Chaplain intern—St. Elizabeths Hospital: Approved training following completion of four or more years of approved postgraduate theological training........................................ 2,000

Chaplain resident—St. Elizabeths Hospital: Second year of clinical training following completion of four or more years of approved postgraduate theological training. $2,600

Chaplain intern—St. Elizabeths Hospital: First year of clinical training following completion of three or more years of approved postgraduate theological training......................... 2,000

1. Effective August 1, 1952, the list of positions excluded from the provisions of the Federal Employees Pay Act and the Classification Act in § 27.1 is amended by the following addition, restatement and change of title, respectively:

§ 27.1 Exclusion from provisions of Federal Employees Pay Act and Classification Act

Chaplain resident, second year of clinical training following completion of four or more years of approved postgraduate theological training...

Chaplain intern, first year of clinical training following completion of three or more years of approved postgraduate theological training...

Chaplain student intern, approved training during second year of approved postgraduate theological training,...

2. Effective August 1, 1952, the list of positions for which maximum stipends have been prescribed in § 27.2 is amended by adding a maximum stipend for chaplain resident at St. Elizabeths Hospital and by changing the titles and maximum stipends previously established for chaplain interns at St. Elizabeths Hospital to stipends previously established for chaplain resident at St. Elizabeths Hospital by adding a maximum stipend for chaplain resident at St. Elizabeths Hospital.

In order to consolidate regulations with respect to performing farm development in the Farm Ownership and Farm Housing Programs and to incorporate current amendments, Parts 304 and 324, Chapter III, Title 6, Code of Federal Regulations, are changed as set forth herein.

1. Part 304 is revoked.

NOTE: The material contained in §§ 304.41 through 304.46 is amended and consolidated with similar regulations concerning the Farm Ownership Program in § 304.41 through 324.45 of this chapter.

2. The title of Part 324 is changed to: “Construction and Repair (Farm Ownership and Farm Housing Programs).”

3. Subpart C, Part 324, Title 6, Code of Federal Regulations, as amended (13 F. R. 8466; 15 F. R. 4386, 6308, 9353), is revised as follows:

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RULES AND REGULATIONS

(a) Contract provisions. When farm development work is to be performed under this Subpart C, the following determinations will be made regarding the special conditions which will be provided for in the particular contract involved.

(i) Time for performance of the work. The borrower and the County Supervisor will agree upon the desired dates to be inserted in the contract for starting and completing the work.

(ii) Liquidation damages. The borrower and the County Supervisor will determine what amount, if any, should be inserted in paragraph III of the General Conditions as liquidated damages for each calendar day of delay in completing the work. Such amount must represent the best estimate it is possible to make of the damages which delay in completing the work will cause to the borrower.

(iii) Method of payment. The borrower and County Supervisor will make a preliminary determination as to the method of payment which will be used. The method of payment to be used will be either one of the following three methods:

(A) Payment in one lump sum upon completion of all the work.

(B) Partial payments as the work progresses in the amount of 60 percent of the value of the work in place, or whenever in the opinion of the Engineer or the County Supervisor it appears advisable to require the borrower to obtain the services of the Engineer.

(C) Payment in one lump sum upon completion of all the work, or if the borrower cannot obtain the services of the Engineer, as a preliminary determination as to the method of payment to be used. The method of payment agreed upon by the Owner and the Representative of all work required hereunder, the amount due the Contractor will be paid.

(ii) Surety bond required. When surety bond is required in connection with contract work, the following payment clause will be inserted in paragraph C of the contract:

Partial payments will be made at intervals of ______ week(s), in the amount of ______ percent of the value of the work in place and of the value of materials suitably stored at the site less the aggregate of previous payments.

(iii) Payment made by the contractor. When it is necessary for the contractor and the borrower as follows:

(A) When lump sum payment has been agreed upon, insert:

Payment will be made in one lump sum for the whole contract work on acceptance of the Owner and the Representative of all work required hereunder.

(B) When partial payments have been agreed upon, insert:

Partial payments will be made at intervals of ______ week(s), in the amount of ______ percent of the value of the work in place and of the value of materials suitably stored at the site less the aggregate of previous payments.

(c) Obtaining bids. The borrower will be advised as to bids on the farm development work to be performed by the contract method from as many qualified contractors as practicable. Each bidder will be notified of the time and place the bids will be opened.

(d) Selection of contractor. When bids on the farm development work have been obtained, the borrower, with the assistance of the County Supervisor, will consider the bids and the contractors’ qualifications to perform the work and, on the basis of these considerations, select a contractor.

