14
Over 60.....	Over 1,500.....	12	12

¹ #16 gauge metal may be substituted for #18 gauge on rain-tight enclosures.

² Boxes may be fabricated from #16 gauge where unflanged edge is more than 12 inches in length.

³ The ends of a three-piece panelboard box may be 2 gauges heavier than the maximum gauge permitted in this table.

(2) Steel shall not be used in the fronts and barriers of general-purpose panel and distribution board enclosures except to enclose wiring gutters, fuses and other live parts that would otherwise be exposed to accidental contact. Such steel fronts and barriers shall not exceed the gauges specified in paragraph (1) above.

(3) General-purpose enclosures for circuit breaker type panel or distribution boards, or for fuse-type panel or distribution boards in which the fuses are necessarily disconnected (dead) when exposed to the operator, shall not be produced with a steel door over the panel or distribution board units.

(4) General-purpose enclosures for toggle switch fuse-type panel and distribution boards in which the fuses are not disconnected when exposed to the operator may be produced with a single door covering both switches and fuses or covering only the fuse

portion of the panel or distribution board unit.

(5) Enclosures of the general-purpose and rain-tight type for enclosed safety switches, enclosed branch or service circuit breakers or service entrance equipment, shall not exceed the thickness gauge for specific dimensions and areas listed below:

Maximum size of largest surface of box (measured inside of box)		Maximum thickness of steel of box, door, front, or cover—U. S. S. gauge
Length or width in inches	Area in sq. inches	
8½.....	50.....	18
24.....	360.....	16
40.....	1,000.....	14
60.....	1,500.....	12
Over 60.....	Over 1,500.....	12

¹ #16 gauge metal may be substituted for #18 gauge on rain-tight enclosures.

(6) Safety switches, enclosed branch and service circuit breakers and household type service entrance equipment, specifically designed for mounting therein current transformers, meters, or contractors, are not allowed.

(7) Special or separate dead front shields for shielding the line terminals only on enclosed safety switches, enclosed branch or service circuit breakers or service entrance equipment shall not be incorporated in equipment having general-purpose enclosures.

(8) General purpose enclosures shall not include hubs and nipples for the connection of conduit. Rain-tight enclosures may include hubs and nipples on the top only of the enclosure.

(9) No copper, chromium, nickel, or alloys or finishes made of these metals shall be used in enclosures, nameplates, identification plates, or door hinges. The use of zinc is permitted only to the extent allowed in Conservation Order M-11-b. This paragraph does not govern the use of paint or paint finishes.

(10) No cadmium, or alloys or finishes made of cadmium, shall be used in or on any parts, except in silver alloy contacts for current interruption or ferrous metal parts where close tolerances must be maintained.

(11) Non-ferrous metal shall not be used in any of the following parts except where such parts are used in explosion-proof devices:

(i) Bolts, screws, clips or other devices used to ground an insulated neutral terminal plate to the enclosure;

(ii) The neutral terminal plate of equipment rated 70 amperes and less, except for plating.

(iii) Wire-binding screws and wire binding nuts rated 35 amperes and less, except that zinc or lead plating is permitted.

(12) Wire or cable lugs for ground connection to an enclosure shall not be incorporated in any equipment by the manufacturer.

(13) Draw file and polish finish of copper parts and bus bars are not allowed.

(14) Fusible type double-throw safety switches with general purpose enclosures may only be manufactured with provisions for fuses in both ends of the enclosures.

(15) Spade handles shall not be supplied on knife switches except those switches rated 600 amperes and over and switches having four or more poles.

[F. R. Doc. 43-20664; Filed, December 29, 1943; 11:53 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 41]

ALLOTMENT PROCEDURE FOR MANUFACTURERS OF CLASS A PRODUCTS, WHEN USED FOR SHIP REPAIRS AND BUREAU OF SHIPS' SPECIAL NAVY PRODUCTS, WHEN USED FOR SHIP REPAIRS

The following direction is issued pursuant to CMP Regulation No. 1:

(a) *What this direction does.* This direction explains where a manufacturer is to file applications for allotments of controlled materials needed to make Class A products or

Type of product	Users	Use	Manufacturers file applications with
Class "A" product (other than BuShips Special Navy).	Army repair yards.....	All vessels.....	Army repair yard (CMP-4A).
	Navy yards, repair.....	All vessels.....	Navy yards, repair (CMP-4A).
	Navy section bases.....	All vessels.....	WPB-(CMP-4B).
	Private repair yard.....	All vessels.....	WPB-(CMP-4B).
BuShips Special Navy Products.	Private dockside.....	All vessels.....	WPB-(CMP-4B).
	Navy yards, repair.....	All vessels.....	Navy (CMP-4A).
	Navy section bases.....	All vessels.....	Navy (CMP-4A).
	Private repair yard.....	Naval vessels.....	Navy (CMP-4A).
	Private dockside.....	Naval vessels.....	Navy (CMP-4A).
	Private repair yard.....	Other vessels.....	WPB (CMP-4B).
	Private dockside.....	Other vessels.....	WPB (CMP-4B).

In filing applications on CMP-4B for any product classification, requirements for the manufacture of products to be used for ship repair need not be treated separately but should be included in the manufacturer's application covering the entire product classification.

(c) *Emergencies.* Where a manufacturer of any Class A product or Bureau of Ships' Special Navy Product for use in making ship repairs receives an order for the product which he did not anticipate and which, in point of fact, he did not take into consideration in applying for his allotment, he should apply for necessary supplemental allotments to the same sources mentioned in paragraph (b) above.

(d) *Copies of Bureau of Ships' Special Products List.* Copies of the Bureau of Ships' Special Navy Products List and of the Navy Section Bases authorized to obtain Class A products for ship repair, may be obtained from the Bureau of Ships, (CMP), Washington, D. C.

(e) *Addresses.* Applications filed with the Navy under this direction should be addressed to the Bureau of Ships, (CMP), Navy Department, Washington, D. C. or, in the case of U. S. Coast Guard contracts, to Headquarters, U. S. Coast Guard, Washington, D. C.; those filed with the Navy or Army Repair Yard should be addressed to the Navy or Army Yard involved, and those filed with the War Production Board should be addressed to the War Production Board, Washington, D. C.

(f) *Effective for second quarter and following quarters.* This direction is to be followed in making applications for allotments for the 2d quarter of 1944 and following quarters.

Issued this 29th day of December 1943.

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

[F. R. Doc. 43-20665; Filed, December 29, 1943;
11:52 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-197, as Amended
Dec. 29, 1943]

STEEL SHIPPING DRUMS

§ 3270.15 Limitation Order L-197—

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

Bureau of Ships' Special Navy Products required for ship repairs. The direction applies regardless of whether the repair is capitalized or not. The direction does not cover facilities or equipment which are a part of the plant where the repairs are made, as distinct from products and materials which will be incorporated in the ship. Manufacturers of Class B products other than those included in the Bureau of Ships' Special Navy Product List are not affected by this direction.

(b) *Where to file applications.* The following chart shows where manufacturers of Class A products or Bureau of Ships' Special Navy Products file applications for controlled materials to fill orders received from the following users:

(1) "Drum" means any single-walled cylindrical or bilged container with a capacity of 110 gallons or less (including but not limited to buckets, kits and pails) constructed wholly of steel. It does not include cans, high or low pressure gas steel cylinders, or any container not usable commercially for transporting or storing commodities.

(2) "Used drum" means any drum which has been used for storage or shipping. The affixing of ends or other parts to used drums shall not cause them to be regarded as new drums.

(3) "New drum" means any drum which is not a used drum, except rejects or seconds.

(4) "Reject or second" means any newly manufactured drum which cannot be used for the purpose for which it was intended due to some defect in it.

(5) "Manufacturer" means any person engaged in the business of manufacturing drums or metal parts of drums (other than flanges, plugs or cap seals) for sale to others or for his own use.

(6) "User" means any person who packs a product in drums for storage, sale, or delivery.

Restrictions on Use of Drums

(b) *Restrictions on use.* (1) No person shall use any drum for packing any product which he did not pack in drums before September 14, 1942.

(2) No person shall pack in a drum any product listed without an asterisk in Schedule A.

(3) No person shall pack in a new drum or in a reject or second any product listed with a single asterisk in Schedule A.

(4) No person shall pack in a new drum or a reject or second any product listed with a double asterisk in Schedule A, unless he receives specific authorization to do so by the War Production Board.

(c) *General exceptions.* (1) Nothing in this order shall apply to the use of drums for storage purposes by any person having less than 5 drums in use for all purposes.

(2) The restrictions specified in paragraph (b) of this order shall not apply to:

(i) Drums constructed wholly of heavier than 14 gauge steel;

(ii) Used drums constructed wholly of lighter than 23 gauge steel having a capacity of 25 gallons or more.

(iii) Drums which are used for the sale and delivery of commodities to (a) the Army or Navy of the United States, (b) the Maritime Commission, (c) the Panama Canal, (d) the War Shipping Administration, (e) any agency of the United States Government, for the account of any foreign country, under the provisions of the Act of Congress of March 11, 1941, entitled "An Act to Promote the Defense of the U. S." (Lend-Lease Act), (f) any person receiving a license from the Office of Economic Warfare for the export of any product packed in drums to the extent of the license granted, or (g) such other Governmental agency as the War Production Board may designate:

(iv) Drums which are used for the sale or delivery of commodities which are to be physically incorporated into ships, guns, tanks, military vehicles, aircraft, ammunition, armament, weapons, gun-sighting devices, and camouflage, radio and sound equipment.

(v) Drums used for packing commodities which are required for maintenance, repair or operating supplies for ships.

(vi) Drums, the use of which has been authorized prior to October 2, 1943 pursuant to the granting of an appeal.

Restrictions on Deliveries and Receipts of New Drums and Rejects and Seconds

(d) *Restrictions.* (1) No manufacturer shall sell or deliver any new drum or any metal part (other than flanges, plugs, or cap seals) unless he receives an authorization of the War Production Board provided for in paragraph (f) (1) or unless he receives a certificate manually signed by the purchaser or an authorized official of the purchaser in substantially the form attached hereto as Exhibit A.

(2) No person shall accept delivery of any new drum or any metal part (other than flanges, plugs, or cap seals), unless the delivery has been authorized by the War Production Board.

(3) No manufacturer shall use any new drum or any metal part (other than flanges, plugs, or cap seals), except as specifically authorized by the War Production Board upon application under paragraph (f) (1).

(4) No manufacturer shall use for his own purposes, or sell or deliver to anyone other than the Army, Navy, Maritime Commission or War Shipping Administration, any rejects or seconds in excess of 1/2 of 1% of his monthly production of new steel drums except on authorization of the War Production

Board upon application under paragraph (f) (2).

Restrictions on Sale and Delivery of Used Drums

(e) *Restrictions.* (1) No person shall sell or deliver any empty drum which was packed with an edible product the last time it was used, and which is capable of being reused for the same purpose, if he knows or has reason to believe that it will be used for packing inedible products.

(2) No person shall sell or deliver any empty drum which was packed with a naval store product the last time it was used, and which is capable of being reused for the same purpose, if he knows or has reason to believe that it will be used for packing anything other than naval stores products. Naval stores products as used in this paragraph means those materials which are directly derived from the oleo-resinous secretions of various species of coniferous trees; the term includes resins and liquid terpenes, both crude and refined, special materials derived from these, and such related products as tall oil and pine tars.

Authorization Requests for Drums

(f) *Procedure for obtaining authorizations of the War Production Board.*

(1) The authorization of the War Production Board required by paragraph (b) (4) and subparagraphs (1) and (3) of paragraph (d) may be applied for by the purchaser or user, on Form WPB 3233.

(2) The authorization of the War Production Board for the sale and delivery of rejects or seconds required by paragraph (d) (4) may be applied for:

(i) By the user on Form WPB 3233.

(ii) By the manufacturer when the sale is to a person other than a user by letter setting forth (a) the quantity, size, gauge, and type of closure, (b) if rejected by the purchaser, the name of the purchaser, contract numbers and the reasons for rejection.

(3) The War Production Board may in any particular case waive or request additional information called for by Form WPB 3233, in considering such applications.

(ii) [Deleted Dec. 29, 1943]

Preference Ratings

(g) *Assignment.* The War Production Board may assign a preference rating to each application which has been authorized.

(h) *Use of other ratings.* No rating shall be applied, extended or given effect to obtain delivery of drums or parts except the rating assigned pursuant to paragraph (g) or a rating which has been specifically assigned by the Army, Navy, or Aircraft Resources Control Office for direct purchases by them of drums or parts or ratings on orders covered by authorizations issued by the War Production Board prior to October 23, 1943.

Miscellaneous Provisions

(i) *Violations.* Any person who willfully 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.

(j) *Appeals.* Any appeal from the provisions of paragraphs (b) (1), (2) and (3) of this order shall be filed on Form WPB 3233 in quadruplicate.

NOTE: Paragraph (k), formerly (j), redesignated Dec. 29, 1943.

(k) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C., Ref: L-197.

NOTE: Form WPB 3233 has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of December 1943.

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

EXHIBIT A

NOTE: Exhibit A added Dec. 29, 1943.

The following certificate and no other must be used in accordance with paragraph (d) (1) of this order:

CERTIFICATE

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

Date of authorization under Order L-197
-----; Preference Rating -----

SCHEDULE A

NOTE: Schedule A amended Dec. 29, 1943.

As provided by subparagraphs (2), (3), and (4) of paragraph (b), products listed below without an asterisk may not be packed in any steel drum, products listed below with a single asterisk may not be packed in new drums or in rejects or seconds, and products listed with a double asterisk may not be packed in new drums or in rejects or seconds without specific authorization of the War Production Board.

1. Acid succinic
2. Alcohol, specially denatured (except anhydrous grades and the following formulas: #13A, #19, #20, #32, and #42)
3. Aluminum sulphate
4. Ammonia alum
5. Ammonium bicarbonate
6. Ammonium chloride
7. Ammonium nitrate, dry
8. Ammonium phosphates
- 9.**Asphalt, including mineral filled, cut backs, emulsions and road oils
10. Balsam Copaiba
11. Bath salts
12. Bird seed
13. Boiler compounds, dry

- 14.**Boiler feed water treatment material, liquid
15. Borax
16. Boric acid
17. Calcimine
18. Calcium carbonate
19. Calcium chloride
20. Calcium hydroxide
21. Calcium oxide
22. Calcium phosphates
23. Casein paints, dry
- 24.*Caulking compounds
25. Cement paint, dry
26. Charcoal
27. Citric acid
28. Colors, inorganic, dry
- 29.*Compounds, solid and semi-solid with a melting point of 65° F. or above, used in cooking including mixtures of lard and hydrogenated oils, but not limited to these mixtures
30. Copper oxide
31. Copper sulphate, basic
32. Dairy products
- 33.**Dry dyestuffs
- 34.**Dry lead oxide
35. Fatty acids (having a melting point of higher than 42° C.)
- 36.*Floor wax
- 37.*Floor sealers
38. Flour
39. Food products, cold pack and frozen
- 40.*Formaldehyde
41. Fruit juices
42. Fruits—brine
43. Fruits and peels, glace
44. Furniture polish
- 45.*Fuse Powder, black, sporting powder, "A" blasting powder, and all other potassium nitrate black powder
46. Gelatin
- 47.**Glazing material or putty
48. Glue, dry (animal and vegetable)
- 49.**Greases, animal and vegetable
- 50.**Greases, petroleum, solid and semi-solid (with ASTM penetration of 300 and less)
51. Hexamethylenetetramine
- 52.*Hydrogenated oils with a melting point of 65° F. or above, including but not limited to shortening
53. Indigo paste
- 54.**Inorganic salts, aqueous solutions
55. Jelly, jam and preserves
56. Kraut
- 57.*Lanolin and wool grease
- 58.*Lard
- 59.*Lead oxides in paste
60. Lime
- 61.*Lime sulphur solution
62. Linseed oil meal
63. Lithopone
64. Magnesium chloride 6H₂O
65. Magnesium oxide
66. Marmalade
67. Meats
68. Molasses
- 69.**Oils, animal, fish, marine animal, vegetable (except fish livers, vitamin oils derived from fish or fish livers or grain)
70. Oil, crude petroleum
- 71.**Oils, steam cylinder, both compounded and uncompounded
72. Olives
73. Paints, dry powder, including but not limited to those bound with glue, soya protein casein and cement
- 74.**Paints, oil, oil or resin emulsion or oleoresinous type including but not limited to white lead in oil, colors in oils and oil stain
75. Paints, paste, water type, except resin or oil emulsion type (the vehicle of this type of product shall contain at least 5% water)
76. Paradichlorobenzene
77. Paste, wall paper
- 78.**Paste cutting compounds
- 79.**Paste drawing compounds

- 80.**Paste grinding compound (except abrasive finishing or lapping compound)
81. Patching plaster
82. Pectin
83. *Petrolatum (except for medicinal use)
84. Pickles
85. *Pine tar
- 86.**Pitch or tar including mineral filled, cut backs, emulsions and road oils
87. Potash alum
88. Potassium bicarbonate
89. Potassium carbonate
- 90.**Printing inks
- 91.**Rust preventative
92. Sand
93. Scouring cakes and powder
94. Shellac
95. *Shock absorber fluid
- 96.**Silicate of soda, liquid
97. Silicate of soda, dry ortho silicate, meta silicate, sesqui, or mixture thereof
98. *Soaps, liquid or paste
99. *Soaps, metallic
100. Soap, dry
101. Soda alum
102. Soda ash
103. Sodium aluminate
104. Sodium bicarbonate
105. Sodium bisulfate
106. Sodium chloride
107. *Sodium lactate
108. Sodium metaborate
109. Sodium nitrate
110. Sodium nitrite
111. Sodium perborate
112. Sodium phosphates
113. Sodium sesquicarbonate
114. Starches, dry
115. Sweeping compounds
116. Syrup, corn
117. *Syrup, mixed and unmixed (except corn syrup)
118. *Tallow
- 119.**Turpentine
- 120.**Varnish and varnish stain
121. Vegetables—brine
122. Vinegar
123. Water
124. Wax, except floor wax (listed as item 36) and microcrystalline
- 125.**Wood preservatives
126. Zeolite

[F. R. Doc. 43-20666; Filed, December 29, 1943; 11:52 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-158, Int. 2.]

PRODUCTION OF DECORATIVE HUB CAPS, WHEEL CAPS AND WHEEL TRIM RINGS NOT PERMITTED UNDER ORDER L-158

Limitation Order L-158, as amended November 13, 1943, controls the production and distribution of automotive replacement parts. In paragraph (a) are enumerated various items the production of which is authorized as automotive replacement parts. Only those items so enumerated may be produced.

In paragraph (a) (1) (i), as Item (8), appears the word "wheels". There has been some misunderstanding as to whether "wheels" includes decorative and ornamental hub caps, wheel caps, and wheel trim rings as components so that the production of such items would be permitted.

It should be pointed out that the general purpose of Order L-158 is to provide for the production and distribution of only those replacement parts and the components thereof which are essential to the operation of automotive vehicles,

all of which parts are to be of basic design only. Therefore, in order to clarify the scope of the item "wheels", the following interpretation is hereby issued:

Hub caps, wheel caps and wheel trim rings which serve only as ornamental or decorative items are not considered components of wheels, Item (8), paragraph (a) (1) (i) of Limitation Order L-158, as amended November 13, 1943. Consequently, they may not be produced. However, hub caps which serve as grease retainers are considered components of wheels and may be produced.

Issued this 29th day of December 1943.

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

[F. R. Doc. 43-20667; Filed, December 29, 1943; 11:52 a. m.]

**Subchapter D—Office of the Rubber Director
PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF**

[Rubber Order R-1, Appendix III as Amended Dec. 29, 1943]

Introductory. Appendix III to Rubber Order R-1 as amended is a compilation of supplementary orders and directives of general applicability which affect rubber and rubber products. In the past, these orders and directives have involved principally the conversion of products from crude rubber to synthetics and have been issued individually to the manufacturers of the particular products. The purpose of Appendix III is to issue these directives and miscellaneous supplementary orders in printed form.

The material in Appendix III is arranged in accordance with the following product classifications:

Mechanical goods: Wire and cable; Tires and tubes; Footwear; Heels and soles; Proofing and combining of fabrics; Medical, surgical, dental, drug sundries; and Miscellaneous.

Each of these product classifications has been assigned a section number commencing with § 4600.51. Supplementary orders and directives in each group are designated by letter.

§ 4600.50 **Applicability of Rubber Order R-1.** Supplementary orders and directives which appear in Appendix III shall govern in case of inconsistency with other provisions of Rubber Order R-1. These orders and directives may be incorporated in the Rubber Order from time to time, at the discretion of the War Production Board.