(e) Preparation of contract. After the contract has been selected, Form FHA-296 will be completed. The payment clause to be inserted in paragraph C of the contract will depend upon whether or not surety bond is to be required.

(i) Surety bond required. When surety bond is required in connection with contract work, the following payment clause will be inserted in paragraph C of the contract:

Partial payments will be made at intervals of ______ week(s), in the amount of ______ percent of the value of the work in place and of the value of materials suitably stored at the site less the aggregate of previous payments.

(ii) Payment made by the contractor. When it is necessary for the contractor and the borrower as follows:

(A) When lump sum payment has been agreed upon, insert:

Payment will be made in one lump sum for the whole contract work on acceptance of the Owner and the Representative of all work required hereunder.

(B) When partial payments have been agreed upon, insert:

Partial payments will be made at intervals of ______ week(s), in the amount of ______ percent of the value of the work in place and of the value of materials suitably stored at the site less the aggregate of previous payments.

(f) Approval of contract. Before a contract is awarded, it must be reviewed and approved by the Engineer, except that a contract in the amount of $500 or less may be approved by the County Supervisor. The owner authorized to approve the contract will consider the qualifications of the contractor, the proposed price for doing the work, time limits, the method of payment, and such other matters as may be deemed advisable. He will also make certain that the plans and specifications fully describe the work and are properly identified in the contract. If the contract is satisfactory with respect to these conditions, he will approve the contract.
contractor and he will be instructed to proceed with the work.

(b) Schedule of prices of partial payments. When partial payments are provided for in the contract, the contractor will be provided with a schedule of prices of partial payments to submit for the approval of the County Supervisor and agreement by the contractor, Form FHA-625, “Contract Change Order,” will be processed before such changes are made by the contractor. Form FHA-625 will not be approved by the County Supervisor when such changes will significantly alter the farm development as planned on Form FHA-643, regardless of the method of performance, may be modified or a substitution of materials in connection with the work requires his recommendations; and the County Supervisor permit funds to be withdrawn from the supervised bank account to pay the borrower for his own labor.

(2) Payments for material. Before the County Supervisor countsigns the check covering the material purchased, he will have in his possession an itemized statement from the creditor covering the material purchased. Such statement will be signed by the borrower. Ordinarily, checks drawn in payment for material will be made payable to the borrower reimbursing him for these expenditures. Reimbursements may be made only with respect to farm development items planned at the time of expenditure. Reimbursements may not be made for expenses paid before the disbursement of loan funds is authorized except under extraordinary circumstances to those described in § 301.1(e)(1) of this chapter. Under no circumstances will the County Supervisor permit funds to be withdrawn from the supervised bank account to pay the borrower for personal funds and has obtained signatures of the workmen on Form FHA-997 as being correct and received, the County Supervisor may countersign a check countersigned by the County Supervisor. Form FHA-997, “Statement of Labor Performance,” in an amount up to $500.

§ 324.43 Farm development performed by the borrower method. Farm development performed by the borrower method means performance of work by the borrower or revisions are to be made in the plans and specifications. A final inspection will be made at the earliest possible date after completion of each item of farm development without jeopardizing his farming operations or repayment ability, the County Supervisor will inspect the development. The Engineer and the County Supervisor will contact the borrower and consider revising the plans and specifications on Form FHA-643 in a way that the planned items of farm development can be completed satisfactorily and consistent with minimum standards. When additional funds are to be furnished by the borrower, the borrower may be made payable to the borrower reimbursing him for these expenditures. Reimbursements may not be made for expenses paid before the disbursement of loan funds is authorized except under extraordinary circumstances to those described in § 301.1(e)(1) of this chapter.

(4) Additions to contract work. In the event of any change in the contract, the County Supervisor will sign as accepting the change; the contractor will countersign the check covering the material or labor furnished by the borrower method. Whenever in connection with any payment, the County Supervisor has reason to believe that there may be damage or loss, he will require the borrower to secure the signatures of appropriate lienors or claimants on Form FHA-285, before countersigning the check.

§ 324.44 Inspection of farm development work. The following policies will govern the inspection of farm development work performed by the contract method or the borrower method.