§ 4600.51 **Mechanical goods.** The following supplementary orders and directives are applicable to mechanical goods:

(a) **Vibration dampers.** Rubber Order R-1 incorporates by reference the provisions of conversion directive SA-135 (see Schedule A, Appendix I). The provisions of this directive follow:

No crude rubber or natural latex may be consumed in the manufacture of compression type of mountings or insulations of a Shore Durometer hardness of 40 and above. Crude rubber may, however, be used for bonding cements and for use in tie-gum compounds, which shall not exceed 1/32" thickness.

No crude rubber or natural latex may be consumed in the manufacture of plate or sandwich shear type mountings or insulations. This restriction covers mountings or insulations of a Shore Durometer hardness of 40 and above, and where the temperatures of application are minus 40 and above. Crude rubber may be used for bonding cements and tie-gum compounds, which shall not exceed 1/32" in thickness.

No crude rubber or natural latex may be consumed after January 1, 1944, in the manufacture of tubular shear type mounting or torsional vibration dampers.

(b) **Industrial abrasive implements.** Rubber Order R-1 incorporates by reference conversion directive SA-117 (see Schedule A, Appendix I) specifying mandatory dates for the conversion of industrial abrasive implements. The provisions of this directive follow:

(1) No crude rubber may be consumed in the manufacture of the following items:

Centerless feed wheels.
Snagging wheels, all types.
Centerless grinding wheels.
Wheels for grinding and fluting, drills, taps and dies, both roughing and finishing.
Plate mounted wheels.
Resilient wheels.
Pot balls.
Cam wheels.

(2) Crude rubber may be consumed in the manufacture of the following items, but only until January 1, 1944:

Cut-off wheels.
Race wheels.
Mounted points other than pot balls.
Any abrasive items not listed in (1) above.

(c) **Pipe rings.** After February 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of pipe rings.

(d) **Milking machine inflations.** After February 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of milking machine inflations.

(e) **Rubber lining.** The special exception contained in Amendment No. 2 to Rubber Order R-1 permitting the use of crude rubber or latex in excess of the 10% maximum for individual applications for drums, tanks, pipes and fittings, is hereby limited to individual applications of the following types only:

(1) Repair of existing crude or latex linings; (2) where sharp corners or angles require; (3) for tie gum where vacuum is present; (4) for not more than 1/16" coating or ply over GPS lining to arrest penetration of hydrochloric, hydrofluoric and phosphoric acids.

§ 4600.52 **Wire and cable.** The following supplementary orders and directives are applicable to wire and cable:

(a) **Insulation.** After December 31, 1943, no crude rubber or natural latex may be consumed in the manufacture of insulation for the following:

Wire:	Specification	Type
	71-478.....	W-110-B
	71-726.....	W-124, W-125 and W-128
	CW-1102.....	W-148

(b) *Shipboard cables.* After December 15, 1943, no crude rubber or natural latex may be consumed in the manufacture of, or applied to any type of shipboard cable for merchant or cargo vessels.

(c) *Splicing tape.* After December 15, 1943, no crude rubber may be consumed in the manufacture of splicing tape except as follows: Not exceeding 3 1/2 pounds of crude rubber per 27,000 square inches of splicing tape.

Any manufacturer who is prepared to make the foregoing reduction in the crude rubber content of his splicing tape prior to December 15, 1943, is urged to do so in the interest of rubber conservation.

(d) *X-ray cable.* After February 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of X-ray cable, high voltage, as shown in List 27, Appendix II, under "Commercial Types".

§ 4600.53 *Tires and tubes.* The following supplementary orders and directives are applicable to tires and tubes:

(a) *Airplane tires, 10 plies and up.* Rubber Order R-1 permits the manufacture of airplane tires using ten or more plies in either AA or BB crude rubber construction (whichever is designated opposite each respective size). After December 31, 1943, all airplane tires using ten or more plies (except beaching gear tires) shall be manufactured in accordance with the regulations for S-5 synthetic construction (or S-7 synthetic construction, subject to the approval of the procuring agency) as set forth in Appendix II, List 22, with the following exceptions:

(1) No maximum content crude rubber will be designated.

(2) The tire body for each size in the S-5 synthetic construction shall be of that grade of friction compound designated opposite that size in Appendix II, List 29.

(3) Each size in S-7 synthetic construction shall consume no more crude rubber than would be consumed in an S-5 synthetic construction tire of the same size, ply and tread type.

(b) *Industrial solid tires.* Rubber Order R-1 permits the manufacture of pressed-on industrial solid and industrial tractor solid tires, using crude rubber tread stock of Grade C or better. After December 31, 1943, the consumption of crude rubber in the manufacture of pressed-on industrial solid and industrial tractor solid tires shall be limited to that amount permitted by Appendix II, List 24, subdivision b) (2) (i).

(c) *Fighter type and ice grip airplane tires.* Rubber Order R-1 requires that all four, six and eight ply airplane tires (except beaching gear tires) be manufactured in the S-5 or S-7 synthetic construction. Furthermore, after December 31, 1943, all airplane tires using ten or more plies (except beaching gear tires) must be manufactured in the S-5 or S-7 synthetic construction, as outlined in Appendix III, § 4600.53 (a). However, these provisions shall not apply to fighter type and ice grip airplane tires. All fighter type and ice grip airplane tires shall be

manufactured using natural rubber compounds throughout the tire until further notice; the compound grades to be used shall be B friction and B tread on all sizes except the following which shall be A friction and A tread.

Size	Ply	Type
47.....	12	Smooth contour landing.
51.....	14	Do.
55.....	16	Do.
65.....	18	Do.
65.....	22	Do.
44 x 12.....	14	High pressure special duty.
46 x 13.....	16	Do.
17.00 x 20.....	12	Low pressure landing.
19.00 x 23.....	16	Do.

(d) *Tire repair materials.* For the purposes of List 6, Appendix II, Group 5 of the production pattern shall be deemed to include repair materials in addition to camelback.

§ 4600.54 *Footwear.* All outstanding supplementary orders and directives relating to footwear have been superseded by Rubber Order R-1 as amended December 4, 1943.

§ 4600.55 *Heels and soles.* All outstanding supplementary orders and directives relating to heels and soles have been superseded by Rubber Order R-1 as amended December 4, 1943.

§ 4600.56 *Proofing and combining of fabrics.* All outstanding supplementary orders and directives relating to proofing and combining of fabrics have been superseded by Rubber Order R-1 as amended December 4, 1943.

§ 4600.57 *Medical, surgical, dental, drug sundries.* All outstanding supplementary orders and directives relating to medical, surgical, dental and drug sundries have been superseded by Rubber Order R-1 as amended December 4, 1943.

§ 4600.58 *Miscellaneous.* The following supplementary orders and directives are applicable to miscellaneous rubber products or materials:

(a) *Pressure sensitive tape.* Rubber Order R-1 permits the consumption of general purpose synthetics, reclaimed or scrap rubber in the manufacture of pressure sensitive tape for industrial purposes to fill Government and civilian orders. Schedule A of the order requires certification by the purchaser as to his end use.

(1) Uses which are classified as "industrial" are set forth in the certification.

(2) *Certification.* No person shall deliver or accept delivery of pressure sensitive tape (except high heat resistant and non-corrosive electric tape) unless the person acquiring the same shall certify to the seller and to the War Production Board in substantially the following form signed by an authorized official either manually or as provided in Priorities Regulation No. 7.

The undersigned hereby certifies to-----
 ----- (insert name of seller) and to the War Production Board that the pressure sensitive tape specified in the accompanying purchase order and future purchase orders will not be sold or used by him except for one or more of the following purposes:

1. Repair of transportation facilities.

2. Maintenance and manufacture of industrial and mining equipment.
3. The manufacture of the following products and parts thereof:
 - (a) Aircraft.
 - (b) Armored tanks.
 - (c) Ships.
 - (d) Army transport vehicles.
 - (e) Guns.
 - (f) Small arms.
 - (g) Signalling devices.
 - (h) Precision instruments.
 - (i) Munitions.
 - (j) Electrical equipment.
 - (k) Machine tools.
- (l) Vehicles for common carriers and related transportation facilities.
4. Splicing cotton jacketed cellulose gaskets for sealing drums and paint pails.
5. Production and shipping of photographic and motion picture film and X-ray film.
6. Sealing containers used to maintain sterility or vacuum in the manufacture of medicine and drugs; industrial and wholesale packaging of drugs and chemicals.

Name.....
 By.....
 Address.....
 City.....
 Date.....

Certification in substantially the above form constitutes the approved form of certification required for deliveries of pressure sensitive tape.

The foregoing certification shall not be required for deliveries of pressure sensitive tape to a person who has already filed the certification with his supplier.

Certification of the purchaser may be relied upon by the seller unless the seller knows or has reason to believe that the certification is false.

(3) *Effective date.* Notwithstanding the provisions of Rubber Order R-1 as amended, the foregoing certification requirement shall not become effective until December 15, 1943.

(b) *Inflatable or pneumatic mattresses, cushions and pillows.* Rubber Order R-1 as amended does not permit the consumption of rubber or synthetic rubber in the manufacture of inflatable or pneumatic mattresses, cushions or pillows, to fill civilian orders.

In addition, the consumption of rubber or synthetic rubber in the manufacture of the foregoing products to fill Government orders is hereby prohibited except upon special authorization in writing by the War Production Board. (This supersedes SA-142.)

(c) *Shoe cements.* Notwithstanding the provisions of any quota directive 4-A or 4-B, no crude rubber or natural latex shall be consumed in the manufacture of shoe cements after December 31, 1943 without special authorization.

In order to receive adjustments of quota directives for this purpose, manufacturers should address a letter to the Manager of Allocations, Office of Rubber Director, Washington 25, D. C.

In this connection, it should be noted that Rubber Order R-1 as amended December 4, 1943 permits shoe cements containing crude rubber or natural latex only for shoe repairing after December 31, 1943.

(d) *Shoe cement inventories in hands of shoe manufacturers on January 1, 1944.* Shoe manufacturers who hold in-

ventories of shoe cements which contain crude rubber or natural latex on January 1, 1944 are hereby authorized to use the same for the following permitted shoe manufacturing operations until February 1, 1944:

(1) Cutting and fitting room operations limited to: Folding uppers including French cord binding.

(2) Lasting room operations limited to: Bed, side and semi-automatic toe lasting; stitchdown construction lasting linings to insoles and uppers to midsoles or outsoles.

(3) Bottoming or making room operations limited to: Sole laying as follows—cementing bottoms and outsoles or outsole midsole combinations prior to permanent attachment; prewelt bottom assembly and permanent attachment of platforms and outsoles; McKay outsole channels.

(4) Stock fitting room operations limited to: Cementing welt insole ribs and lips; coating and attaching gem duck to welt innersoles.

(5) Special operations limited to: Joining leather welting.

Shoe manufacturers are hereby granted permission to purchase and sell such cements for use in the foregoing operations prior to February 1, 1944.

Inventories of shoe cements containing crude rubber or natural latex which remain in the hands of any shoe manufacturer on February 1, 1944 shall be reported to the Office of Rubber Director, War Production Board, by letter indicating the amounts of cement by type of operation.

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

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727)

Issued this 29th day of December 1943.

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

[F. R. Doc. 43-20660; Filed, December 29, 1943;
11:52 a. m.]

Chapter XI—Office of Price Administration
PART 1341—CANNED AND PRESERVED FOODS
[MPR 306, Amdt. 23]

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of Amendment No.

¹ 8 F.R. 1114, 1313, 2921, 3853, 4179, 4633, 4840, 6617.

23 to Maximum Price Regulation No. 306 has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 306 is amended in the following respects:

1. Section 1341.553 (a) (10) and (11) are added to read as follows:

Item	Section	Appendix
(10) Concord grape juice.....	1341.583	A
(11) Concord grape pulp.....	1341.583	A

2. Section 1341.583 (j) is added to read as follows:

(j) *Concord grape juice and Concord grape pulp.* (1) The processor's maximum prices per dozen containers or other unit of sale of Concord grape juice and Concord grape pulp, respectively, manufactured from Concord grapes of the 1943 crop, f. o. b. factory, for sales to persons other than government procurement agencies, shall be figured by the processor as follows. He shall:

(i) Determine the weighted average price per dozen containers or other unit of sale of Concord grape juice or Concord grape pulp, respectively, charged by the processor, f. o. b. factory for the same grade, style and container during the period from October 1, 1941 through January 31, 1942. "Weighted average price" means the total gross sales dollars charged for each grade, style and container divided by the number of containers or other units of sale sold of such grade, style and container. All sales contracts made in the regular course of business during the base period (October 1, 1942 through January 31, 1943) shall be included, regardless of the date of delivery, except sales contracts made with the United States. Sales contracts made at times other than during the base period shall not be included even though delivery was during the base period.

(ii) Subtract from the weighted average price figured under (i) the 1941 raw grape cost per dozen containers or other unit of sale. To determine the 1941 raw grape cost per dozen containers or other unit of sale, the processor shall:

(a) Figure the weighted average cost for Concord grapes of the 1941 crop by dividing the total amount paid for Concord grapes of the 1941 crop used in manufacturing the product being priced or by the total number of tons purchased; and

(b) Divide the figure so obtained by the dozen-container yield (for the container size being priced) or other unit of sale yield per ton as was obtained by him for the same item during the period from October 1, 1941, through January 31, 1942. The figure obtained by this division is the 1941 raw grape cost per dozen containers or other unit of sale being priced.

(iii) Add to the difference figured by making the subtraction under (ii) the 1943 raw grape cost per dozen containers or other unit of sale. To determine the

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

1943 raw grape cost per dozen containers or other unit of sale, the processor shall:

(a) Figure the weighted average cost for Concord grapes of the 1943 crop by dividing the total amount paid for not less than the first 75% of his total purchases of Concord grapes of the 1943 crop used in manufacturing the product being priced by the total number of tons so purchased; *Provided*, That in no event shall the 1943 raw grape cost, delivered to the processor's factory or to his customary receiving station, exceed the appropriate amount indicated in the table below:

State:	Maximum cost (per ton)
New York.....	\$85.00
Ohio.....	85.00
Pennsylvania.....	85.00
Michigan.....	75.00
Washington.....	45.00

(b) Divide the figure so obtained by the dozen-container yield (for the container size being priced) or other unit of sale yield per ton as was obtained by him for the same item during the period from October 1, 1941 through January 31, 1942. The figure obtained by this division is the 1943 raw grape cost per dozen containers or other unit of sale being priced.

The resulting figure in (iii) shall be the processor's maximum price per dozen containers or other unit of sale being priced of Concord grape juice or Concord grape pulp, as the case may be, manufactured from Concord grapes of the 1943 crop, f. o. b. factory, for sales to persons other than government procurement agencies.

(2) Where the processor did not pack and sell the same grade, style and container of Concord grape juice or Concord grape pulp, respectively, during the period from October 1, 1941 through January 31, 1942, the maximum price of his closest competitive seller for the same grade and container of Concord grape juice or Concord grape pulp, respectively, manufactured from Concord grapes of the 1943 crop shall be the processor's maximum price.

(3) In the event that a processor cannot establish his maximum price under the provisions of this regulation he shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price under § 1341.563. Separate maximum prices will be authorized for sales to government procurement agencies and all other sales.

Until a maximum price is established, the applicant may deliver the item but he may not receive payment or render an invoice for it.

(4) The processor's maximum prices per dozen containers or other unit of sale of Concord grape juice and Concord grape pulp, respectively, f. o. b. factory, for sales to government procurement agencies, shall be 96% of his maximum prices for sales of the item to persons other than to government procurement agencies as established under subparagraphs (1) and (2).

(5) "Concord grapes" means strains of Concord type grapes of the purple slipskin varieties, including but not lim-

ited to Concord, Cottage, Eaton, Hartford, Hicks, Rockwood, Ives and Worden.

This amendment shall become effective December 28, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-20607; Filed, December 28, 1943; 4:46 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 30,¹ Amdt. 6]

WASTEPAPER

A statement of 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. 30 is amended in the following respects:

1. Section 1347.10 is amended to read as follows:

§ 1347.10 *Records and reports.* (a) Every person who has been required under Revised Price Schedule No. 30 to keep records for inspection by the Office of Price Administration shall preserve such records for so long as the Emergency Price Control Act of 1942 shall remain in effect.

(b) Every person who purchases or sells commercially packed wastepaper, either for his own account, or for the account of another, shall make, and shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 shall remain in effect, complete and accurate records of each purchase or sale of wastepaper by him, whether or not the same be commercially packed, showing the following:

- (1) Date of purchase or sale.
- (2) Name and address of the buyer or seller.
- (3) Grade of wastepaper purchased or sold.
- (4) Quantity of each grade purchased or sold.
- (5) Whether the wastepaper purchased or sold was commercially packed or in other condition.
- (6) Prices or other charges paid or received.
- (7) Warranties, if any, given or received.

Such records shall set forth separately the f. o. b. point of shipment price, the origin and destination of the shipment, the means of transportation used, the amount of the transportation charge, and any other amounts paid or received in connection with such sale.

(c) Every consumer of wastepaper shall in addition to the above make and

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

¹ 7 F.R. 9732; 8 F.R. 3845, 6109, 7350, 7199, 7821, 13049.

keep a complete and accurate record of each shipment of wastepaper delivered to him and of all weighing, inspecting, sorting, sampling, testing or grading operations performed by him or on his behalf with respect to each such shipment. Each record of each shipment required by this paragraph shall show:

- (1) The date of its delivery to the consumer;
- (2) The manner of its delivery, that is, by freight car, truck, or other means of transport;
- (3) The freight car number, vehicle license number or other identification of the vehicle or other means of transportation in or by which delivery is made;
- (4) The total weight of wastepaper and other material contained in the shipment, and the weight of each bale or package comprising the same;
- (5) All facts relating to such shipment which have been ascertained at or after delivery thereof by performing upon such shipment or any portion thereof any weighing, inspecting, sorting, sampling or testing operations. Facts required to be recorded are:

(i) The grade name of each grade of wastepaper found in the shipment or sample;

(ii) The total weight of wastepaper from such shipment which was inspected, sorted, sampled, tested or graded;

(iii) The weight, ascertained by inspecting, sorting, sampling, testing or grading the wastepaper from such shipment upon which such operations or any of them were performed.

(a) Of each grade of wastepaper found in the shipment or sample; and

(b) Of outthrow; the term "outthrow" as shown in such record, and as used herein shall have the meaning given to it by this regulation.

(6) The names of the person or persons responsible for supervising the receiving, weighing, inspecting, sorting, sampling or testing of the wastepaper delivered.

(d) On or before January 15, 1944, every person who sells commercially packed wastepaper shall file with the Office of Price Administration, Washington, D. C., an inventory statement of wastepaper on hand as of December 31, 1943. This inventory statement shall show all wastepaper owned or possessed by him or for his account, and shall be broken down to show the location of all wastepaper covered by it. In the event that any person fails to comply with this requirement, or if the inventory statement filed by him is incorrect or incomplete, in addition to any other penalties prescribed by law, such person must file on or before the 15th day of each month thereafter an inventory statement in the form above specified, which statement shall be as of the last day of the preceding month.

(e) Persons required to keep records and submit reports to the Office of Price Administration shall keep such other records and submit such other reports in addition to or in place of those required in this section as the Office of Price Administration may from time to time require.

2. Appendix A (d) is amended to read as follows:

(d) *Maximum prices for unsorted wastepaper.* The maximum prices for sales of unsorted wastepaper to any person shall not exceed the maximum price prescribed by this regulation for "No. 1 mixed paper", regardless of the grades and quantity of each grade contained in such unsorted wastepaper.

3. The text of Appendix A, paragraph (f) preceding subparagraph (1) is amended to read as follows:

(f) *Invoice requirements.* All sales of commercially packed waste paper shall be invoiced. When delivery of the wastepaper is out of seller's warehouse, the invoice shall accompany the delivery or be mailed to purchaser before the end of the business day following the day upon which the wastepaper is shipped. In all other cases, the invoice shall be mailed before the end of the business day following the day upon which the wastepaper is shipped except that in those cases where seller does not receive the description of the wastepaper from his own supplier within that time, he shall send the invoice to purchaser as soon as he does receive that description. A copy of such invoice shall be kept on file by the seller, and the original shall be kept on file by the purchaser. The invoice shall state as separate items the following data:

This amendment shall become effective January 4, 1944.

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

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-20610; Filed, December 28, 1943; 4:47 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 129,¹ Amdt. 19]

ENVELOPES, ETC.

- Envelopes.
- Paper cups, paper containers and liquid tight containers.
- Sanitary closures and milk bottle caps.
- Drinking straws.
- Certain sulphate and certain sulphite papers.
- Certain tissue papers.
- Rope and jute papers.
- Technical papers.
- Gummed papers.
- Tags, pin tickets and marking machine tickets.
- Glazed and fancy papers.
- Resale book matches.
- Unprinted single weight paper in folds.

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

¹ 7 F.R. 3178, 3242, 3482, 3554, 4176, 4668, 5172, 5780, 5943, 7974, 8939, 8948, 9131, 9724, 10152, 10812; 8 F.R. 1389, 2237, 4635, 11809, 12559.

Maximum Price Regulation No. 129 is amended in the following respects:

1. The words "Cutter box or household rolls" in the title are revoked.
 2. Section 1347.11 (a) (1) is revoked.
 3. Section 1347.22 (a) (10) is revoked.
- This Amendment No. 19 to Maximum Price Regulation No. 129 shall become effective January 4, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of December 1943.
CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-20608; Filed, December 28, 1943;
4:48 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 307,¹ Amdt. 1]

WAXED PAPERS

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. 307 is amended in the following respects:

1. Section 1347.612 (a) (38) is added to read as follows:

(38) "Cutter box or household rolls" refers to rollers of various weights of waxed paper twelve inches in width and of various lengths packed in boxes with a cutter edge of metal or treated board, generally used in wrapping sandwiches or other food stuffs.

2. The headnote of § 1347.621 Appendix G is amended to read as follows:

§ 1347.621 *Appendix G: Manufacturers' maximum prices for sales of miscellaneous waxed papers and cutter box or household rolls.*

3. § 1347.621 Appendix G, paragraph (c) is added to read as follows:

(c) *Adjustment of manufacturers' maximum prices established under paragraph (a) above.* (1) The Price Administrator may adjust the maximum prices established under paragraph (a) above for any commodity in any case in which he finds that the manufacturer suffers substantial hardship which renders him unable to maintain his production of that commodity at that price and that either:

(i) Continuance of the manufacturer's production of that commodity is required to meet a military or essential civilian need, or

(ii) Loss of the manufacturer's production of that commodity will force his customers to resort to higher priced sources of supply, and that no adequate

substitute for that commodity is available at a price equal to or lower than the adjusted maximum price which he requests.

(2) *Amount of relief.* The relief granted under this paragraph (c) shall be limited to the amount necessary to insure the maintenance of the manufacturer's production: *Provided, however,* That where an application is filed under paragraph (c) (1) (ii) above, the manufacturer's maximum price will not be raised above the general level of prices prevailing for alternative sources of supply of the commodity or are adequate substitute therefor.

(3) *Form of application.* Applications for adjustment under this paragraph shall be filed in accordance with Revised Procedural Regulation No. 1,² issued by the Office of Price Administration. No application filed after March 4, 1944, will be granted.

This amendment shall become effective January 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-20609; Filed, December 28, 1943;
4:48 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 319,¹ Amdt. 9]

CERTAIN BAKERY PRODUCTS

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

Section 1351.1903 (c) is amended to read as follows:

(c) The producer shall add together his present cost of ingredients, packaging materials and direct labor as determined under paragraph (a) of this section and his dollar and cents margin or mark up as determined under paragraph (b) of this section, and the resulting figure shall be his maximum price for the producing plant in question per unit of the commodity for sales to ultimate consumers, to which he may add no additional delivery charges: *Provided,* That when a producer sells the same product both to retailers for sales to ultimate consumers and directly to ultimate consumers his maximum price for direct sales of such product to ultimate consumers shall be the same as the maximum price of such retailers for sales to ultimate consumers as provided by § 1351.1904.

This amendment shall become effective January 4, 1944.

¹ 8 F.R. 1808, 2719, 2720, 8846, 7196, 10599, 13339, 15379.

² 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-20611; Filed, December 28, 1943;
4:47 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,¹ Amdt. 91]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

Ration Order 5C is amended in the following respects:

1. Section 1394.8112 is added to read as follows:

§ 1394.8112 *Exchange of certain coupons.* (a) Every consumer who has in his possession or control any Class T-1 or T-2 book coupons issued on Form OPA R-532B or R-533B (book coupons which bear the printed double letters "TT" on the face of each coupon) or one gallon bulk coupons issued on Form OPA R-554A which were issued to him as a ration and which have an expiration date or an earliest renewal date after January 1, 1944, may surrender such coupons to the Board having jurisdiction to renew such ration. If such a ration is surrendered before it has expired and before its earliest renewal date, the Board shall issue to the consumer, in exchange for such coupons, valid ration evidences of any appropriate class having the same expiration date or earliest renewal date as the ration surrendered and having a gallonage value to be determined as follows:

(b) The Board shall review the application on the basis of which the surrendered ration was issued, and issue appropriate ration evidences having a gallonage value only sufficient to provide for the established mileage or gallonage needs of the consumer until the expiration date or earliest renewal date of the surrendered ration, but not in excess of the gallonage value of the coupons surrendered.

2. Section 1394.8152 is amended by substituting for the reference "1394.8153 (c)" the reference "1394.8153."

3. In § 1394.8153 (c) the text preceding subparagraph (1) is amended to read as follows:

On and before December 31, 1943, bulk transfer may be made in exchange for one gallon bulk coupons only as set forth below. After December 31, 1943, no transfer may be made in exchange for any bulk coupon. Bulk transfers may be made in exchange for ration checks only as set forth below:

¹ 8 F.R. 15937, 16250, 16421.

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

¹ 8 F.R. 1389, 2335.

4. Section 1394.8153 (d) is revoked.
5. Section 1394.8206b (a) (11) and (12) are added to read as follows:

(11) After January 20, 1944, any Class T-1 or T-2 book coupon issued on Form OPA R-532B or R-533B (coupons which bear the printed double letters "TT" on the face of each coupon).

(12) After January 20, 1944, any one gallon bulk coupon.

6. Section 1394.8215 (c) is redesignated § 1394.8215 (d) and amended to read as follows:

(d) No Class T coupons issued on Form OPA R-532A or R-533A are valid.

7. Section 1394.8215 (e) is added to read as follows:

(e) (i) Immediately upon the close of business on December 31, 1943 each dealer who has in his possession or control Class T-1 or T-2 book coupons issued on Forms OPA R-532B or 533B (coupons which bear the printed double letters "TT" on the face of each coupon) or one gallon bulk coupons which he acquired before January 1, 1944, in exchange for lawful transfers of gasoline, shall attach each type of such coupons to separate gummed sheets (Form OPA R-120) to which no other coupons are attached. He shall summarize such coupons on a summary form (Form OPA R-541) on which no other coupons are listed. On or before January 10, 1944, each dealer shall surrender such coupons and summaries either to a distributor in exchange for a transfer of gasoline, or to the Board having jurisdiction over the area in which his place of business is located, in exchange for inventory coupons equal in gallonage value to the coupons so surrendered.

(2) After January 10, 1944, no distributor shall accept from any dealer or distributor any Class T-1 or T-2 book coupons issued on Forms OPA R-532B or R-533B (coupons which bear the printed double letter "TT" on the face of each coupon) or one gallon bulk coupons nor shall any distributor make any transfers of gasoline in exchange for such coupons. On or before January 20, 1944, each distributor shall deposit in appropriate ration bank accounts maintained by him any such coupons received by him in exchange for a lawful transfer of gasoline made on or before January 10, 1944.

This amendment shall become effective January 1, 1944.

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

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 597, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 552, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 28th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-20612; Filed, December 28, 1943; 4:47 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Rev. SR 11 to GMPR, Amdt. 42]

DETECTION OF FLAWS IN RAILS

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

Revised Supplementary Regulation 11 to the General Maximum Price Regulation is amended as follows:

Section 1499.46 (b) (138) is added to read as follows:

(138) Detection of flaws in rails by detector cars.

This amendment shall become effective January 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-20615; Filed, December 28, 1943; 4:48 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 40]

HOME PRODUCTION

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 3.2 (j) of Revised Supplementary Regulation No. 1 is amended by deleting the word "Retail."

This amendment shall become effective January 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-20614; Filed, December 28, 1943; 4:46 p. m.]

PART 1429—POULTRY AND EGGS

[MPR 333, Amdt. 20]

EGGS AND EGG 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 333 is amended in the following respects:

1. The first sentence of § 1429.65 (s) (1) is amended to read as follows:

Except as specifically provided herein with respect to sales of procurement

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

¹ 8 F.R. 2488, 3002, 3070, 3735, 5342, 5839, 6182, 6476, 6626, 7457, 9027, 9879, 11381.

grades of eggs by licensed ship suppliers to the operators of ships under the jurisdiction of the War Shipping Administration, the grades, sizes, weight classes, and standards promulgated by the United States Department of Agriculture in the publication entitled "Tentative U. S. Standards and Weight Classes for Consumer Grades for Shell Eggs," or from December 28, 1943 to March 4, 1944, inclusive, the standards and grades promulgated by the Department of Agriculture in the publication entitled "Tentative U. S. Standards and Weights for Wholesale Grades for Shell Eggs" shall be the respective grades, sizes, weight classes and standards for all shell eggs sold to any purchaser other than the United States or any agency thereof.

2. The fourth sentence of § 1429.65 (s) (1) is amended to read as follows:

The grades and standards promulgated by the United States Department of Agriculture in the publication entitled "Tentative U. S. Procurement Grades", or the grades, sizes, weight classes, and standards promulgated by the Department of Agriculture in the publication entitled "Tentative U. S. Standards and Weight Classes for Consumer Grades for Shell Eggs", or from the effective date of this amendment to March 4, 1944, inclusive, the grades and standards promulgated by the Department of Agriculture in the publication entitled "Tentative U. S. Standards and Weights for Wholesale Grades for Shell Eggs" shall be used as the grades, sizes, weight classes and standards for all shell eggs sold to the United States or any agency thereof.

3. The headnote of § 1429.67a is amended to read as follows:

§ 1429.67a *Maximum prices for wholesale grades of shell eggs and "current receipt eggs" sold to a "first receiver" or to any purchaser other than the United States or any agency thereof, a jobber, a large retailer, an independent retailer, retail route seller, or user, or an ultimate consumer from the effective date of this amendment to March 4, 1944, inclusive. ("First receivers" and prior purchasers.)*

4. Section 1429.67a (a) is amended to read as follows:

(a) *Maximum prices in basing point cities and Chicago, Illinois.* The maximum prices for shell eggs of wholesale grades and current receipt eggs sold and delivered from December 28, 1943 to March 4, 1944, inclusive, to a "first receiver" or to any purchaser other than the United States or any agency thereof, a jobber, a large retailer, an independent retailer, retail route seller, a commercial, industrial, institutional or non-federal governmental user, or an ultimate consumer in a basing point city named in the headnote immediately preceding Table I of this section for each week shall be the price per dozen for eggs of the particular wholesale grade, size, prescribed average net weight, and other identification and for current receipt eggs set forth in such Table I of this section and for the week in which deliv-

ered. Such maximum prices in Chicago, Illinois, shall be the maximum prices per dozen for eggs of the particular wholesale grade, size, prescribed average net weight, and other identification and for current receipt eggs and for the week of delivery set forth in Table II of this section.

5. Section 1429.67a (b) is amended to read as follows:

(b) *Maximum prices in "Area 1" except for New York City.* In all places other than New York City within "Area 1" the maximum prices for shell eggs of wholesale grades and for current receipt eggs sold and delivered from December 28, 1943 to March 4, 1944, inclusive, to a first receiver or to any purchaser other than the United States or any agency thereof, a jobber, a large retailer, an independent retailer, retail route seller, a commercial, industrial, institutional, or non-federal governmental user or an ultimate consumer for the week in which delivered shall be the maximum price per dozen for eggs of the particular wholesale grade, size, prescribed average net weight, and other identification and for current receipt eggs set forth in Table II of this section for Chicago, Illinois, plus the "transportation factor."

6. Section 1429.67a (b) (2) is amended to read as follows:

(2) The "multiplier" to be used for calculating the transportation factor for all wholesale grades of shell eggs and for current receipt eggs shall be 1.9 for all weeks from the effective date of this amendment through March 4, 1944.

7. Section 1429.67a (c) is amended to read as follows:

(c) *Maximum prices for wholesale grades and current receipt eggs in "Area 2", except Chicago and basing point cities.* In "Area 2", except Chicago and basing point cities, the maximum prices for shell eggs of wholesale grades and for current receipt eggs sold and delivered from December 28, 1943 to March 4, 1944, inclusive, to a first receiver or to any purchaser other than the United States or any agency thereof, a jobber, a large retailer, an independent retailer, a retail route seller, a commercial, industrial, institutional, or nonfederal government user, or an ultimate consumer at any place shall be determined as follows:

8. Section 1429.67a (e) is amended to read as follows:

(e) *Maximum prices in cents per dozen by weeks for wholesale grades of shell eggs and current receipt eggs for civilian purchasers in the basing point cities of New York, Seattle, Los Angeles, San Diego, Phoenix and Tucson.*

TABLE I.—WHOLESALE GRADES AND CURRENT RECEIPT EGGS FOR PERIOD THROUGH MARCH 4, 1944

Week beginning—	Specials 1 & 2	Specials 3 & 4	Extras 1 & 2	Extras 3 & 4	Standards Nos. 1, 2, 3, and 4 and current receipts
Dec. 27.....	47	46	45	44	43
Jan. 3.....	46	45	44	43	42
10.....	45	44	43	42	41
17.....	45	44	43	42	41
24.....	44	43	42	41	40
30.....	44	43	42	41	40
Feb. 7.....	43	42	41	40	39
14.....	42	41	40	39	38
21.....	41	40	39	38	37
28.....	40	39	38	37	36

9. Section 1429.67a (f) is amended to read as follows:

(f) *Maximum prices in cents per dozen by weeks for wholesale grades of shell eggs and current receipt eggs for civilian purchasers in Chicago, Illinois.*

TABLE II.—WHOLESALE GRADES AND CURRENT RECEIPT EGGS FOR PERIOD THROUGH MARCH 4, 1944

Week beginning—	Specials 1 & 2	Specials 3 & 4	Extras 1 & 2	Extras 3 & 4	Standards Nos. 1, 2, 3, and 4 and current receipts
Dec. 27.....	45.4	44.4	43.4	42.4	41.4
Jan. 3.....	44.4	43.4	42.4	41.4	40.4
10.....	43.4	42.4	41.4	40.4	39.4
17.....	43.4	42.4	41.4	40.4	39.4
24.....	42.4	41.4	40.4	39.4	38.4
30.....	42.4	41.4	40.4	39.4	38.4
Feb. 7.....	41.4	40.4	39.4	38.4	37.4
14.....	40.4	39.4	38.4	37.4	36.4
21.....	39.4	38.4	37.4	36.4	35.4
28.....	38.4	37.4	36.4	35.4	34.4

10. Section 1429.69 (g) is amended to read as follows:

(g) *Maximum prices for wholesale grades of eggs sold and delivered to the United States or any agency thereof.* The maximum prices for shell eggs of wholesale grades sold and delivered to the United States or any agency thereof shall be the same as the maximum prices for the particular wholesale grade and size or average net weight when sold and delivered to a first receiver as provided in the preceding § 1429.67a.

11. Section 1429.69 (h) is amended to read as follows:

(h) *Maximum prices for wholesale grades of shell eggs sold to the United States or any agency thereof f. o. b. seller's shipping point.* The maximum prices for wholesale grades of shell eggs sold to the United States or any agency thereof f. o. b. seller's shipping point in "Area 1" or in "Area 2" shall be the maximum prices for any place in which the seller's shipping point is located determined as provided in the next preceding section.

12. Sections 1429.69 (i), (j), (k) and (l) are hereby revoked.

This amendment shall be effective December 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 28th day of December 1943.

CHESTER BOWLES,
Administrator.

Approved: December 24, 1943.

ASHLEY SELLERS,
War Food Administrator.

[F. R. Doc. 43-20613; Filed, December 28, 1943; 4:46 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 42]

FOOD RATIONING FOR INSTITUTIONAL USERS

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

General Ration Order No. 5 is amended in the following respects:

1. Section 5.5 is added to read as follows:

SEC. 5.5 *Supplement to OPA Form R-1307.* (a) Between January 1 and January 15, 1944 each institutional user must file, for each establishment or group of establishments in Group II and III, a supplement to his original registration (OPA Form R-1307). Two copies of this supplement must be completed and signed by the institutional user or his authorized agent, and filed with the Board on OPA Form R-1307 Supplement. (A third copy must be retained at his establishment or principal office at all times.) The supplement must show:

(1) The type of establishment;

(2) The total number of persons served during December 1942. (This figure may not be larger than Item 8 of the institutional user's registration on OPA Form R-1307, or on his amended registration, if he has filed one);

(3) The number of persons to whom "refreshments only" were served during December 1942;

(4) The number of persons served food during December 1942;

(5) The amount of sugar, processed foods and foods covered by Ration Order 16 used during December 1942, for services of refreshments only.

For establishments in Group III, the supplement must also show:

(6) Gross dollar revenue during December 1942 derived from services of food and of refreshments only (other than alcoholic beverages). (This figure may not be larger than Item 9 of the institutional user's registration on OPA Form R-1307, or on his amended registration, if he has filed one);

(7) Gross dollar revenue derived from services of refreshments only (other than

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

18 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 13920, 14472.

alcoholic beverages) during December 1942;

(8) Gross dollar revenue in December 1942 derived from food services;

(9) The information called for by the form with respect to the institutional user's baking operations, if any.

NOTE: In giving the information specified in paragraphs (3), (4), (5), (7) and (8) above, the institutional user may give his best estimate if he does not have records, and indicate that the figures given are estimates.

(b) "Refreshments" means all items commonly known as such, and includes, but is not limited to, all beverages (such as alcoholic and carbonated beverages, fruit and vegetable juices, non-carbonated water beverages (such as orangeade, lemonade, etc.), milk, milk drinks (such as malted milk, milk shakes and chocolate floats), tea, cocoa, coffee, coffee substitutes, hot chocolate and ice cream sodas). The term also includes items such as ice cream dishes of all kinds, ice cream cones, sherbets, snowballs, popcorn, potato chips, peanuts, candy and pretzels.

(c) A service is considered to be a service of a refreshment only, if the refreshment, or a mixture or combination of refreshments, is served to a person to whom nothing else is served. It is also considered a service of a refreshment only, even if some incidental item is also served (such as service of crackers with hot chocolate), if no separate charge is customarily made for that incidental item when served with a refreshment.

(d) All services, other than services of refreshments only, are considered to be services of food.

2. Section 5.6 is added to read as follows:

Sec. 5.6 *Reserve allotments for Group II and III Institutional Users.* (a) On February 15, 1944, reserve allotments shall be granted to all Group II and III institutional users.

(b) The reserve allotment for each rationed food for Group II and III institutional users will be equal to twenty-five percent (25%) of his regular allotment of that food for the sixth allotment period. (Beginning on March 1, 1944, applications for regular allotments will be made during the first fifteen (15) days of each allotment period. Therefore, institutional users will need a reserve of rationed foods which they can use during the first fifteen (15) days of each allotment period until the Board grants their allotments for that period. The reserve allotment will be granted only once. It should not be used for any other purpose since it will be needed during the first fifteen (15) days of each period.)

(c) A seasonal user who does not operate during the sixth allotment period shall be granted his reserve allotments when he applies for allotments for the period in which he will resume operations.

3. Section 18.2 is revoked and the following section 18.2 is substituted:

Sec. 18.2 *Records required.* (a) Beginning on January 1, 1944, every Group

II institutional user shall keep a record for each establishment or group of establishments, showing by calendar months:

(1) The total number of persons served;

(2) The number of persons to whom refreshments only were served.

(b) Beginning on January 1, 1944, every Group III institutional user must keep a record for each establishment or group of establishments, on which he enters daily:

(1) The total number of persons served;

(2) The number of persons to whom refreshments only were served;

(3) The number of persons to whom food was served;

(4) The gross dollar revenue derived from services of food and of refreshments only (other than alcoholic beverages);

(5) The gross dollar revenue derived from the service of refreshments only (other than alcoholic beverages);

(6) The gross dollar revenue derived from the service of food.

NOTE: OPA Form R-1311 may be used for keeping this record.