(a) Responsibility for inspection. The County Supervisor may make a final inspection of any item of farm development so that farm development cannot be completed in accordance with Farm FHA-643 and the borrower cannot make a subsequent loan. The County Supervisor will be responsible for the inspection of his farming operations or repayment ability, the County Supervisor will inspect the development. The Engineer and the County Supervisor will contact the borrower and consider revising the plans and specifications on Form FHA-643 in a way that the planned items of farm development can be completed satisfactorily and consistent with minimum standards. When additional funds are to be furnished by the borrower, the borrower may be made payable to the borrower reimbursing him for these expenditures. Reimbursements may not be made for expenses paid before the disbursement of loan funds is authorized except under extraordinary circumstances to those described in § 301.1(e)(1) of this chapter.

(3) Payee of sum agreements. Payments for labor or material furnished under a lump sum agreement will be made only when all such material or labor has been received as provided in the agreement. The borrower has signed the lump sum agreement as accepting the material or labor furnished under the agreement.

(4) Additional requirements applicable to all payments made under borrower method. Whenever in connection with any payment, the County Supervisor has reason to believe that there may be damage or loss, he will require the borrower to secure the signatures of appropriate lienors or claimants on Form FHA-285, before countersigning the check.
Form FHA-643 involves work being performed by the contract method. Form FHA-924 must be approved before Form FHA-925 is processed.

(a) Limitations. The County Supervisor and the State Field Representative are authorized to approve changes in Form FHA-643, as specified in paragraphs (b) and (c) of this section provided that the following limitations are complied with:

1. Limitations applicable to both Farm Ownership and Farm Housing Programs. (i) Such a change is for an authorized purpose.

(ii) Such a change has been discussed with and approved in writing by the County Committee in the case of any basic change which affects substantially the method of operation of the farm or the Government's security.

(iii) Sufficient funds have been deposited in the borrower's supervised bank account to cover the change, or when the change involves additional funds to be furnished by the borrower.

(iv) The recommendation of the Envision, Group or Farm Development Committee further certifies in writing that adequate funds are available to complete the work within the additional time allotted.

(v) The recommendation of the appraiser has been secured when an appreciable change in land development is involved.

(b) Limitations applicable to the Farm Ownership Program. (i) If the change involves the use of additional funds to be furnished by the borrower for the completion of planned items of farm development which will not affect the fair and reasonable value of the farm when completed, and which is occasioned by necessary substitution of materials or equipment, costs in excess of estimates, errors in design or other factors beyond the control of the borrower, then, notwithstanding the limitation in § 311.26(b)(1) of this chapter, the additional investment and change may be approved by the loan approval official.

(ii) If the change involves the use of additional funds to be furnished by the borrower for items of farm development other than those which were considered by the County Committee in connection with its certification of the fair and reasonable value of the farm, the change may be approved by the loan approval official only upon the following conditions:

(a) The County Committee reconsider the fair and reasonable value of the farm as improved, including the proposed change, and recertify such value on a revised Form FHA-49.

(b) The recertified value of the farm does not exceed the average value for the county.

(c) The revised total investment does not exceed the recertified value of the farm.

(d) The revised total investment does not exceed the total investment limit established for the county or the limit established for the farm pursuant to § 311.28 of this chapter.

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(3) Limitations applicable to the Farm Housing Program. (i) Such a change does not involve a transfer of funds from fees to a land item or from fees.

(ii) Such a change does not involve a transfer of funds from fees to a land item or from fees.

(b) Changes authorized by County Supervisor. Subject to the limitations set forth in paragraph (a) of this section, the County Supervisor is authorized to approve changes which involve:

1. Extensions of time within the 15 month maximum limit for completion of farm development. Before granting such extensions of time, a definite understanding must be reached for completion of the work within the additional time allotted.

2. Minor changes of items in Form FHA-643 which do not affect the method of operation of the farm or the Government's security.

3. A change in the method of performing farm development work.

4. An increase in cost of planned farm development to be paid from the borrower's funds which will not affect the method of operation of the farm or the Government's security.

5. Transfer of unexpended funds from completed farm development items to uncompleted items to the extent necessary to meet the difference between estimated costs on Form FHA-643 and actual costs.

6. Transfer of funds between uncompleted farm development items to the extent necessary to meet the difference between estimated costs on Form FHA-643 and actual costs, provided that sufficient funds remain available to complete the items as originally planned and that such a transfer does not reduce the item more than 10 percent.

7. Transfers of funds planned for refinancing, farm development items, and fees as follows:

(a) From unexpended amount planned for refinancing to farm development items or to the item of fees to the extent necessary to meet the difference between estimated costs and actual costs.