(c) If, because of the nature of his operations, it is an undue hardship for a Group III institutional user to keep records, in accordance with this section, of the actual number of persons served and dollar revenue received, he may file with the Board a petition for relief on OPA Form R-315. He must state in his petition his method of keeping records of cash receipts (such as punch checks, written checks, cash register, etc.), the reason why it would be a hardship in his type of operation to keep the required records, and the method, other than a complete count, he can use for determining the required information. The Board shall not act upon the petition but shall forward it to the District Office. If the District Office finds that it is an undue hardship for the institutional user to keep the records required by this section, and if it approves of the method he can use for determining the required information, it may authorize him to use that method and to keep such records as it may prescribe in place of the records required by this section.

This amendment shall become effective January 1, 1944.

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

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 29th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-20656; Filed, December 29, 1943; 11:23 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[G. O. 40]

PART 304—LABOR

MEDICAL EXAMINATIONS FOR CREWS OF WAR SHIPPING ADMINISTRATION VESSELS

§ 304.41 *Purpose and scope of medical examination program.* (a) In order to safeguard the health of crew members and troops, and the safety and efficiency of the vessel itself, there is instituted the practice of requiring regular annual, as well as signing-on medical examinations and the basic immunizations of all licensed and unlicensed personnel employed on all American, Honduran, and Panamanian flag vessels owned by or under bareboat charter of the War Shipping Administration.

(b) Experienced seamen shall not be disqualified for age or disabilities due to age and occupational wear and tear. The purpose of the program is protection to others and remedial action for those needing it, the hospital facilities of the United States Public Health Service and the rehabilitation program of the Federal Security Agency being already available for seamen requiring such services.

(c) Nothing in this order is applicable to medical programs of shipping companies which already have such programs in operation. This general order (§§ 304.41 through 304.49) is applicable only to facilities and programs of the United States Public Health Service and the War Shipping Administration which either are available or will be made available to carry out the purposes of this order (§§ 304.41 through 304.49).

§ 304.42 *Supervision and control of examination in accordance with Administrative Order.* In accordance with Administrative Order No. 51, medical examinations shall be under the guidance and control of the Medical Director of the War Shipping Administration, who shall be an officer of the United States Public Health Service detailed for the purpose by the Surgeon General of that Service. The Medical Director will be represented in each port by a Port Medical Representative, who, at ports where the Public Health Service maintains a First or Second Class Relief Station, shall be the medical officer in charge of the Public Health Service Relief Station at that port. The port medical representatives shall have supervisory charge of these examinations in their respective ports.

§ 304.43 *Signing-on examinations, immunizations, and annual examinations.* The signing-on examinations are designed to discover cases of tuberculosis, venereal disease, communicable and infectious diseases, epilepsy, insanity, and acute surgical conditions. Special immunizations shall be arranged for when vessels are proceeding into pestilence areas. Annual physical examinations, providing the basis of individual treatment and cure, shall be instituted as rapidly as facilities permit.

§ 304.44 *Designation of ports and organizations for carrying out examination program.* Examinations will be instituted at each port where maritime activity justifies it on the effective date of this General Order (§§ 304.41 through 304.49), or as soon thereafter as possible. Instructions will be issued setting forth the organization which will be available in each port for carrying out these examinations and immunizations and the procedures to be followed.

§ 304.45 *Standards for medical examinations.* Standards for medical examinations shall be set by the Medical Director of the War Shipping Administration, under the requirements and with the approval of the United States Public Health Service.

§ 304.46 *Information to be furnished examinee.* Each examinee, if he so desires, shall be fully advised orally regarding the facts disclosed by his examination. If he further desires a written statement, it shall be furnished to him in conformance with established regulations and practices of the United States Public Health Service.

§ 304.47 *Seamen's appeals.* If a seaman who has failed to pass a medical examination questions the correctness of the decision, he may appeal in accordance with the provisions of his collective bargaining agreement. If the seaman's collective bargaining agreement contains no specific provision relative to physical condition, or no collective bargaining agreement exists, the dispute shall be settled by a doctor satisfactory to both parties. If such an arrangement is impracticable, the case shall be decided by the Public Health Service officer who has been appointed as Port Medical Representative. A seaman if rejected may appeal the decision to the Medical Director, representing the United States Public Health Service and the War Shipping Administration, whose decision shall be final.

§ 304.48 *Report of examinations.* All reports of signing-on medical examinations are to be made on a form approved by the Medical Director of the War Shipping Administration. A report of each medical examination shall be retained by the examining medical officer; a copy shall also be forwarded to the Medical Director of the War Shipping Administration as he requires. Reports of physical examinations shall be treated as confidential in accordance with the regulations of the United States Public Health Service.

§ 304.49 *Effective date.* The effective date of this order is January 1, 1944.

(E.O. 9054, 7 F.R. 837)

[SEAL]

E. S. LAND,
Administrator.

DECEMBER 28, 1943.

[F. R. Doc. 43-20597; Filed, December 28, 1943; 8:47 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 170]

PART 97—ROUTING OF TRAFFIC

REROUTING OF FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of December A. D. 1943.

It appearing, that in order to prevent and relieve congestion of traffic and to increase the supply of cars on the Baltimore and Ohio Railroad in the vicinity of Baltimore, Md.; in the opinion of the Commission an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people.

It is ordered, That:

§ 97.9 (a) *Rerouting of empty and loaded freight cars.* Irrespective of shippers or carriers routing, (1) the Reading Company is hereby directed to reroute or divert to The Baltimore and Ohio Railroad Company by way of the Western Maryland Railway Company and Cherry Run, West Virginia, not less than 125 cars per day (total loads and empties, preferably loads) destined to points west of Cherry Run and normally interchanged with The Baltimore and Ohio Railroad Company at Philadelphia, Pennsylvania (Park Junction, Pennsylvania), (2) The Baltimore and Ohio Railroad Company is hereby directed to reroute or divert to the Reading Company by way of Cherry Run, West Virginia, and the Western Maryland Railway Company not less than 200 cars per day (total loads and empties, preferably loads) destined to points beyond Philadelphia, Pennsylvania (Park Junction, Pennsylvania) and normally interchanged with the Reading Company at Philadelphia, Pennsylvania (Park Junction, Pennsylvania).

(b) *Car service rules suspended.* All rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded only as conflicting with the directions hereby made.

(c) *Rates to be applied.* Inasmuch as the routing of traffic pursuant to this order is deemed to be due to carriers' disability, the rates applicable to traffic routed pursuant to this order shall be the same as would have applied had the shipments moved as originally routed.

(d) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed without reference to contracts, agreements, or arrangements now existing between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon

by and between said carriers; and upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances, and to increase or decrease the total number of loads and empties to be rerouted or diverted under paragraph (a) of this section.

(40 Stat. 101, Sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 54 Stat. 911; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., December 29, 1943, that copies of this order and direction shall be served upon the Reading Company, The Baltimore and Ohio Railroad Company, and the Western Maryland Railway Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 43-20658; Filed, December 29, 1943; 11:34 a. m.]

Notices

WAR DEPARTMENT.

[General Order 1]

WAR DEPARTMENT OPERATION OF RAILROADS

1. *Announcement of authority.* Certain of the power and authority vested in the Secretary of War by Executive Order No. 9412 dated 27 December 1943, (8 F.R. 17395) whereby possession and control of certain common carriers by railroad described therein is taken and assumed, has been duly delegated by the Secretary of War to the undersigned as Commanding General, Army Service Forces, with power of successive redelegation.

2. *Exclusion of certain properties from taking.* The provisions of Executive Order No. 9412 are not construed by the Secretary of War as taking possession or assuming control of non-transportation property, facilities or assets of carriers whose transportation systems were taken over by that order. The Secretary of War has determined that possession,

control or operation by the United States of such properties are not required to prevent interruption of transportation service and that to the extent that any such properties or assets were included within the general language of taking in the Executive order, possession and control thereof are hereby relinquished and terminated.

3. *Delegation of authority.* All power and authority delegated to the Commanding General, Army Service Forces, by the Secretary of War pursuant to Executive Order No. 9412 is hereby delegated to the Chief of Transportation, Army Service Forces, who is designated as the War Department representative to do all things required or authorized to be done or performed by the Secretary of War under the Executive order. While retaining general executive administration and supervision of the terms of the Executive order and of the operation of the carriers affected thereby, the Chief of Transportation, Army Service Forces, may redelegate such power and authority to such officers, civilian officials of the War Department, or public or private instrumentalities or persons as may be necessary or appropriate upon such terms and conditions as he may direct.

4. *Regional administration.* In order to effectuate the purposes of the Executive order and to provide for the orderly administration, supervision, and direction of the carriers in accordance with the terms thereof, there are hereby created and established seven regions, to embrace and include all lines, properties, facilities, and appurtenances of the respective carriers named in Appendix A hereto. At the head of each such region there shall be a Regional Director, War Department Operation of Railroads, whose name, principal office address, and telephone number are also designated in Appendix A hereto, who shall be responsible to and report directly to the Chief of Transportation, Army Service Forces.

5. *Operation of carriers by existing management.* (a) The Secretary of War has directed that control of the operations of the carriers will be exercised by the Government to the full extent necessary to maintain continuous and uninterrupted transportation service. Wherever the cooperation of the carrier and its personnel is assured, the existing management and organization of the carrier will be utilized, and the carrier will continue operations in the usual and orderly course of business, as a going enterprise, in its own name, and by means of any agencies or instrumentalities now employed by the carrier, as fully as if possession and control had not been assumed by the Government, subject, however, to the terms of the Executive order and to all general and special orders, rules and regulations issued thereunder. Where the prompt and effective cooperation of the management and organization of the carrier is not assured, appropriate action will be taken under the terms of the Executive order. No action taken by the owners or managements of the carriers in response to the Government's request for cooperation, and nothing done or suffered under

the Executive order shall be deemed in any way to waive or impair the rights of the companies or stockholders or of bondholders, creditors and other persons having interests in the properties taken or in the profits from their operation to claim just and adequate compensation for the use, control and operation of the properties by the United States.

(b) Chief executive officers of the carriers will report directly to the Regional Director to whose region their carriers are assigned for administration in Appendix A.

(c) The accounts of the carriers will continue to be kept in the manner prescribed by the Interstate Commerce Commission. For convenience in accounting, the books of the carriers shall be closed as of midnight, 31 December 1943. Until otherwise directed for the purposes of accounting the books as to the possession and control by the United States shall be opened as of January 1, 1944.

(d) All personnel of the carriers, both officers and employees, are called upon by the Executive order, by the Secretary of War, and by this order to serve the Government of the United States, by continuing to perform their usual duties, but nothing in the Executive order or this order shall be construed as authorizing or requiring application to such personnel of the statutes relating to Federal employment.

6. *Employment, wages and working conditions.* The Secretary of War has directed that (a) subject to the terms of the Executive order, wage scales and working conditions in effect on the effective date of the Executive order will be maintained, and full recognition will be given to the rights of the employees and all classes thereof, and (b) all deductions for the benefit of employees now being made by law or agreement, including insurance payments, Railroad Retirement and Unemployment Compensation deductions, and other deductions of every kind, and all arrangements governing the payment of wages, including war bond purchase plans, shall be continued, subject to any legal right of discontinuance.

7. *Suits, attachments and garnishments permitted until further order.* Pursuant to direction of the Secretary of War and by his express consent, carriers will remain subject to suit as heretofore and to the levy of attachments by mesne process, garnishment, execution or otherwise, on or against the property and assets of the carriers, but no receivership, reorganization or similar proceeding affecting any carrier taken under the Executive order shall be instituted without the prior written consent of the Chief of Transportation, Army Service Forces. Nothing herein shall be deemed to require approval of any action authorized or required by any interlocutory or final decree of any United States court in reorganization proceedings now pending under the Bankruptcy Act or in equity receivership cases now pending.

Headquarters, Army Service Forces, 27 December 1943.

BREHON SOMERVELL,
Lieutenant General, Commanding.

APPENDIX A

LIST OF REGIONAL DIRECTORS

Region and Regional Director

Eastern: Colonel Frederick E. Williamson, Transportation Corps, 230 Park Avenue, New York 17, N. Y. Telephone, Murray Hill 9-8000.

Allegheny: Colonel R. B. White, Transportation Corps, Baltimore & Ohio Building, Baltimore & Charles Streets, Baltimore, Md. Telephone, Plaza 0400.

Pocahontas: Colonel William J. Jenks, Transportation Corps, Roanoke 17, Va. Telephone, Roanoke 6611.

Southeastern: Colonel Ernest E. Norris, Transportation Corps, Southern Railway Building, Washington 6, D. C. Telephone, National 4460.

Central Western: Colonel Ralph Budd, Transportation Corps, 547 West Jackson Boulevard, Chicago 6, Ill. Telephone, Wash-bash 2345.

Northwestern: Colonel Charles E. Denney, Transportation Corps, 176 East 5th Street, St. Paul 1, Minn. Telephone, Cedar 7773.

Southwestern: Colonel Lewis W. Baldwin, Transportation Corps, Missouri Pacific Building, St. Louis 3, Mo. Telephone, Main 1000.

ASSIGNMENT OF RAILROADS BY REGIONS UNDER ARMY PLAN FOR CONTROL OF RAILROAD OPERATION PURSUANT TO EXECUTIVE ORDER 9412

EASTERN REGION

The Ann Arbor Railroad Company; N. B. Pitcairn, Pres.; St. Louis, Mo. Manistique and Lake Superior Railroad Company; N. B. Pitcairn, Pres.; St. Louis, Mo. The Toledo, Angola & Western Railway Company; J. B. John, Pres.; Cleveland, Ohio.

Bangor & Aroostook Railroad Company; Wingate F. Cram, Pres.; Bangor, Maine. Aroostook Valley Railroad Company; A. R. Gould, Pres.; Presque Isle, Maine.

Boston and Maine Railroad; E. S. French, Pres.; Boston, Mass. Barre and Chelsea Railroad Company; H. L. Skeels, Pres.; Montpelier, Vt. Boston Terminal Company; A. J. Mignault, Supt.; Boston, Mass. Hoosac Tunnel and Wilmington Railroad Company; J. A. Long, V. P.; Readsboro, Vt. Montpelier and Wells River Railroad; H. L. Skeels, Pres.; Montpelier, Vt. Portland Terminal Company; E. S. French, Pres.; Portland, Maine. Springfield Terminal Railway Company (Vermont); E. S. French, Pres.; Springfield, Vt. Suncook Valley Railroad; Edmond J. Stapleton, G. M.; Concord, N. H.

Canadian National Lines in New England; R. C. Vaughan, Pres.; Montreal, Quebec. Note: Part of Canadian National Railways, covers operations of: Atlantic & St. Lawrence Railroad, Lewiston & Auburn Railroad, and Norway Branch Railroad.

Canadian Pacific Lines in Vermont; D. C. Coleman, Pres.; Montreal, Quebec. Note: Part of Canadian Pacific Railway Company, covers operations of Newport & Richford Railroad and Connecticut & Passumpsic Rivers Railroad.

Canadian Pacific Lines in Maine; D. C. Coleman, Pres.; Montreal, Quebec. Note: Part of Canadian Pacific Railway Company, covers operations of Aroostook River Railroad, Houlton Branch Railroad, and International Railway Company of Maine.

Central Vermont Railway, Inc.; H. A. Carson, G. M.; St. Albans, Vt.

Chicago, Indianapolis and Louisville Railway Company; L. F. DeRamus, Trustee; Chicago, Ill.

The Delaware and Hudson Railroad Corporation; J. H. Nuelle, Pres.; New York, N. Y. Greenwich & Johnsonville Railway Company; J. H. Nuelle, Pres.; New York, N. Y. Lake Champlain and Moriah Rail Road Company; E. J. Greenwood, Supt.; Port Henry, N. Y. Southern New York Railway, Incorporated; H. E. Salzberg, Pres.; New York, N. Y.

The Delaware, Lackawanna and Western Railroad Company; William White, Pres.; New York, N. Y. The Dansville and Mount Morris Railroad Company; F. A. Hart, Vice Pres.; Dansville, N. Y. Genesee and Wyoming Railroad Company; E. L. Fuller, Pres.; Scranton, Pa. Morristown & Erie Railroad Company; R. W. McEwan, Jr., Pres.; Whippany, N. J. Northampton and Bath Railroad Company; A. P. Tidabock, Pres.; Northampton, Pa. Rahway Valley Company (Rahway Valley Company, Lessee); George R. Clark, Pres.; Kenilworth, N. J. Unadilla Valley Railway Company; H. E. Salzberg, Pres.; New York, N. Y. West Pittston-Exeter Railroad Company; C. F. Nagle, Pres.; Scranton, Pa.

Detroit and Mackinac Railway Company; C. A. Pinkerton, Pres.; Tawas City, Mich.

The Detroit and Toledo Shore Line Railroad Company; W. J. Hogan, Pres.; Detroit, Mich.

Detroit, Toledo and Ironton Railroad Company; S. P. Ruddiman, Pres.; Dearborn, Mich. Delray Connecting Railroad Company; George J. Mobley, Pres.; Detroit, Mich. The Ohio & Morenci Railroad Company; S. W. Summer, Pres.; Columbus, Ohio. Wyandotte Southern Railroad Company; W. D. LeBar, Gen. Supt.; Wyandotte, Mich. Wyandotte Terminal Railroad Company; Edward Edson, Pres.; Wyandotte, Mich.

Erie Railroad Company; R. E. Woodruff, Pres.; Cleveland, Ohio. Bath and Hammondsport Railroad Company; D. W. Putnam, Pres.; Hammondsport, N. Y. Hoboken Manufacturers Railroad Company; Graham M. Brush, Pres.; New York, N. Y. International Railway Company; B. J. Yuangbluth, Pres.; Buffalo, N. Y. Jamestown, Westfield and Northwestern Railroad Company; H. E. Salzberg, Pres.; New York, N. Y. The New Jersey and New York Railroad Company (Peter Duryee, Trustee); Peter Duryee, Trustee, New York, N. Y. Prattsburgh Railway Corporation; Louis B. Allis, Pres.; Pittsburgh, N. Y. The Winona Railroad Company; T. C. Frazer, Pres.; Warsaw, Ind.

Grand Trunk Western Railroad Company; R. C. Vaughan, Pres.; Montreal, Quebec; W. J. Hogan, G. M.; Detroit, Mich. (Including Cincinnati, Saginaw and Mackinaw Railroad Company, Muskegon Railway and Navigation Company.) St. Clair Tunnel Company; R. C. Vaughan, Pres.; Montreal, Quebec; Indiana Northern Railway Company; Cal Sivright, Pres.; Chicago, Ill.; Port Huron and Detroit Railroad Company; J. E. Duffy, Pres.; Port Huron, Mich.

The Lehigh and Hudson River Railway Company; Albert Shaw, Pres.; Warwick, N. Y. Lehigh and New England Railroad Company; W. H. Edwards, V. P.; Bethlehem, Pa.

Lehigh Valley Railroad Company; R. W. Brown, Pres.; New York, N. Y. The Buffalo Creek Railroad Company; W. W. Sporleder, Supt.; Buffalo, N. Y. East Jersey Railroad and Terminal Company; R. W. Kress, Pres.; New York, N. Y. The Ironton Railroad Company; R. W. Brown, Pres.; New York, N. Y.

Maine Central Railroad Company; Edward S. French, Pres.; Portland, Maine. Belfast and Moosehead Lake Railroad Company; C. A. Paul, Pres.; Belfast, Maine. The St. Johnsbury and Lake Champlain Railroad Company; H. L. Skeels, Pres.; Montpelier, Vt.

Merchants Dispatch Transportation Corporation; C. M. Wynns, Pres.; Chicago, Ill.

The Monongahela Railway Company; E. W. Smith, Pres.; Pittsburgh, Pa.

Montour Railroad Company; H. J. German, Pres.; Pittsburgh, Pa. The Pittsburgh, Lisbon and Western Railroad Company; G. C. Harper, Pres.; Lisbon, Ohio. The Youngstown and Suburban Railway Company; G. C. Harper, Pres.; Youngstown, Ohio.

The New York Central Railroad Company; F. E. Williamson, Pres.; New York, N. Y. Boston and Albany Railroad (The New York Central Railroad Company, Lessee). Chicago Junction Railway (The Chicago River and Indiana Railroad Company, Lessee). The Chi-

cago River and Indiana Railroad Company. The Cleveland, Cincinnati, Chicago and St. Louis Railway Company (The New York Central Railroad Company, Lessee). The Federal Valley Railroad Company. Indiana Harbor Belt Railroad Company. The Lake Erie and Eastern Railroad Company. The Pittsburgh and Lake Erie Railroad Company. Algiers, Winslow and Western Railway Company; P. F. Goodrich, Pres.; Indianapolis, Ind. Allquippa and Southern Railroad Company; J. N. Wilson, Pres.; Pittsburgh, Pa. Campbell's Creek Company; Irvin Davis, Pres.; Cincinnati, Ohio. Chicago and Calumet River Railroad Company; E. J. Doe, V. P.; Hegewisch, Ill. Cleveland Union Terminal Company; F. E. Williamson, Pres.; New York, N. Y. Detroit Caro and Sandusky Railway Company; John R. Gray, Pres.; Chicago, Ill. Detroit Terminal Railroad Company; J. L. McKee, Pres.; Detroit, Mich. East Erie Commercial Railroad; G. W. Dean, Pres.; Erie, Pa. The Fairport, Painesville and Eastern Railroad Company; J. P. White, Pres.; Painesville, Ohio. Fonda, Johnstown and Gloversville Railroad Company (Judson Zimmer, Trustee); Judson Zimmer, Trustee; Gloversville, N. Y. Grasse River Railroad Corporation; W. Clyde Sykes, Pres.; Conifer, N. Y. Kelley's Creek and Northwestern Railroad Company; Harry T. Ewig, Pres.; Cleveland, Ohio. Kelley's Creek Railroad Company; J. A. Jess, Pres.; Charleston, W. Va. The Lakeside and Marblehead Railroad Company; H. T. Clark, Pres.; Cleveland, Ohio. The Lorain and Southern Railroad Company; W. A. C. Smith, Pres.; Cleveland, Ohio. The Lowville and Beaver River Railroad; Fay L. Parker, Pres.; Lowville, N. Y. The Marcellus and Otisco Company Inc.; A. V. Smith, Pres.; Marcellus, N. Y. The Massena Terminal Railroad Company; Andrew J. Hammer, V. P.; Massena, N. Y. Norwood & St. Lawrence Railroad Company; J. A. Quinlan, Pres.; New York, N. Y. The Ohio Public Service Company; T. O. Kennedy, Pres.; Cleveland, Ohio. Pittsburgh, Allegheny & McKees Rocks Railroad Company; H. R. Elliott, Pres.; McKees Rocks, Pa. Pittsburgh and Ohio Valley Railway Company; Ross I. Davis, Pres.; Pittsburgh, Pa. Pittsburgh, Chartiers & Youghiogheny Railway Company; C. M. Yohe, Pres.; Pittsburgh, Pa. Skaneateles Short Line Railroad Corporation; A. H. Holder, GM; Skaneateles, N. Y.

The New York, Chicago and St. Louis Railroad; J. W. Davin, Pres.; Cleveland, Ohio. The Lake Terminal Railroad Company; J. M. Morris, Pres.; Pittsburgh, Pa. Muncie and Western Railroad Company; F. C. Ball, Pres.; Muncie, Ind.

The New York, New Haven and Hartford Railroad Company; Howard S. Palmer, Trustee; New Haven, Conn. Fore River Railroad Corporation; T. J. Donlin, V. P.; Quincy, Mass. Grafton and Upton Railroad Company; B. H. Bristow Draper, Pres.; Hopedale, Mass. Moshassuck Valley Railroad Company; Ethelbert Harman; Saylesville, R. I. The Narragansett Pier Railroad Company; I. P. Hazard, Pres.; Peace Dale, R. I. The New York Connecting Railroad Company; E. G. Buckland, Pres.; New Haven, Conn. Union Freight Railroad Company (Boston, Mass.); A. P. Russell, Pres.; Boston, Mass. Wood River Branch Railroad Company; Roy Rawlings, Pres.; Hope Valley, R. I.

New York Ontario and Western Railway Company (Frederick E. Lyford, Trustee); Frederick E. Lyford, Trustee; New York, N. Y. Middletown and Unionville Railroad Company; R. C. Taylor, V. P.; Middletown, N. Y.

New York, Susquehanna and Western Railroad Company; Henry K. Norton, Trustee; New York, N. Y.

Northern Refrigerator Line Inc.; C. M. Wynns, Pres.; Chicago, Ill.

Pere Marquette Railway Company; R. J. Bowman, Pres.; Detroit, Mich. East Jordan & Southern Railroad; H. P. Porter, Pres.; East Jordan, Mich. Fort Street Union Depot

Company; R. J. Bowman, Pres.; Detroit, Mich. Ludington & Northern Railway; Roy S. Vincent, Sec. and Treas.; Manistee, Mich. Manistee and Northeastern Railway Company; P. P. Schnorbach, Pres.; Manistee, Mich. Union Belt of Detroit; R. J. Bowman, Pres.; Detroit, Mich.

The Pittsburg & Shawmut Railroad Company; E. J. Halberg, Pres.; Kittanning, Pa.

The Pittsburgh, Shawmut & Northern Railroad Company (John D. Dickson, Receiver); John D. Dickson, Receiver; St. Marys, Pa.

The Pittsburgh & West Virginia Railway Company; Charles J. Graham, Pres.; Pittsburgh, Pa.

Railway Express Agency, Inc.; L. O. Head, Pres.; New York, N. Y.

Rutland Railroad Company (W. E. Navin, Receiver); W. E. Navin, Receiver; Rutland, Vt. The Clarendon and Pittsford Railroad Company; D. Williams, Pres.; Proctor, Vt.

The Toledo Terminal Railroad Company; A. B. Newell, Pres.; Toledo, Ohio. The Bay Terminal Railroad Company; H. O. Cameron; Toledo, Ohio.

Wabash Railroad Company; Norman B. Pitcairn, Pres.; St. Louis, Mo. Des Moines Union Railway Company; Norman B. Pitcairn, Pres.; St. Louis, Mo. New Jersey, Indiana & Illinois Railroad Company; Norman B. Pitcairn, Pres.; St. Louis, Mo. The Pioneer and Fayette Railroad Company; Earl S. Snyder, Pres.; Pioneer, Ohio. St. Louis and Hannibal Railroad Company; W. C. Ramsay, V. P.; Hannibal, Mo.

The Wheeling and Lake Erie Railway Company; Geo. Durham, Exec. V. P.; Cleveland, Ohio. The Cuyahoga Valley Railway Company; W. M. Lorenz, Pres.; Cleveland, Ohio. The Lorain and West Virginia Railway Company; Geo. Durham, Exec. V. P.; Cleveland, Ohio. The Newburgh and South Shore Railway Company; F. A. Gideon, Pres.; Cleveland, Ohio. The River Terminal Railway; A. J. Gentholtz, Pres.; Cleveland, Ohio.

Winona Refrigerator Car Corporation; George Boone, G. M.; Warsaw, Ind.

ALLEGHENY REGION

The Akron, Canton & Youngstown Railway Company (George E. Hagenbuch and H. B. Stewart, Jr., Trustees); H. B. Stewart, Jr., Trustee; Akron, Ohio. The Northern Ohio Railway Company (George E. Hagenbuch and H. B. Stewart, Jr., Trustees); H. B. Stewart, Jr., Trustee; Akron, Ohio.

The Baltimore and Ohio Railroad Company; R. B. White, Pres.; Baltimore, Md. The Baltimore and Ohio Chicago Terminal Railroad Company; H. B. Voorhees, Pres.; Chicago, Ill. The Staten Island Rapid Transit Railway Company; R. B. White, Pres.; Baltimore, Md. The Baltimore and Annapolis Railroad Company; Harry T. Connolly, Pres.; Baltimore, Md. Benwood and Wheeling Connecting Railway Company; E. C. Jepson, Pres.; Wheeling, W. Va. The Buffalo Creek & Gauley Railroad Company; J. G. Bradley, Pres.; Dundon, W. Va. The Castleman River Railroad Company; John Hersker, Pres.; Phila., Pa. Clarion River Railway Company; Robert M. Cartwright, Pres.; Ridgeway, Pa. East Washington Railway Company; J. M. Rector, Pres.; Seat Pleasant, Md. Middle Creek Railroad Company; Leslie Voltz, Pres.; Chicago, Ill. Middle Fork Railroad Company; Jos. B. Moore, Pres.; Ellamore, W. Va. The Preston Railroad Company; S. A. Kendall, Pres.; Crellin, Md. The Potomac Edison Company; R. Paul Smith, Pres.; Hagerstown, Md. Rowlesburg & Southern Railroad Company; P. B. Craig, Supt.; Erwin, W. Va. Southern Indiana Railway, Inc.; Bowman Elder, Pres.; Indianapolis, Ind. Strouds Creek and Muddety Railroad Company; T. T. Rees, Pres.; Tioga, W. Va. West Virginia Northern Railroad Company; G. Reith, Gen. Mgr.; Kingwood, W. Va. Winchester and Western Railroad; D. H. Sencindiver, Pres.; Winchester, Va.

Bessemer and Lake Erie Railroad Company; R. T. Rossell, Pfes.; Pittsburgh, Pa. Cheswick and Harmar Railroad Company; P. H. McCance, Pres.; Pittsburgh, Pa. Etna and Montrose Railroad Company; R. T. Rossell, Pres.; Pittsburgh, Pa. Union Railroad Company (Pittsburgh, Pa.); R. T. Rossell, Pres.; Pittsburgh, Pa. Unity Railways Company; C. C. Mills, Pres.; Pittsburgh, Pa. Western Allegheny Railroad Company; E. W. Smith, Pres.; Pittsburgh, Pa. The Youngstown and Northern Railroad Company; R. T. Rossell, Pres.; Pittsburgh, Pa.

Bethlehem Steel Corporation; Conemaugh & Black Lick Railroad Company; D. M. Petty, Pres.; Bethlehem, Pa. Cornwall Railroad Company; D. M. Petty, Pres.; Bethlehem, Pa. Patapsco & Back Rivers Railroad Company; D. M. Petty, Pres.; Bethlehem, Pa. Philadelphia, Bethlehem and New England Railroad Company; D. M. Petty, Pres.; Bethlehem, Pa. South Buffalo Railway Company; D. M. Petty, Pres.; Bethlehem, Pa. Steelton & Highspire Railroad Company; D. M. Petty, Pres.; Bethlehem, Pa.

Brooklyn Terminal Companies; Brooklyn Eastern District Terminal; Henry O. Havemeyer, Pres.; New York, N. Y. Bush Terminal Railroad Company; Irving T. Bush, Pres.; New York, N. Y. The Jay Street Connecting Railroad; C. K. Woodbridge, Pres.; New York, N. Y. New York Dock Railway; D. L. Tilly, Pres.; New York, N. Y. South Brooklyn Railway Company; John H. Delaney, Pres.; New York, N. Y.

Cambria and Indiana Railroad Company; G. H. Burnette, Pres.; Philadelphia, Pa.

The Central Railroad Company of New Jersey (Shelton Pitney and Walter P. Gardner, Trustees); William Wyer, Chief Exec. Officer; New York City. Chestnut Ridge Railway Company; J. E. Hayes, Pres.; New York City. Mt. Hope Mineral Railroad Company; William Wyer, Chf. Exec. Officer; New York, N. Y. Raritan River Railroad Company; E. W. Scheer, Pres.; New York, N. Y. Wharton and Northern Railroad Company; William Wyer, Chf. Exec. Officer; New York, N. Y.

Cumberland and Pennsylvania Railroad Company; R. C. Hill, Pres.; New York, N. Y. Fruit Growers Express Company; H. B. Spencer, Pres.; Washington, D. C.

The Long Island Rail Road Company; M. W. Clement, Pres.; New York, N. Y.

Pennsylvania—Reading Seashore Lines; E. W. Scheer, Pres.; Philadelphia, Pa.

The Pennsylvania Railroad Company; M. W. Clement, Pres.; Philadelphia, Pa. Baltimore and Eastern Railroad Company; R. C. Morse, Pres.; Philadelphia, Pa. Waynesburg and Washington Railroad Company; E. W. Smith, Pres.; Philadelphia, Pa. The Akron & Barberton Belt Railroad Company; E. W. Smith, Pres.; Pittsburgh, Pa. Akron Union Passenger Depot Company; E. W. Smith, Pres.; Pittsburgh, Pa. Arcade and Attica Railroad Corporation; P. H. Quinn, Pres.; Arcade, N. Y. Bellefonte Central Railroad Company; C. B. Wagoner, Pres.; Philadelphia, Pa. Boyne City Railroad Company; W. J. Pearson, Pres.; Boyne Falls, Mich. Canton Railroad Company; O. H. Nance, Pres.; Baltimore, Md. Central Indiana Railway Company; G. Metzner, Pres.; Cincinnati, Ohio. Chicago Union Station Company; M. W. Clement, Pres.; Philadelphia, Pa. Coudersport and Port Allegany Railroad Company; W. F. DuBois, Pres.; Coudersport, Pa. Dayton Union Railway Company; J. M. Symes, Pres.; Chicago, Ill. Donora Southern Railroad Company; T. A. Gideon, Pres.; Cleveland, Ohio. The East Broadtop Railroad and Coal Company; J. W. Wetter, Pres.; Philadelphia, Pa. The Huntingdon and Broad Top Mountain Railroad and Coal Company; C. S. Newhall, Pres.; Philadelphia, Pa. The Indianapolis Union Railway Company; J. M. Symes, Pres.; Chicago, Ill. Johnstown and Stony Creek Railroad Company; C. M. Kim-

mel, Pres.; Johnstown, Pa. Lake Erie, Franklin & Clarion Railroad Company; C. A. Miller, Pres.; Franklin, Pa. Ligonier Valley Railroad Company; W. L. Mellon, Pres.; Pittsburgh, Pa. Maryland and Pennsylvania Railroad Company; O. H. Nance, Pres.; Baltimore, Md. McKeesport Connecting Railroad Company; J. M. Morris, Pres.; Pittsburgh, Pa. The Monongahela Connecting Railroad Company; J. N. Wilson, Pres.; Pittsburgh, Pa. Sheffield and Tionesta Railway Company; F. R. Klinefelter, Pres.; Tionesta, Pa. The Stewartstown Railroad Company; F. A. Shaw, Gen. Mgr.; Stewartstown, Pa. Strasburg Railroad Company; J. E. Homisher, Pres.; Strasburg, Pa. Union Depot Company (Columbus, Ohio); J. M. Symes, Pres.; Chicago, Ill. Upper Merion and Plymouth Railroad Company; N. L. Moon, Pres.; Conshohocken, Pa. Washington Terminal Company; M. W. Clement, Pres.; Philadelphia, Pa. The Winfield Railroad Company; F. C. McKee, Pres.; Butler, Pa.

Reading Company; E. W. Scheer, Pres.; Philadelphia, Pa.

Western Maryland Railway Company; Charles W. Brown, Pres.; Baltimore, Md.

POCAHONTAS REGION

The Chesapeake and Ohio Railway Company; Carl E. Newton, Pres.; Cleveland, Ohio. The Kanawha Central Railway Company; C. C. Dickinson, Pres.; Charleston, W. Va. Morehead and North Fork Railroad Company; M. C. Crosley, Pres.; Clearfield, Ky. Nelson & Albemarle Railway Company; J. S. Groves, Pres.; Charlottesville, Va. Winifrede Railroad Company; A. R. Yarborough, T. M.; Charleston, W. Va.

Norfolk and Western Railway Company; W. J. Jenks, Pres.; Roanoke, Va. Chesapeake Western Railway; D. W. Thomas, Pres.; Harrisonburg, Va. Interstate Railroad Company; A. L. Holton, Pres.; Andover, Va. Norfolk Terminal Railway Company; R. H. Smith, Pres.; Roanoke, Va. Winston-Salem Southbound Railway Company; H. E. Fries, Pres.; Winston-Salem, N. C.

The Virginian Railway Company; C. Buchholz, Pres.; Norfolk, Va. Norfolk and Portsmouth Belt Line Railroad Company; M. S. Hawkins, Pres.; Norfolk, Va.

SOUTHEASTERN REGION

Alabama, Tennessee & Northern Railroad Corporation (John T. Cochrane, Jr., Trustee); John T. Cochrane, Jr., Trustee; Mobile, Ala.

Atlanta and West Point Rail Road Company; Chas. A. Wickersham, President; Atlanta, Ga.

The Western Railway of Alabama; Chas. A. Wickersham, President; Atlanta, Ga.

Georgia Railroad; Chas. A. Wickersham, President; Atlanta, Ga. Augusta and Sumnerville Rail Road Company; Chas. A. Wickersham, Pres.; Atlanta, Ga. Augusta Union Station Company; Chas. A. Wickersham, Pres.; Atlanta, Ga. Birmingham & Southeastern Railroad Company; Winton M. Blount, Pres.; Union Springs, Ala. Milstead Railroad Company; F. E. Callaway, Jr., Pres.; La Grange, Ga. The Tuskegee Railroad Company; Winton M. Blount, Pres.; Tuskegee, Ala.

Atlanta, Birmingham and Coast Railroad Company; B. L. Bugg, Pres.; Atlanta, Ga.

Atlantic Coast Line Railroad Company; C. McD. Davis, Pres.; Wilmington, N. C. Albany and Northern Railway Company; C. W. Pidcock, Pres.; Albany, Ga. Apalachicola Northern Railroad Company; Edward Ball, Pres.; Jacksonville, Fla. Atlantic and Carolina Railroad Company; James E. Jerritt, G. M.; Kenansville, N. C. Atlantic and Western Railway Company; E. T. Ussery, G. M.; Sanford, N. C. Cape Fear Railways, Inc., H. A. Page, Jr., Pres.; Fort Bragg, N. C. The Carolina Southern Railway Company; J. T. Stokes, Vice Pres.; Windsor, N. C. Carolina

Western Railroad; T. H. Brice, Pres.; Sumter, S. C. Charleston Union Station Company; C. McD. Davis, Pres.; Wilmington, N. C. Columbia, Newberry and Laurens Railroad Company; J. P. Taylor, Pres.; Columbia, S. C. Flint River and Northeastern Railroad Company; L. D. Hand, Pres.; Pelham, Ga. Georgia, Ashburn, Sylvester & Camilla Railway Company; C. W. Pidcock, Pres.; Moultrie, Ga. The Georgia Northern Railway Company; C. W. Pidcock, Pres.; Moultrie, Ga. Hampton & Branchville Railroad Company; W. N. Lightsey, Pres. & Treas.; Hampton, S. C. Lakeland Railway; G. Bradford, G. M.; Lakeland, Ga. Laurinburg and Southern Railroad Company; J. L. McNair, Pres.; Laurinburg, N. C. Live Oak, Perry & Gulf Railroad Company; M. J. Foley, Pres.; Foley, Fla. Rockingham Railroad Company; W. H. Entwistle, Pres.; Rockingham, N. C. Savannah River Terminal Company; Chas. A. Wickersham, Pres.; Atlanta, Ga. Savannah Union Station Company; C. McD. Davis, Pres.; Wilmington, N. C. The South Georgia Railway Company; S. S. Rountree, Pres.; Quitman, Ga. Virginia and Carolina Southern Railroad Company; A. T. McLean, Pres.; Lumberton, N. C.

Central of Georgia Railway Company (M. P. Callaway, Trustee); M. P. Callaway, Trustee; Savannah, Ga. Albany Passenger Terminal Company; R. R. Cummins, Pres.; Savannah, Ga. Atlanta & Saint Andrews Bay Railway Company; J. A. Streyer, Pres.; Dothan, Ala. Bowdon Railway Company; D. A. Nolan, Pres.; Bowdon, Ga. Chattahoochee Valley Railway Company; R. T. Lanier, Pres.; West Point, Ga. Louisville and Wadley Railroad Company; B. H. Lord, Pres.; Dublin, Ga. Sandersville Railroad Company; B. J. Tarbuton, G. M.; Sandersville, Ga. Savannah & Atlanta Railway Company; C. E. Gay, Jr., Pres.; Savannah, Ga. Talbotton Railroad Company; A. P. Persons, Pres.; Talbotton, Ga. Tennessee, Alabama & Georgia Railway Company; George H. Burgess, Pres.; Chattanooga, Tenn. Wadley Southern Railway Company; B. H. Lord, Pres.; Dublin, Ga. Wrightsville and Tennille Railroad Company; B. H. Lord, Pres.; Dublin, Ga.

Charleston & Western Carolina Railway Company; Geo. B. Elliott, Pres.; Wilmington, N. C.

Clinchfield Railroad Company; L. H. Phetteplace, G. M.; Erwin, Tenn. Black Mountain Railway Company; L. H. Phetteplace, G. M.; Erwin, Tenn.

Columbus and Greenville Railway Company; R. C. Stovall, Pres.; Columbus, Miss.

Durham and Southern Railway Company; F. H. Cothran, Pres.; Charlotte, N. C. Piedmont and Northern Railway Company; F. H. Cothran, Pres.; Charlotte, N. C.