(b) From unexpended amount planned for fees to farm development items or to the item of refinancing to the extent necessary to meet the difference between estimated costs and actual costs.

(c) From any farm development items to the item of refinancing or to the item of fees to the extent necessary to meet the difference between estimated costs and actual costs.

(d) Transfers of funds planned for refinancing, farm development items, and fees as follows:

(i) From unexpended amount planned for refinancing to farm development items or to the item of fees to the extent necessary to meet the difference between estimated costs and actual costs.

(ii) From any farm development items to the item of refinancing or to the item of fees to the extent necessary to meet the difference between estimated costs and actual costs.

(iii) Sufficient funds have been deposited in the borrower's supervised bank account to cover the change, or when the change involves additional funds to be furnished by the borrower.

(iv) The change involves the use of additional funds to be furnished by the borrower for the completion of planned items of farm development which will not affect the fair and reasonable value of the farm when completed, and which is occasioned by necessary substitution of materials or equipment, costs in excess of estimates, errors in design or other factors beyond the control of the borrower, then, notwithstanding the limitation in § 311.26(b)(1) of this chapter, the additional investment and change may be approved by the loan approval official.

(v) The change involves the use of additional funds to be furnished by the borrower for items of farm development other than those which were considered by the County Committee in connection with its certification of the fair and reasonable value of the farm, the change may be approved by the loan approval official only upon the following conditions:

(a) The County Committee reconsider the fair and reasonable value of the farm as improved, including the proposed change, and recertify such value on a revised Form FHA-49.

(b) The recertified value of the farm does not exceed the average value for the county.

(c) The revised total investment does not exceed the recertified value of the farm.

(d) The revised total investment does not exceed the total investment limit established for the county or the limit established for the farm pursuant to § 311.28 of this chapter.

(4) Transfer of funds between uncompleted farm development items to the extent necessary to meet the differences between estimated costs on Form FHA-643 and actual costs when such transfers will result in decreasing the funds for any item more than 10 percent.

5. A transfer of funds from any farm development items to the item of refinancing or to the item of fees to the extent necessary to meet the difference between estimated costs and actual costs when the amount to be transferred from any one item exceeds 10 percent of the amount planned for that item or when the total amount to be transferred from all farm development items exceeds $100: Provided, That it is determined that adequate funds are available to complete all the planned farm development.

6. Transfer of funds remaining after completion of all planned items to additional items or not previously planned: Provided, That:

(a) All planned items have been completed in accordance with the approved plans and specifications and the final inspections have been made.

(b) The excess funds will be used for an authorized loan purpose for the type of loan received by the borrower.

(c) The excess funds will be disbursed in the same manner as though the additional farm had been included in the original plan.

(iv) The plans and specifications for the additional item of farm development comply with minimum standards.

5. In cases where the amount of funds to be transferred exceeds $300, the written approval of the County Committee is obtained, and in the case of a Farm Ownership loan, the County Committee further certifies in writing that after the expenditure the fair and reasonable value of the farm based upon earning capacity will not exceed the county average value.

[Secs. 2 (a), (b), 3 (a), 60 Stat. 1078, 1074, 1003 (a), 42 U. S. C. 1478 (b)]

[Seal] Dillard B. Lasseter, Administrator, Farmers Home Administration.

August 5, 1952.
Approved: August 12, 1952.

Charles F. Brannan, Secretary of Agriculture.
TITLE 7—AGRICULTURE

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

[Lemon Regulation 448]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.558 Lemon Regulation 448—(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 2615), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be sold, handled, or stored, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the Federal Register (29 Stat. 297; 5 U.S.C. 1001 et seq.), because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on August 13, 1952; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and the effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period specified, and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) Order. (1) The quantity of lemons grown in the State of California or in the State of Arizona, which may be sold, handled during the period beginning at 12:01 a.m., P. s. t., August 17, 1952, and ending at 12:01 a.m., P. s. t., August 24, 1952, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 300 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 447 (17 F. R. 7674) and made a part hereof by this reference.

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

(4) Pursuant to § 953.55, the limitation of shipments as hereinafter set forth shall take effect at 12:01 a.m., P. s. t., August 24, 1952;

(5) Provided further, that such limitation of shipments as hereinafter set forth shall be suspended in the circumstances, for such preparation, which are specified in subparagraph (3) of this paragraph.

(6) Pursuant to § 953.55, the limitation of shipments as hereinafter set forth shall be completed by such effective date and a reasonable time is permitted under the circumstances, for such preparation.