Florida East Coast Railway Company (Scott M. Loftin and John W. Martin, Trustees); Scott M. Loftin, Trustee; Jacksonville, Fla. Broward County Port Authority; P. T. Spangler; Secy.-Treas.; Fort Lauderdale, Fla. Jacksonville Terminal Company; J. L. Wilkes, Pres.; Jacksonville, Fla. Trans Florida Central Railroad Company; F. H. Heiser, V. P.; Fellsmere, Fla.

Georgia & Florida Railroad (W. V. Griffin and H. W. Purvis, Recvrs.); H. W. Purvis, Recvr.; Augusta, Ga.

Gulf, Mobile and Ohio Railroad Company; I. B. Tigrett, Pres.; Mobile, Ala. DeKalb & Western Railroad Company; E. H. Jones, Pres.; DeKalb, Miss. Meridian and Bigbee River Railway Company (J. C. Floyd, Trustee); J. C. Floyd, Trustee; Meridian, Miss. Mississippi Export Railroad Company; J. H. Luce, Pres.; Lucedale, Miss. Mississippi & Alabama Railroad Company; J. W. Backstrom, Pres.; Leakesville, Miss. Terminal Railway, Alabama State Docks; C. E. Sauls, G. M.; Mobile, Ala.

Illinois Central Railroad Company; J. L. Beven, Pres.; Chicago 5, Ill. Chicago & Illinois Western Railroad; J. L. Beven, Pres.; Chicago 5, Ill. Gulf and Ship Island Rail-

road; J. L. Beven, Pres.; Chicago 5, Ill. The Yazoo and Mississippi Valley Railroad Company; J. L. Beven, Pres.; Chicago 5, Ill. Cadiz Railroad Company; W. C. White, G. M.; Cadiz, Ky. Canton & Carthage Railroad Company; J. H. Hauberg, Pres.; Rock Island, Ill. Fernwood, Columbia & Gulf Railroad Company; P. H. Enochs, Pres.; Fernwood, Miss. Louisiana Southern Railway Company; Luther E. Hall, Pres.; New Orleans, La. Mississippi & Skuna Valley Railroad Company; R. G. Bruce, Pres.; Memphis, Tenn. New Orleans Public Belt Railroad; Robert S. Maestri, Mayor-Pres.; New Orleans, La. The Springfield Terminal Railway Company (Illinois); M. J. Cherry, Pres.; Chicago, Ill.

Louisville and Nashville Railroad Company; J. B. Hill, Pres.; Louisville, Ky. Artemus-Jellico Railroad Company; M. H. Davidson, Pres.; Cincinnati, Ohio. Birmingham Southern Railroad Company, H. E. Parker, Pres.; Birmingham, Ala. The Carrollton Railroad; R. L. Booth, V. P.; Carrollton, Ky. Flemingsburg and Northern Railroad Company; Alexander Bush, Pres.; Louisville, Ky. Frankfort & Cincinnati Railroad Company; J. M. Perkins, Pres.; Frankfort, Ky. Kentucky & Indiana Terminal Railroad Company; W. S. Campbell, Pres.; Louisville, Ky. Manistee & Repton Railroad Company, Inc.; A. C. Lee, G. M.; Monroeville, Ala. The Marianna & Blountstown Railroad Company; O. O. Miller, Pres.; Blountstown, Fla.

Mississippi Central Railroad Company; L. E. Faulkner, V. P.; Hattiesburg, Miss.

The Nashville, Chattanooga & St. Louis Railway; Fitzgerald Hall, Pres.; Nashville, Tenn.

Norfolk Southern Railway Company; Morris S. Hawkins, Pres.; Norfolk, Va. Atlantic and East Carolina Railway Company; H. P. Edwards, Pres.; New Bern, N. C. Beaufort and Morehead Railroad Company; A. T. Leary, G. Mgr.; Beaufort, N. C. East Carolina Railway; W. T. Newell, Jr., G. Mgr.; Farmville, N. C.

Richmond, Fredericksburg and Potomac Railroad Company; Norman Call, Pres.; Richmond, Va. Richmond Terminal Company; Norman Call, Pres.; Richmond, Va. Virginia Central Railway; G. D. Williams, V. P.; Fredericksburg, Va. Washington and Old Dominion Railway; Davis Elkins, Pres.; Arlington, Va.

Seaboard Air Line Railway Company (L. P. Powell, Jr. and Henry W. Anderson Receivers); L. R. Powell, Jr. Receiver; Norfolk, Va. Jacksonville, Gainesville & Gulf Railway; L. R. Powell, Jr. Pres.; Norfolk, Va. Macon, Dublin and Savannah Railroad; L. R. Powell, Jr. Pres.; Norfolk, Va. Tampa Northern Railroad Company; L. R. Powell, Jr. Pres.; Norfolk, Va. Tayares and Gulf Railroad Company; L. R. Powell, Jr., Pres.; Norfolk, Va. Aberdeen and Rockfish Railroad Company; W. A. Blue, Pres.; Aberdeen, N. C. Bennettsville and Cheraw Railroad Company; G. L. Henry, Pres.; Bennettsville, S. C. Cliffside Railroad Company; Chas. H. Haynes, Pres.; Cliffside, N. C. Edgmoor and Manetta Railway; R. A. Willis, G. M.; Edgmoor, S. C. Moore Central Railway Company; A. Ross, Secy.-Treas.; Asheboro, N. C. St. Marys Railroad Company; W. T. Scarborough, Gen. Agt.; St. Marys, Ga. Tampa Union Station Company; L. R. Powell, Jr., Pres.; Norfolk, Va. Warrenton Railroad Company; John Rodgers, Supt.; Warrenton, N. C.

Southern Railway Company; Ernest E. Norris, Pres.; Washington, D. C. The Alabama Great Southern Railroad Company; Ernest E. Norris, Pres.; Washington, D. C. Belt Railway Company of Chattanooga; Ernest E. Norris, Pres.; Washington, D. C. Blue Ridge Railway Company; Ernest E. Norris, Pres.; Washington, D. C. Carolina and Northwestern Railway Company; Ernest E. Norris, Pres.; Washington, D. C. Cincinnati, Burnside & Cumberland River Railway Company;

Ernest E. Norris, Pres.; Washington, D. C. The Cincinnati, New Orleans and Texas Pacific Railway Company; Ernest E. Norris, Pres.; Washington, D. C. Danville and Western Railway Company; Ernest E. Norris, Pres.; Washington, D. C. Georgia, Southern and Florida Railway Company; Ernest E. Norris, Pres.; Washington, D. C. Harriman and Northeastern Railroad Company; Ernest E. Norris, Pres.; Washington, D. C. High Point, Randleman, Asheboro and Southern Railroad Company; Ernest E. Norris, Pres.; Washington, D. C. New Orleans and Northeastern Railroad Company; Ernest E. Norris, Pres.; Washington, D. C. Yadkin Railroad Company; Ernest E. Norris, Pres.; Washington, D. C. Alabama Central Railroad Company; A. J. Rife, T. M.; Birmingham, Ala. Atlanta Terminal Company; R. B. Pegrum; Atlanta, Ga. Atlantic and Yadkin Railway Company; Julien Price, Pres.; Greensboro, N. C. Birmingham Terminal Company; John B. Hyde, Pres.; Washington, D. C. Bonhomie and Hattiesburg Southern Railroad Company; W. S. F. Tatum, Pres.; Hattiesburg, Miss. Brimstone Railroad Company; J. W. Damron, Pres.; Columbus, Ga. Buffalo Union-Carolina Railroad; F. W. Symmes, Pres.; Greenville, S. C. Chattanooga Station Company; John B. Hyde, Pres.; Washington, D. C. Cincinnati Union Terminal Company; G. H. Kerr, Pres.; Cincinnati, Ohio. Columbia Union Station Company (S. C.); John B. Hyde, Pres.; Washington, D. C. Durham Union Station Company; John B. Hyde, Pres.; Washington, D. C. East Tennessee and Western North Carolina Railroad Company; A. G. B. Steel, Pres.; Johnston City, Tenn. Ferdinand Railroad Company; Herman J. Bolte, Gen. Mgr.; Ferdinand, Ind. Gainesville Midland Railway; Forest Greene, Pres.; Atlanta, Ga. Graham County Railroad Company; J. B. Veach, Pres.; Oil City, Pa. Greenville and Northern Railway Company; Calvin Fentress, Pres.; Chicago, Ill. Gulf Terminal Company; John B. Hyde, Pres.; Washington, D. C. Hartwell Railway Company; L. L. Morris, Pres.; Hartwell, Ga. High Point, Thomasville & Denton Railroad Company; J. E. Mills, Pres.; Thomasville, N. C. Kentucky & Tennessee Railway; L. C. Bruce, V. P.; Stearns, Ky. Lancaster and Chester Railway Company; A. P. McLure, Pres.; Lancaster, S. C. Louisville, New Albany & Corydon Railroad Company; Wm. Buchanan, G. M.; Corydon, Ind. Macon Terminal Company; H. D. Pollard, Pres.; Savannah, Ga. Meridian Terminal Company; John B. Hyde, Pres.; Washington, D. C. The Mobile & Gulf Railroad Company; J. Graham Brown, Pres.; Louisville, Ky. Oneida & Western Railroad Company; M. S. Healy, Pres.; Hinsdale, Ill. Pearl River Valley Railroad Company; V. E. Crosby, Pres.; Picayune, Miss. Pickens Railroad Company; T. J. Mitchell, G. M.; Pickens, S. C. The Port Utilities Commission of Charleston, S. C.; John D. Rooney, G. M.; Charleston, S. C. Sumter and Choctaw Railway Company; E. S. Grondahl, Pres.; Bellamy, Ala. Tallulah Falls Railway Company (H. L. Brewer, Receiver); H. L. Brewer, Receiver; Cornelia, Ga. Tennessee Railroad Company; H. B. Spencer, Pres.; Washington, D. C. Tennessee & North Carolina Railway Company; W. T. Teas, Pres.; Nashville, Tenn. Virginia Blue Ridge Railway; J. W. Powell, Pres.; Washington, D. C. Ware Shoals Railroad Company; John L. Reigel, Pres.; New York City, N. Y.

Tennessee Central Railway Company; H. W. Stanley, Pres.; Nashville, Tenn.

NORTHWESTERN REGION

The Belt Railway Company of Chicago; M. F. Stokes, Pres.; Chicago, Ill. Chicago and Western Indiana Railroad Company; M. F. Stokes, Pres.; Chicago, Ill. Chicago Short Line Railway Company; W. E. Fowler, Pres.; South Chicago, Ill. Chicago, West Pullman & Southern Railroad Company; A. C. Fried-

sam, Pres.; Chicago, Ill. Illinois Northern Railway; A. C. Friedsam, Pres.; Chicago, Ill. Pullman Railroad Company; Nels Kunst, Pres.; Chicago, Ill.

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Chicago Great Western Railway Company; P. H. Joyce, Pres.; Chicago, Ill. Manchester and Oneida Railway Company; Hubert Carr, Pres.; Manchester, Iowa.

Chicago, Milwaukee, St. Paul and Pacific Railroad Company (Henry A. Scandrett, Walter J. Cummings and George I. Haight, Trustees); H. A. Scandrett, Trustee; Chicago, Ill. Columbia & Cowlitz Railway Company; J. P. Weyerhaeuser, Pres.; Tacoma, Wash. Cowlitz, Chehalis & Cascade Railway; W. N. Bichler, Mgr.; Chehalis, Wash. Des Moines & Central Iowa Railroad; H. A. Benjamin, Pres.; Des Moines, Iowa. Marinette, Tomahawk & Western Railroad Company; H. A. Radtke, V. P.; Tomahawk, Wis. Pacific Coast Railroad Company; E. W. Maxwell, V. P.; Seattle, Wash. Port Angeles Western Railroad Company; Petrus Pearson, Pres.; Port Angeles, Wash. Port Townsend Southern Railroad Company; C. H. J. Steltenberg, G. M.; Seattle, Wash. St. Paul Union Depot Company; J. T. Gillick, Pres.; Chicago, Ill. White Sulphur Springs & Yellowstone Park Railway Company; H. A. Scandrett, V. P.; Chicago, Ill.

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Duluth, Winnipeg and Pacific Railway Company; J. L. Pickles, Supt.; Virginia, Minn.

Elgin, Joliet and Eastern Railway Company; T. E. Bond, Pres.; Chicago, Ill. Chicago, South Shore and South Bend Railroad; Jay Samuel Hart, Pres.; Chicago, Ill.

Fort Dodge, Des Moines, & Southern Railway Company; C. H. Crooks, Pres.; Boone, Iowa.

Green Bay and Western Railroad Company; H. C. McGee, Pres.; Green Bay, Wis. The Ahnapee and Western Railway Company; H. C. McGee, Pres.; Green Bay, Wis. Kewaunee Green Bay and Western Railroad Company; H. C. McGee, Pres.; Green Bay, Wis.

Great Northern Railway Company; F. J. Gavin, Pres.; St. Paul, Minn. Farmer's Grain and Shipping Company; F. J. Gavin, Pres.; St. Paul, Minn. Longview, Portland & Northern Railway Company; J. D. Tennant, Ex. V.-P.; Longview, Wash. Minneapolis, Northfield and Southern Railway; G. C. Wright, Pres.; Minneapolis, Minn. Minnesota Western Railway Company; G. C. Wright, Pres.; Minneapolis, Minn. Montana Western Railway Co.; W. E. Olsen, V.-P.; Valler, Mont. The Waterville Railway Company; A. H. Murdock, Pres.; Waterville, Wash.

Lake Superior Terminal and Transfer Railway Company of the State of Wisconsin; C. McDonough, Pres.; Duluth, Minn.

Lake Superior & Ishpeming Railroad Company; A. Syverson, V. Pres.; Marquette, Mich. The Minneapolis & St. Louis Railroad Company; L. C. Sprague, Pres.; Minneapolis, Minn.

Minneapolis, St. Paul & Sault Ste. Marie Railway Company (G. W. Webster and Joseph Chapman, Trustees); E. A. Whitman, C. O. O.; Minneapolis, Minn. Minneapolis, Anoka and Cuyuna Range Railroad Company; J. B. Hawley, Jr., Pres.; Fridley, Minn.

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The Pullman Company; D. A. Crawford, Pres.; Chicago, Ill.

Spokane International Railroad Company; N. S. McPherson, Pres.; Spokane, Wash.

Spokane, Portland and Seattle Railway Company; C. E. Denney, Pres.; St. Paul, Minn. Gales Creek & Wilson River Railroad Company; C. E. Denney, Pres.; St. Paul, Minn. Oregon Electric Railway Company; C. E. Denney, Pres.; St. Paul, Minn. Oregon Trunk Railway; C. E. Denney, Pres.; St. Paul, Minn. City of Prineville Railway; M. Barney, Pres.; Prineville, Oreg.

Western Fruit Express Company; H. B. Spencer, Pres.; Washington, D. C.

CENTRAL WESTERN REGION

The Atchison, Topeka and Santa Fe Railway Company; E. J. Engel, Pres.; Chicago, Ill. Beaumont Wharf and Terminal Company, E. J. Engel, Pres.; Chicago, Ill. Gulf, Colorado and Santa Fe Railway Company; E. J. Engel, Pres.; Chicago, Ill. Panhandle and Santa Fe Railway Company; E. J. Engel, Pres.; Chicago, Ill. The Apache Railway Company, James McNary, Pres.; McNary, Arizona. The Garden City Western Railway Company; J. Stewart, Pres.; Garden City, Kans. Houston Belt & Terminal Railway Company; R. B. Ball, Pres.; Galveston, Tex. Kansas City, Kaw Valley Railroad, Inc.; J. E. Miller, Jr., Pres.; Kansas City, Mo. Yosemite Valley Railway Company; Howard C. Vonsall, Trustee; Los Angeles, Calif.

The Alton Railroad Company (Henry A. Gardner, Trustee); H. B. Voorhees, Ch. Exec. Off.; Chicago, Ill. Springfield & Southwestern Railroad Company; W. G. Bell, Gen. Mgr.; Springfield, Ill.

Burlington Refrigerator Express Company; H. B. Spencer, Pres.; Washington, D. C.

Chicago and Eastern Illinois Railroad Company; Charles T. O'Neal, Pres.; Chicago, Ill. Chicago Heights Terminal Transfer Railroad Company; William Fabrikant, Agent; Charles T. O'Neal, Pres.; Chicago, Ill. Chicago, Attica & Southern Railroad Company; H. Landsberger, Vice-Pres.; Attica, Ind.

Chicago & Illinois Midland Railway Company; W. C. Hurst, Pres.; Springfield, Ill.

Chicago, Burlington & Quincy Railroad Company; Ralph Budd, Pres.; Chicago, Ill. Bevier & Southern Railroad Company; H. H. Howard, Pres.; Bevier, Mo. Chicago, Aurora and Elgin Railroad Company (A. A. Sprague and Bernard J. Fallon, Receivers); A. A. Sprague, Receiver; Chicago, Ill. Davenport, Rock Island and North Western Railway Company; E. Flynn, Pres.; Chicago, Ill. The Galesburg and Great Eastern Railroad Company; R. H. Sherwood, Pres.; Indianapolis, Ind. Hannibal Connecting Railroad Company; A. F. Tidabock, Pres.; Hannibal, Mo. Hoopole, Yorktown and Tampico Railroad Company; A. R. Mathis, Gen. Mgr.; Hoopole, Ill.; Manufacturers' Junction Railway Company; W. H. deWitt, Pres.; Chicago, Ill. Paducah & Illinois Railroad Company; T. K. Williams, Supt.; Paducah, Ky. Rock Port, Langdon & Northern Railway Company; P. Hedgpeth, Pres.; Rock Port, Mo. St. Joseph Terminal Railroad Company; C. H. Brew, Supt.; St. Joseph, Mo. St. Joseph Union Depot Company; F. B. Whitman, Pres.; St. Joseph, Mo. Southern Iowa Railway Company; Edward L. Shuttis, Pres.; Centerville, Iowa. St. Louis & Troy Railroad Company, W. C. Ramsay, Pres.; Hannibal, Mo. Wyoming Railway Company; W. T. Alden, Pres.; Buffalo, Wyo.

The Colorado and Southern Railway Company; Ralph Budd, Pres.; Chicago, Ill. The Denver and Intermountain Railroad Company; H. S. Robertson, Pres.; Denver, Colo. Denver Union Terminal Railway Company; Robert Rice, Pres.; Denver, Colo. The Great Western Railway Company; Frank A. Kemp, Pres.; Denver, Colo. The Midland Terminal Railway Company; M. E. Shoup, Pres.; Colorado Springs, Colo. Pueblo Union Depot and Railroad Company; Robert Rice, Pres.; Denver, Colo.

The Chicago, Rock Island and Pacific Railway Company (Joseph B. Fleming and Aaron Colnon, Trustees); J. D. Farrington, C. Ex. Officer; Chicago, Ill. Peoria Terminal Company (Joseph B. Fleming and Aaron Colnon, Trustees); J. D. Farrington, C. Ex. Officer; Chicago, Ill. Ashley, Drew & Northern Railway Company; E. C. Crossett, Pres.; Crossett, Ark. Burlington, Muscatine & Northwestern Railway Company; M. E. Young, Receiver; Muscatine, Iowa. Cedar Rapids and Iowa City Railway; Southerland Dowds, Pres.; Cedar Rapids, Iowa. El Dorado and Wesson Railway Company; H. D. Reynolds, Pres.; El Dorado, Ark. Joliet Union Depot Company; J. D. Farrington, Pres.; Chicago, Ill. North Louisiana & Gulf Railroad Company; John E. Kelley, Pres.; Hodge, La. Pittsburg County Railway Company; M. M. Schone, V. P.; McAlester, Okla. Rock Island Southern Railway Co.; L. R. Walsh, Pres.; Davenport, Iowa.

The Denver and Rio Grande Western Railroad Company (Wilson McCarthy and Henry Swan, Trustees); Wilson McCarthy, Trustee; Denver, Colo. Bamberger Railroad Company; Julian M. Bamberger, Pres.; Salt Lake City, Utah. Bingham and Garfield Railway Company; C. C. Parsons, Pres.; Salt Lake City, Utah. Carbon County Railway Company; C. C. Parsons, Pres.; Salt Lake City, Utah. The Colorado and Southeastern Railroad Company; H. E. MacDonald, Pres.; Denver, Colo. The Colorado & Wyoming Railway Company; W. A. Maxwell, Jr., Pres.; Denver, Colo. Colorado Railroad, Inc.; J. F. Springfield, Pres.; Pueblo, Colo. The Rio Grande Southern Railroad Company (Cass M. Herrington, Receiver); Cass M. Herrington, Rec.; Denver, Colo. Salt Lake City Union Depot and Railroad Company; E. A. West, Pres.; Denver, Colo. The Salt Lake & Utah Railroad Corporation; M. A. Browning, Pres.; Ogden, Utah. Salt Lake, Garfield and Western Railway Company; Thos. M. Wheeler, Gen. Mgr.; Salt Lake City, Utah. The San Luis Central Railroad Company; George McLean, Pres.; Denver, Colo. The San Luis Valley Southern Railway Company; C. Boettcher, Pres.; Denver, Colo.

The Denver and Salt Lake Railway Company; Wilson McCarthy, Pres.; Denver, Colo. The Northwestern Terminal Railroad Company; W. M. Bond, Pres.; Denver, Colo.

Fort Worth and Denver City Railway Company; Ralph Budd, Pres.; Chicago, Ill. The Wichita Valley Railway Company; Ralph Budd, Pres.; Chicago, Ill.

Illinois Terminal Railroad Company; A. P. Titus, Pres.; St. Louis, Mo.

Litchfield and Madison Railway Company; W. M. Duncan, V. P.; St. Louis, Mo.

Missouri-Illinois Railroad Company (Guy A. Thompson, Trustee); L. W. Baldwin, Chief Executive Officer; St. Louis, Mo.

Nevada Northern Railway Company; E. T. Stannard, Pres.; East Ely, Nevada.

Northwestern Pacific Railroad Company; D. J. Russell, Pres.; San Francisco, Calif. The Arcata and Mad River Rail Road Company; F. A. Rodgers, Mgr.; Korb, Calif. California Western Railroad & Navigation Company; C. A. Strong, Pres.; San Francisco, Calif. Petaluma and Santa Rosa Railroad Company; D. J. Russell, Pres.; San Francisco, Calif.

Pacific Fruit Express Company; K. V. Plummer, V. P.; San Francisco, Calif.

Peoria and Pekin Union Railway Company; E. I. Rogers, Pres.; Peoria, Ill.

Southern Pacific Company; A. T. Mercler, Pres.; San Francisco, Calif. Central California Traction Company; W. Fleishhacker, Pres.; San Francisco, Calif. Alameda Belt Line; Gerald E. Duffy, Pres.; San Francisco, Calif. Amador Central Railroad Company; George W. Hark, Gen. Mgr.; Martell, Calif. Bay Point and Clayton Railroad Company; M. H. Dreese, Secretary; San Francisco, Calif. Camino, Placerville & Lake Tahoe Railroad Company; Swift Berry, Pres.; Camino, Calif. Holton Inter-Urban Railway Company; H. R. Gerreich, Gen. Mgr.; Los Angeles, Calif. Los Angeles Junction Railway Company; Richard Hackett, Pres.; Los Angeles, Calif. Los Angeles Union Passenger Terminal, Inc.; A. T. Mercler, Pres.; San Francisco, Calif. Magma Arizona Railroad Company; Charles F. Ayer, Pres.; Superior, Arizona. McCloud River Railroad Company; M. P. Madison, Pres.; San Francisco, Calif. Modesto and Empire Traction Company; W. F. Beard, Pres.; Modesto, Calif. Nevada Copper Belt Railway Company; Fred D. Parr, Pres.; San Francisco, Calif. Ogdon Union Railway and Depot Company; L. B. McDonald, Pres.; San Francisco, Calif. Oregon, California & Eastern Railway Company; C. F. Donnatin, Pres.; San Francisco, Calif. Oregon Pacific and Eastern Railway Company; G. T. Gerlinger, Pres.; Cottage Grove, Oreg. Pacific Electric Railway Company; O. A. Smith, Pres.; Los Angeles, Calif. San Diego & Arizona Eastern Railway Company; D. J. Russell, Pres.; San Francisco, Calif. San Francisco & Napa Valley Railroad; Myford Irvine, 1st V. P.; San Francisco, Calif. Santa Maria Valley Railroad Company; G. Allen Hancock, Pres.; Los Angeles, Calif. Sierra Railroad Company; D. J. Murphy, Pres.; San Francisco, Calif. State Belt Railroad of California; J. V. Nardini, Gen. Supt.; San Francisco, Calif. Stockton Terminal and Eastern Railroad; S. Kahn, Pres.; San Francisco, Calif. Tonopah and Goldfield Railroad Company; Louis Dullen, Pres.; Seattle, Wash. Trona Railway Company; R. W. Mumford, Pres.; Trona, Calif. Tucson, Cornelia and Gila Bend Railroad Company; H. M. Lavender, Pres.; Douglas, Ariz. Valley and Siletz Railroad Company; B. E. Rose, Supt.; Hoskins, Oreg. Ventura County Railway Company; W. N. Wilds, Pres.; Oxnard, Calif. Virginia & Truckee Ry. (S. O. Bigelow, Receiver); S. C. Bigelow, Receiver, Carson City, Nev. Visalia Electric Railroad Company; C. R. Harding, Pres.; San Francisco, Calif. Wilamina and Grande Ronde Ry Co.; R. F. Morse, Pres.; Longview, Wash. Yreka Western Railroad Company (O. G.

Steele, Receiver); O. G. Steele, Receiver; Yreka, Calif.

Terminal Railroad Association of St. Louis; P. J. Watson, Jr., Pres.; St. Louis, Mo. Missouri and Illinois Bridge and Belt Railroad Company; P. J. Watson, Jr., Pres.; St. Louis, Mo. East St. Louis Junction Railroad Company; J. G. Sheaffer, Pres.; St. Louis, Mo.

Toledo, Peoria & Western Railroad (Holly Stover, Federal Manager); Holly Stover, Fed. Mgr.; Peoria, Ill.

Union Pacific Railroad Company; W. M. Jeffers, Pres.; Omaha, Nebr. The Big Creek and Telocaset Railroad Company; B. I. Roberts, Gen. Aud.; Pondsosa, Oreg. Condon, Kinza & Southern Railroad Company; J. F. Coleman, Gen. Mgr.; Kinzua, Oreg. Laramie, North Park & Western Railway Company; W. M. Jeffers, Pres.; Omaha, Nebr. Mount Hood Railroad Company; W. J. Eccles, Gen. Mgr.; Hood River, Oreg. Oregon & Northwestern Railroad Co.; Chas. M. Hines, Pres.; Hines, Oreg. South Omaha Terminal Railway Company; Harry B. Coffee, Pres.; Omaha, Nebr. Sumpter Valley Railway Company; A. C. Lighthall, Pres.; Baker, Oreg. The Utah Idaho Central Railroad Corporation; Mariner A. Browning, Pres.; Ogden, Utah.

Utah Railway Company; G. S. Anderson, Pres.; Salt Lake City, Utah.

The Western Pacific Railroad Company; Chas. Eisey, Pres.; San Francisco, Calif. Almaror Railroad Company; Truman W. Collins, Pres.; Chester, Calif. Feather River Railroad Company; O. O. Cooper, Pres.; Feather Falls, Calif. Oakland Terminal Railway Company; H. A. Mitchell, Pres.; San Francisco, Calif. Sacramento Northern Railway; H. A. Mitchell, Pres.; San Francisco, Calif. Tidewater Southern Railway Company; H. A. Mitchell, Pres.; San Francisco, Calif. Tooele Valley Railway Company; Wm. Reith, Pres.; Salt Lake City, Utah.

SOUTHWESTERN REGION

Alton and Southern Railroad; Jas. Davies, Pres.; East St. Louis, Ill. St. Louis and Ohio River Railroad; Jas. Davies, Pres.; East St. Louis, Ill.

American Refrigerator Transit Company; J. P. Finkenaur, V. P.; St. Louis, Mo.

Burlington-Rock Island Railroad Company; J. D. Farrington, Pres.; Houston, Tex. Texas City Terminal Railway Company; H. B. Moore, Pres.; Texas City, Tex.

Gulf Coast Lines; L. W. Baldwin, Chief Exec. Officer; St. Louis, Mo. Asherton and Gulf Railway Co. (Guy A. Thompson, Trustee); L. W. Baldwin, Chief Exec. Officer; St. Louis, Mo. Asphalt Belt Railway Company (Guy A. Thompson, Trustee); L. W. Baldwin, Chief Exec. Officer; St. Louis, Mo. The Beaumont, Sour Lake & Western Railway Company (Guy A. Thompson, Trustee); L. W. Baldwin, Chief Exec. Officer; St. Louis, Mo. Brownsville & Matamoros Bridge Company; L. W. Baldwin, Chief Exec. Officer; St. Louis, Mo. Houston and Brazos Valley Railway Company (Guy A. Thompson, Trustee); L. W. Baldwin, Chief Exec. Officer; St. Louis, Mo. New Iberia & Northern Railroad Company; L. W. Baldwin, Chief Exec. Officer; St. Louis, Mo. New Orleans, Texas & Mexico Railway Company (Guy A. Thompson, Trustee); L. W. Baldwin, Chief Exec. Officer, St. Louis, Mo. The New Orange & Northwestern Railroad Company (Guy A. Thompson, Trustee); L. W. Baldwin, Chief Exec. Officer; St. Louis, Mo. Rio Grande City Railway Company (Guy A. Thompson, Trustee); L. W. Baldwin, Chief Exec. Officer; St. Louis, Mo. The St. Louis, Brownsville and Mexico Railway Company (Guy A. Thompson, Trustee); L. W. Baldwin, Chief Exec. Officer; St. Louis, Mo. San Antonio Southern Railway Company (Guy A. Thompson, Trustee); L. W. Baldwin, Chief Exec. Officer; St. Louis, Mo. San Antonio, Uvalde & Gulf Railroad Company (Guy A. Thompson, Trustee); L. W. Baldwin, Chief Exec. Officer; St. Louis, Mo. San Benito and

Rio Grande Valley Railway Company (Guy A. Thompson, Trustee); L. W. Baldwin, Chief Exec. Officer; St. Louis, Mo. Sugar Land Railway Company (Guy A. Thompson, Trustee); L. W. Baldwin, Chief Exec. Officer; St. Louis, Mo. Port Terminal Railroad Association; W. A. Newland, Supt.; Houston, Tex. Rio Grande and Eagle Pass Railway Company; R. W. Davis, Pres.; Laredo, Tex. The Texas Mexican Railway Company; R. W. Morrison, Pres.; San Antonio, Tex.

International-Great Northern Railroad Company (Guy A. Thompson, Trustee); L. W. Baldwin, Chief Executive Officer, St. Louis, Mo.

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Missouri and Arkansas Railway Company; L. A. Watkins, Pres.; Harrison, Ark.

Missouri-Kansas-Texas Lines; Matthew S. Sloan, Pres.; St. Louis, Mo.

Missouri-Kansas-Texas Railroad Company of Texas; Matthew S. Sloan, Pres.; Dallas, Tex. Beaver, Meade and Englewood Company; Matthew S. Sloan, Pres.; St. Louis, Mo. Board of Trustees of the Galveston Wharves; George Sealy, Chairman; Galveston, Tex. Galveston, Houston and Henderson Railroad Company; G. G. Moore, Pres.; Galveston, Tex. Hamlin & Northwestern Railway; H. U. Jackson, Pres.; Vernon, Tex. Union Terminal Company (Dallas); F. W. Grace, Pres.; Dallas, Tex. Wichita Falls & Southern Railroad Company; Orville Bullington, Pres.; Wichita Falls, Tex.

Missouri Pacific Railroad Company, (Guy A. Thompson, Trustee); L. W. Baldwin, Ch. Exec. Officer; St. Louis, Mo. Arkansas Railroad Company; W. R. Alsbrook, Pres.; Star City, Ark. Arkansas & Louisiana Missouri Railway Company; E. A. Frost, Pres.; Shreveport, La. Arkansas and Memphis Railway Bridge and Terminal Company; Carl Nyquist, Secy-Treas.; Chicago, Ill. Atchison Union Depot and Railway Company; J. L. Kendall, Pres.; Falls City, Nebr. Augusta Railroad Company; W. R. Alsbrook, Pres.; Star City, Ark. Bauxite & Northern Railway Company; J. A. Waggener, V. Pres.; Bauxite, Ark. Dardanelle & Russellville Railroad Company; J. G. Puterbaugh, Pres.; McAlester, Okla. Doniphan, Kensett & Searcy Railway; L. W. Baldwin, Pres.; St. Louis, Mo. Ft. Smith Subiaco & Rock Island Railroad Company (B. A. Brown, Trustee); B. A. Brown, Trustee; Paris, Tex. Graysonia, Nashville & Ashdown Railroad Company; O. Boettcher, Pres.; Ada, Okla. Helena Southwestern Railroad Company; F. W. Schatz, Gen. Mgr.; West Helena, Ark. The Hutchinson and

Northern Railway Company; H. J. Carey, Pres.; Hutchinson, Kans. The Louisiana & Pine Bluff Railway Company; E. A. Frost, Pres.; Shreveport, La. Manufacturers Railway Company; A. E. Wright, Pres.; St. Louis, Mo. Memphis Union Station Company; R. M. Marr, Pres.; Union Sta. Bldg., Memphis, Tenn. Murfreesboro-Nashville Railway Company (V. B. Lewis, Receiver); V. B. Lewis, Receiver; Murfreesboro, Ark. The Natchez, Urania and Ruston Railway Company; Q. T. Hardtner, Pres.; Urania, La. Natchez & Southern Railway Company (Guy A. Thompson, Trustee); W. G. Vollmer, Pres.; St. Louis, Mo. New Orleans and Lower Coast Railroad Company; L. W. Baldwin, Pres.; St. Louis, Mo. Ouachita and North Western Railroad Company; C. C. Sheppard, Pres.; Clarks, La. The Prescott and Northwestern Railroad Company; J. R. Bemis, Pres.; Prescott, Ark. Reader Railroad; H. B. Johnson, Pres.; Reader, Ark. St. Francois County Railroad; C. H. Glessing, V. P.; Farmington, Mo. St. Joseph Belt Railway Company; R. E. Hastings, V. Pres.; St. Joseph, Mo. The St. Louis and O'Fallon Railway Company; A. E. Wright, Pres.; St. Louis, Mo. Texas Pacific-Missouri Pacific Terminal Railroad of New Orleans; L. W. Baldwin, Pres.; St. Louis, Mo. Tremont & Gulf Railway Company; A. L. Smith, V. P. & G. M.; Winnfield, La. Union Railway Company (Memphis, Tenn.); W. E. Lamb, Pres.; Memphis, Tenn. Union Terminal Railway Company; R. E. Hastings, Pres.; St. Joseph, Mo. Warren & Ouachita Valley Railway Company; W. N. Richardson, Pres.; Davenport, Iowa. Warren & Saline River Railroad Company; J. C. Anthoni, V. Pres.; Warren, Ark.

St. Louis-San Francisco Railway Company (J. M. Kurn and Frank A. Thompson, Trustees); J. M. Kurn, Trustee; St. Louis, Mo. Birmingham Belt Railroad Company; J. M. Kurn, Pres.; St. Louis, Mo. St. Louis, San Francisco and Texas Railway Company; J. M. Kurn, Pres.; St. Louis, Mo. Cassville & Exeter Railway Company; Mrs. T. Dingler, Pres.; Cassville, Mo. Delta Valley & Southern Railway Company; James H. Crain, Pres.; Wilson, Ark. The Joplin-Pittsburg Railroad Company; J. A. Fenimore, Pres.; Pittsburg, Kans. Mississippian Railway; E. L. Puckett, Pres.; Amory, Miss. Northeast Oklahoma Railroad Company; H. B. Cobban, Pres.; Miami, Okla. Oklahoma Railway Company (Robt. K. Johnston and A. C. DeBolt, Trustees); A. C. DeBolt, Pres.; Oklahoma City, Okla. Okmulgee Northern Railway Company; T. M. Pierce, Pres.; Okmulgee, Okla. Quanah, Acme & Pacific Railway Company; Charles H. Sommer, Pres.; Quanah, Tex. Rock Island-Frisco Terminal Railway Company; J. M. Kurn, Pres.; St. Louis, Mo. Sand Springs Railway Company; T. H. Steffens, Pres.; Sand Springs, Okla. Texas, Oklahoma & Eastern Railroad; Herman Dierks, Pres.; Kansas City, Mo. Tulsa-Sapulpa Union Railway Company; George F. Collins, Jr., Pres.; Sapulpa, Okla. Tulsa Union Depot Company; H. L. Worman, Pres.; St. Louis, Mo. Wichita Union Terminal Railway Company; F. H. Shaffer, Pres.; Springfield, Mo.

St. Louis Southwestern Railway Company (Berryman Henwood, Trustee); Daniel Upthegrove, Chief Exec. Officer; St. Louis, Mo. St. Louis Southwestern Railway Company of Texas (Berryman Henwood, Trustee); Daniel Upthegrove, Chief Exec. Officer; St. Louis, Mo. Fordyce and Princeton R. R. Co.; B. A. Mayhew, V. P.; Fordyce, Ark. The Louisiana and North West Railroad Company; Louis R. Myers, Pres.; Little Rock, Ark. Paris and Mt. Pleasant Railroad Co.; R. W. Wortham, Pres.; Paris, Tex.

Texas and New Orleans Railroad Company; H. M. Lull, Vice-Pres.; Houston, Tex. Angelina & Neches River Railroad Company; Eli Wiener, Pres.; Keltys, Tex. Aransas Harbor Terminal Railway; W. A. Scrivner, Pres.;

Aransas Pass, Tex. Moscow, Camden & San Augustine Railroad; A. L. Carter, Pres.; Camden, Tex. The Nacogdoches & Southeastern Railroad Company; E. A. Frost, Pres.; Shreveport, La. Red River and Gulf Railroad; R. D. Crowell, Pres.; Long Leaf, La. Texas Southeastern Railroad Company; H. G. Temple, Pres.; Diboll, Tex. Waco, Beaumont, Trinity & Sabine Railway Company (Paul T. Sanderson, Receiver); Paul T. Sanderson, Receiver; Trinity, Tex.

The Texas and Pacific Railway Company; J. L. Lancaster, Pres.; Dallas, Tex. The Abilene & Southern Railway Company, J. L. Lancaster, Pres.; Dallas, Tex. The Denison and Pacific Suburban Railway Company; J. L. Lancaster, Pres.; Dallas, Tex. Fort Worth Belt Railway Company; J. L. Lancaster, Pres.; Dallas, Tex. Texas-New Mexico Railway Company; J. L. Lancaster, Pres.; Dallas, Tex. Texas Short Line Railway Company; J. L. Lancaster, Pres.; Dallas, Tex. The Weatherford, Mineral Wells and Northwestern Railway Company; J. L. Lancaster, Pres.; Dallas, Tex. Eastland, Wichita Falls & Gulf Railroad Company; Samuel Butler, Pres.; Eastland, Tex. The Mansfield Railway & Transportation Company; E. A. Frost, Pres.; Shreveport, La. Marshall, Elysian Fields and Southeastern Railway Company; W. K. Furrh, V. P.; Marshall, Tex. The Pecos Valley Southern Railway Company; E. V. Ellis, V. P.; Pecos, Tex. Roscoe, Snyder and Pacific Railway Company; H. O. Wooten, Pres.; Abilene, Tex. Texas Electric Railway Company; James P. Griffin, Pres.; Dallas, Tex.

[F. R. Doc. 43-20659; Filed, December 29, 1943; 11:07 a. m.]

DEPARTMENT OF THE INTERIOR.

Reclamation Bureau.

KLAMATH PROJECT, OREG.

REVOCATION OF FIRST FORM WITHDRAWAL

DECEMBER 10, 1943.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Klamath Project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388), by Departmental Order of January 20, 1910, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked; *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands hereinafter listed.

KLAMATH PROJECT

WILLAMETTE MERIDIAN, OREGON

T. 34 S., R. 6 E.,
Sec. 25, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 26, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

H. W. BASHORE,
Commissioner.

DECEMBER 13, 1943.

I concur:

FRED W. JOHNSON,
*Commissioner of the
General Land Office.*

The foregoing recommendation is hereby approved, and it is so ordered.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

DECEMBER 14, 1943.

[F. R. Doc. 43-20645; Filed, December 29, 1943; 10:16 a. m.]

Office of the Secretary.

OLYMPIC NATIONAL PARK, WASH.

POLICE JURISDICTION ASSUMED BY THE UNITED STATES

NOVEMBER 26, 1943.

GOVERNOR LANGLEIE: Pursuant to the Act of Congress approved March 6, 1942 (56 Stat. 135), notice is hereby given, in accordance with the provisions of section 10 thereof that, effective as of the 1st day of January, 1944, at 12 m., Pacific War Time, the United States assumes police jurisdiction over the area included in the Olympic National Park on March 8, 1941. This area is particularly described in the Act of June 29, 1938 (52 Stat. 1241), establishing the park, and in the proclamation (No. 2380) issued by the President of the United States on January 2, 1940 (54 Stat. 2678; 5 F.R. 57, 209), adding lands to the park under authority contained in section 5 of the said act. The transfer of such jurisdiction to the United States has been authorized by the Act of the Legislature of the State of Washington, approved March 8, 1941 (Chapter 51, Session Laws, 1941).

It is requested that you endorse the attached duplicate original of this notice of acceptance, indicating the date of its receipt, and return the same to this Department. There is attached for your convenience a self-addressed envelope which requires no postage.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

The Honorable ARTHUR B. LANGLEIE,
*Governor of Washington,
Olympia, Washington.*

Enclosure 458.

Received this 1st day of December 1943.

ARTHUR B. LANGLEIE,
Governor of Washington.

[F. R. Doc. 43-20646; Filed, December 29, 1943; 10:16 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 794]

ALLOCATION OF FUNDS FOR LOANS

DECEMBER 9, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the

sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

<i>Project designation</i>	<i>Amount</i>
Kentucky 4035F1 Warren.....	\$131,000

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 43-20586; Filed, December 28, 1943; 3:38 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

COMMUNICATION, UTILITIES AND MISCELLANEOUS TRANSPORTATION INDUSTRIES

ORDER POSTPONING ORAL ARGUMENT

Notice of postponement of dates for oral argument before the administrator and for submission of written briefs in the matter of the recommendation of Industry Committee No. 69 for a minimum wage rate in the communication, utilities and miscellaneous transportation industries.

Whereas, notice was published in the FEDERAL REGISTER on December 21, 1943, stating that the Administrator of the Wage and Hour Division will receive written briefs on or before January 7, 1944, at the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, from any person who entered an appearance at the hearing in the matter of the report and recommendation of Industry Committee No. 69 concerning minimum wage rates for the Communication, Utilities and Miscellaneous Transportation Industries and will hear oral argument upon the record of said hearing on January 12, 1944, at 10:00 a. m., at the office of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, by any person who entered an appearance at said hearing, provided that on or before January 8, 1944, such person notifies the Wage and Hour Division of his intention to offer oral argument and of the amount of time he will require for his presentation, and

Whereas, it has been found necessary to postpone the final date for filing briefs and the date for oral argument in said matter,

Now, therefore, notice is hereby given that the Administrator will receive written briefs (not fewer than twelve copies) on the matter at issue in this proceeding on or before January 17, 1944, at the office of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, from any person who entered an appearance at said hearing, and will hear oral argument upon the record of said hearing on January 25, 1944, at 10:00 a. m., at the office of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, by any person who entered an appearance at said hearing, *Provided*, That on or before January 21, 1944, such person notifies the Wage and Hour Division of his intention to offer oral argu-

ment and of the amount of time he will require to make his presentation.

Signed at New York, New York, this 28th day of December 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-20657; Filed, December 29, 1943;
11:33 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2035, as Amended¹]

PROPERTY OF REPATRIATED JAPANESE NATIONALS

In re: Cameras and miscellaneous property belonging to Kyuya Abiko and other repatriated nationals.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the persons whose names appear on Exhibit A, attached hereto and by reference made a part hereof, are persons whose last known addresses are Japan and that they are residents of Japan and nationals of a designated enemy country (Japan);

2. That the persons mentioned in Exhibit A, attached hereto and by reference made a part hereof, are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows: Cameras and miscellaneous personal property, particularly described in Exhibit A, attached hereto and by reference made a part hereof, presently stored in the warehouse of the Weissberger Moving and Storage Company, Inc., 214-224 East 22nd Street, New York, New York, and in the custody of the United States Marshal for the Southern District of New York.

is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and

when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended. Executed at Washington, D. C., on August 25, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

[Ship and sailing date, S. S. "Gripsholm,"
June 18, 1942]

Name, Property and Tag Number

Abiko, Kyuya, 3 cartons 32 cal. revolver cart.; loose 32 cal. revolver carts., 1728.
Ashida, Isao, Eastman Kodak Jr., (620), 1211.
Hamaja, Shinji, Simplex Movie Camera, 1202.
Hiraoka, Kentaro, Contax cam. (Y 33320); Filmo motion picture camera, 1281.
Izumi, Kunio, Light camera, lens #59904; Clover delayed action shutter trip; 2 film pack adapters; flash bulb camera attachment, 1616.
Iwabuchi, Shinji, Rolleiflex camera (serial #69174) Eastman Cine-Kodak, model 60 (Serial #45066), 1199.
Kamijo, Tsutomo, Minox camera; Leica camera, (#268838); Graflex camera; Cine-Kodak movie camera; set three telephoto lens; one suitcase, 1327.
Kanuma, Yoshio, 3 suitcases containing radio tubes, 467, 481.
Kitadel Shigehiro, Cine-Kodak motion picture camera; Zeiss Ikon camera, (86857), 1264.
Kondo, Rensji, Cine-Kodak camera; contact camera; exposure meter; roll of film, 1241.
Kono, Juichi, Graflex camera and case, 1224.
Mayeda, Tamon, Film pack adapter, 16 mm Makina camera; Kodak camera (13662), 1203.
Megata, Shigeyoshi, Zeiss-Jena field glasses (2) Contaflex camera and case (A49599), 1222, 1343.
Miya, Taheshi, Ulca camera and case, 1226.
Nahayama, Jesaburo, Movie projector; one movie camera; 2 Kodaks; one exposure meter, 1231.
Okada, Iwas, Eastman Kodak 620; Pr. Dupont binoculars with case, 1262.
Sawada, Bunji, Contraflex Zeiss Jena camera, 1252.
Sudo, Hunizo, Pr. binoculars; 9 swords, 1260.
Suetogo, Yukio, Zeiss Ikon camera, 1253.
Sumil, Hango, One Graflex camera; Cine-Kodak Motion Picture camera; one Fothan-astigmat Contessa-Nettel camera, 1238.
Urano, Shigeo, Balda-six, damaged camera, 1760.
Yajima, Takusuke, Eastman Kodak 616; Zeiss contact camera, 1237.
Yamago, Choji, Rolleiflex camera (S#2181270); exposure meter; 2 range finders; one film negative album; color filters; 4 packs of films, 1274.

[F. R. Doc. 43-19826; Filed, December 13, 1943;
10:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-41, 70-312]

MICHIGAN GAS AND ELECTRIC CO. AND THE MIDDLE WEST CORP.

ORDER CONCERNING AMENDED PETITION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of December, A. D., 1943.

Michigan Gas and Electric Company, a public utility company and a subsidiary company of The Middle West Corporation, having filed a declaration and application and amendments thereto (File No. 70-312) pursuant to the Public Utility Holding Company Act of 1935, and The Middle West Corporation and Halsey, Stuart & Company, Inc., having joined in said amended declaration and application, proposing the following transactions:

1. The Middle West Corporation proposes to surrender to Michigan Gas and Electric Company for cancellation and retirement 4,785 shares of the \$100 par value common stock of Michigan Gas and Electric Company and 1,250 shares of the no par value common stock of Michigan Gas and Electric Company.

2. Halsey, Stuart & Company, Inc., proposes to surrender to Michigan Gas and Electric Company for cancellation and retirement 1,150 shares of the \$100 par value common stock of Michigan Gas and Electric Company and 1,250 shares of the no par value common stock of Michigan Gas and Electric Company.

3. Michigan Gas and Electric Company proposes:

(a) To acquire from the Middle West Corporation and Halsey, Stuart & Company, Inc., and to cancel and retire, 5,935 shares of its \$100 par value common stock and 2,500 shares of its no par value common stock, to charge \$781,000, the aggregate par and stated value of such shares, to capital stock and to credit \$781,000 to capital surplus.

(b) To charge \$470,000 to reserve for plant adjustments and to credit \$470,000 to earned surplus.

(c) To charge \$470,000 to capital surplus and to credit \$470,000 to gas utility plant adjustments.

(d) To charge \$88,501.60 to earned surplus and to credit \$88,501.60 to unamortized debt discount and expense.

(e) To amend its Articles of Association so as to change the voting rights of the holders of its capital stock.

Public hearings having been held after proper notice, the record having been closed as to the above proposals, hearings on other matters involved in the consolidated proceedings having been continued subject to call of the trial examiner or further order of the Commission, and the Commission having considered the record on the above proposals, and having made and filed its findings and opinion herein, *It is hereby ordered*, That said amended declaration, insofar as it proposes amendments to the Articles of Association of Michigan

¹ Vesting Order 2035 was amended December 3, 1943 by F.R. Doc. 43-19827, filed with the Division of the Federal Register.

Gas and Electric Company, be not permitted to become effective, and that jurisdiction be and is hereby reserved over such proposed amendments.

It is further ordered. That in all other respects said amended declaration be and the same is hereby permitted to become effective and said amended application be and the same is hereby granted, subject to the terms and conditions prescribed by Rule U-24 of the General Rules and Regulations.

It is further ordered. That jurisdiction be and the same is hereby reserved over all issues in the consolidated proceedings except those herein decided, including specifically jurisdiction over all future entries in the capital surplus account to be created by Michigan Gas and Electric Company.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-20585; Filed, December 28, 1943;
3:15 p. m.]

[File No. 70-829]

CHICAGO SOUTH SHORE AND SOUTH BEND
RAILROAD AND MICHIGAN CITY TERMINAL,
INC.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of December 1943.

In the matter of Chicago South Shore and South Bend Railroad, an Indiana Corporation, Michigan City Terminal, Incorporated, Chicago South Shore and South Bend Railroad, a Michigan Corporation.

Notice is hereby given that a joint application-declaration, as amended, has been filed with this Commission by Chicago South Shore and South Bend Railroad, an Indiana corporation ("South Shore of Indiana") and a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Successor Trustees of the Estate of Midland Utilities Company, a registered holding company, by Chicago South Shore and South Bend Railroad, a Michigan corporation ("South Shore of Michigan") and a wholly-owned subsidiary of South Shore of Indiana, and by Michigan City Terminal, Incorporated ("Terminal Company") all the common stock of which is owned by South Shore of Indiana and South Shore of Michigan, pursuant to the Public Utility Holding Company Act of 1935. All interested persons are referred to said joint application-declaration, as amended, which is on file in the office of said Commission for a statement of the transactions therein proposed which are summarized as follows:

South Shore of Indiana proposes to purchase from Terminal Company for a cash consideration of \$130,828 all the real estate, and the buildings and improvements erected thereon, owned by Terminal Company. The cash consideration will be paid over to Citizens Bank of Michigan City, Indiana, trustee under a mortgage securing 3% Income Bonds of Terminal Company, dated December

1, 1934, and due June 1, 1952. The Mortgage Trustee will thereupon purchase or retire the outstanding Income Bonds in the total principal amount of \$116,500 at not more than the principal amounts thereof, as provided in the mortgage, pay all expenses for such retirement, release the mortgage, and then pay any balance remaining to the Terminal Company. Terminal Company will then satisfy its current debts, proportionately pay over any remaining assets to South Shore of Indiana and to South Shore of Michigan as owners of all the outstanding shares of the common stock of Terminal Company, and will thereupon dissolve.

Applicants-declarants state that sections 9 (a), 10, and 12 (f) of the Act and Rules U-43 and U-46 are applicable to the proposed transactions and that no other regulatory authority has jurisdiction thereover.

Notice is further given that any interested person may, not later than January 13, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time thereafter such joint application-declaration, as filed or as amended, may become effective and granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said Act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-20584; Filed, December 28, 1943;
3:15 p. m.]

SELECTIVE SERVICE SYSTEM.

[Operations Order 14]

COLORADO

BOARDS OF APPEAL NOS. 1 AND 2

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, and in accordance with the recommendation of Major Howard E. Reed, State Director of Selective Service for the State of Colorado, *I hereby order and direct:*

That the State Director of Selective Service for the State of Colorado is hereby authorized to disestablish the board of appeal areas for Boards of Appeal numbered 1 and 2, State of Colorado, and to establish the board of appeal areas for Boards of Appeal numbered 1 and 2, State of Colorado, as follows:

(1) The board of appeal area for Board of Appeal No. 1 to contain and be coextensive with the following counties: Larimer, Weld, Boulder, Denver, Jefferson, Morgan, Adams, Logan, Washington, Lincoln, Sedgwick, Phillips, Yuma, and Kit Carson;

(2) The board of appeal area for Board of Appeal No. 2 to contain and be coextensive with the following counties:

Moffat, Routt, Jackson, Grand, Gilpin, Summit, Clear Creek, Eagle, Rio Blanco, Garfield, Mesa, Delta, Montrose, Ouray, San Miguel, Dolores, Montezuma, San Juan, La Plata, Pitkin, Lake, Chaffee, Gunnison, Saguache, Alamosa, Rio Grande, Mineral, Hinsdale, Archuleta, Conejos, Costilla, Park, Fremont, Custer, Teller, Huerfano, Arapahoe, Douglas, Elbert, El Paso, Pueblo, Crowley, Otero, Las Animas, Cheyenne, Kiowa, Bent, Prowers, and Baca.

LEWIS B. HERSHEY,
Director.

DECEMBER 28, 1943.

[F. R. Doc. 43-20600; Filed, December 28, 1943;
4:40 p. m.]

[Operations Order 15]

GEORGIA

BOARDS OF APPEAL NOS. 1 AND 2

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, and in accordance with the recommendation of Colonel James N. Keelin, Jr., State Director of Selective Service for the State of Georgia, *I hereby order and direct:*

That the State Director of Selective Service for the State of Georgia is hereby authorized to disestablish the board of appeal areas for Boards of Appeal numbered 1 and 2, State of Georgia, and to establish the board of appeal areas for Boards of Appeal numbered 1 and 2, State of Georgia as follows:

(1) The board of appeal area for Board of Appeal No. 1 to contain and be coextensive with the following counties: Dade, Walker, Catoosa, Whitfield, Murray, Fannin, Union, Towns, Rabun, Gilmer, Lumpkin, White, Habersham, Chattooga, Gordon, Pickens, Dawson, Hall, Banks, Stephens, Franklin, Hart, Floyd, Bartow, Cherokee, Forsyth, Jackson, Madison, Elbert, Polk, Haralson and Paulding, State of Georgia.

(2) The board of appeal area for Board of Appeal No. 2 to contain and be coextensive with the following counties: Cobb, Carroll, Fulton, Douglas, Dekalb, Rockdale, Clayton, Heard, Coweta, Fayette, and Henry, State of Georgia.

LEWIS B. HERSHEY,
Director.

DECEMBER 28, 1943.

[F. R. Doc. 43-20601; Filed, December 28, 1943;
4:40 p. m.]

[Operations Order 16]

MISSOURI

BOARDS OF APPEAL NOS. 6 AND 7

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, and in accordance with recommendations of the Honorable Forrest C. Donnell, Governor of the State of Missouri, and Colonel Claude C. Harp, State Director of Selective Service for the State of Missouri, *I hereby order and direct:*

That the State Director of Selective Service for the State of Missouri is hereby

authorized to disestablish the board of appeal areas for Boards of Appeal Nos. 6 and 7, State of Missouri, and to establish one board of appeal area coextensive with the counties of St. Louis, Jefferson, and St. Charles, and the City of St. Louis, State of Missouri.

LEWIS B. HERSHEY,
Director.

DECEMBER 28, 1943.

[F. R. Doc. 43-20602; Filed, December 28, 1943;
4:40 p. m.]

[Operations Order 17]

WASHINGTON

BOARDS OF APPEAL NOS. 2 AND 3

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, and in accordance with recommendations of the Honorable Arthur B. Langlie, Governor of the State of Washington, and Colonel Walter J. DeLong, State Director of Selective Service for the State of Washington, *I hereby order and direct:*

1. That the State Director of Selective Service for the State of Washington is hereby authorized to disestablish the board of appeal areas for Boards of Appeal Nos. 2 and 3, State of Washington, and to establish one board of appeal area coextensive with the counties of Clark, Cowlitz, Grays Harbor, King, Kitsap, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, Wahkiakum, Clallam, Island, Jefferson, San Juan, Skagit, Snohomish, and Whatcom, State of Washington.

2. That the present members of Board of Appeal No. 2, State of Washington, are hereby transferred to and appointed as members of Board of Appeal No. 3, State of Washington, and such members, together with the persons now serving as members of Board of Appeal No. 3, State of Washington, are appointed and assigned to the groups of such Board of Appeal No. 3 shown on Exhibit A attached hereto.

LEWIS B. HERSHEY,
Director.

DECEMBER 28, 1943.

EXHIBIT A

BOARD OF APPEAL NO. 3

Group No. 1 (former members of Board of Appeal No. 3):

James B. Kinne
T. A. Davies
William Short
David Metheny, M. D.
Harry J. Beernink

Group No. 2 (former members of Board of Appeal No. 2):

Henry Isaacson
Benjamin F. Smith
Philip S. Nelson, M. D.
Samuel S. DeMoss
Robert M. Jones

[F. R. Doc. 43-20603; Filed, December 28, 1943;
4:40 p. m.]

[Operations Order 18]

WISCONSIN

BOARDS OF APPEAL NOS. 1 AND 2

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, and in accordance with recommendations of the Honorable Walter Goodland, Governor of the State of Wisconsin, and Colonel John F. Mullen, State Director of Selective Service for the State of Wisconsin, *I hereby order and direct:*

1. That the State Director of Selective Service for the State of Wisconsin is hereby authorized to disestablish the board of appeal areas for Boards of Appeal numbered 1 and 2, State of Wisconsin, and to establish one board of appeal area coextensive with the County of Milwaukee, State of Wisconsin.

2. That the present members of Board of Appeal No. 2, State of Wisconsin, are hereby transferred to and appointed as members of Board of Appeal No. 1, State of Wisconsin, and such members, together with the persons now serving as members of Board of Appeal No. 1, State of Wisconsin, are appointed and assigned to the groups of such Board of Appeal No. 1, State of Wisconsin, shown on Exhibit A attached hereto.

LEWIS B. HERSHEY,
Director.

DECEMBER 28, 1943.

EXHIBIT A

BOARD OF APPEAL NO. 1

Group No. 1:

August C. Backus
Joseph J. Spartz
Charles Nickolaus
Dr. Robert W. Blumenthal

Group No. 2:

Edwin J. Gross
Edward Hartung
Col. Peter F. Piasecki
Dr. Francis Murphy

Group No. 3:

Paul J. Stern
J. M. Swedish.

[F. R. Doc. 43-20604; Filed, December 28, 1943;
4:40 p. m.]

WAR FOOD ADMINISTRATION.

YANKTON LIVE STOCK SALES COMPANY,
YANKTON, SOUTH DAKOTA

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Yankton Live Stock Sales Company, owned and operated by H. L. Slaughter and Max S. Slaughter, doing business as Yankton Livestock Sales Company, outside the City limits of Yankton, South Dakota, comes within the definition of a stock-

yard under the Packers and Stockyards Act, 1921, as amended. Therefore, notice of such fact is given to the owners of such stockyard and to the public, and by filing with the Division of the Federal Register.

Done at Washington, D. C., this 23d day of December 1943.

THOMAS J. FLAVIN,
*Assistant to the War
Food Administrator.*

[F. R. Doc. 43-20598; Filed, December 27, 1943;
11:17 a. m.]

YANKTON LIVE STOCK SALES COMPANY,
YANKTON, SOUTH DAKOTA

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Yankton Live Stock Sales Company (within the City limits of Yankton, South Dakota), posted on June 20, 1933, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, no longer comes within the definition of a stockyard under the act. Therefore, notice of such fact is given to the owner of such stockyard and to the public, and by filing with the Division of the Federal Register.

Done at Washington, D. C., this 23d day of December 1943.

THOMAS J. FLAVIN,
*Assistant to the
War Food Administrator.*

[F. R. Doc. 43-20599; Filed, December 27, 1943;
11:18 a. m.]

WAR PRODUCTION BOARD.

[Preference Rating Order P-19-e, Serial No.
407-E]

MISSISSIPPI STATE HIGHWAY DEPARTMENT

PARTIAL CANCELLATION OF REVOCATION
ORDER

Builder: Mississippi State Highway Department, Jackson, Mississippi. Project: Identified as: FAS 297D (1) on State Route 20 from 7 miles east of Georgetown to Pinola.

The partial revocation of preference rating issued on April 17, 1943, is hereby cancelled.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696)

Issued December 29, 1943.

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

[F. R. Doc. 43-20661; Filed, December 29, 1943;
11:53 a. m.]