(7) Pursuant to § 953.55, the limitation of shipments as hereinafter set forth shall be completed by the effective time thereof.

Done at Washington, D. C., this 14th day of August, 1952.

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

[F. R. Doc. 52-9152; Filed, Aug. 15, 1952; 9:37 a. m.]

PART 959—IRISH POTATOES GROWN IN THE COUNTIES OF CROOK, DESCHUTES, JEFFERSON, KLAMATH, AND LAKE IN OREGON, AND MODOC AND SISKIYOU IN CALIFORNIA

LIMITATION OF SHIPMENTS

§ 959.308 Limitation of shipments—(a) Findings. (1) Pursuant to Marketing Agreements and Orders No. 89, as amended (7 CFR Part 959), regulating the handling of Irish potatoes grown in the counties of Crook, Deschutes, Jefferson, Klamath, and Lake in the State of Oregon, and Modoc and Siskiyou in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 914, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Oregon-California Potato Committee, established under said marketing agreements and amended order, and other available information, it is hereby found that such limitation of shipments as hereinafter set forth will tend to effectuate the declared policy of the act.

(2) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until thirty days after publication thereof in the Federal Register (5 U. S. C. 1001 et seq.), because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for such preparation.

(3) Pursuant to § 959.30, each handler may make one shipment of not in excess of 100 hundredweight of potatoes grown in the production area per week without regard to the limitations set forth in subparagraph (1) of this paragraph, and §§ 959.41 and 959.60.

(4) During the period from August 18, 1952, to November 30, 1952, both dates inclusive, no handler shall ship any lot of potatoes which are more than slightly skinny, which means that not more than 10 percent of the potatoes in any lot may have more than one-fourth of the skin missing or feathered, as such terms are used in the U. S. Standards for Grades of Potatoes (17 FR 7942); or to exceed 100 hundredweight of each variety of potatoes of each producer may be handled every seven days without regard to the aforesaid maturity requirements; if the handler thereof reports prior to such handling the name and address of the producer of each such lot and each such lot is handled as an identifiable lot, the provisions set forth in subparagraph (1) of this paragraph will be equally applicable to potatoes shipped under the maturity requirements set forth in this subparagraph.

(5) Each handler making shipments of potatoes pursuant to subparagraph (4) of this paragraph shall (i) pay assessments on potatoes for grading or storing in the production area and shipments of potatoes for livestock feed within the production area; (ii) file an application with the committee pursuant to § 959.41, and § 959.60 that such application for such shipments; (iii) pay assessments on such shipments pursuant to § 959.41, and (iii) have such shipments (except shipments of seed potatoes) inspected pur-
TITL 15—COMMERCE AND FOREIGN TRADE
Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce
Subchapter C—Office of International Trade

PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 390—AMENDMENTS, EXTENSIONS, TRANSFERS

PART 382—DENIAL OR SUSPENSION OF EXPORT PRIVILEGES

PART 398—PRIORITY RATINGS AND SUPPLY ASSISTANCE

MISCELLANEOUS AMENDMENTS

1. Section 372.3 How to file an application for export license is amended in the following particular:

Note 6. Inquiries and correspondence following paragraph (c) Information required is amended to read as follows:

6. Inquiries and correspondence. Every effort is made to examine applications and advise applicants of action in the shortest time. Applicants should allow a period of 3 weeks after receipt of returned acknowledgment card. Form IT-116, or, in case of commodities with established filing dates, 3 weeks after close of such filing period, before inquiring as to progress of an application. Certain types of applications require more time for necessary examination and consideration.

Requests for information concerning the application of regulations to specific facts, the status of delayed cases, or any other inquiry concerning export license applications should be addressed to the Exporters’ Service Section, Office of International Trade, Department of Commerce, Washington 25, D. C. Such communications should not be attached to an application or license envelope and should be mailed in a separate envelope.

2. Section 373.11 Special provisions for ferrous or nonferrous commodities, including ores, concentrates, or unrefined products is amended in the following particulars:

a. Paragraph (f) Zinc scrap is renumbered paragraph (g) Zinc scrap.

b. A new paragraph (f) is added to read as follows:

(1) Copper refinery shapes. All applications for a license to export copper refinery shapes, Schedule B No. 841290, shall include, in the commodity description column of Form IT-419, a statement indicating the origin, U. S. or foreign, of the ores and concentrates from which the copper shapes covered by the application were produced.

This part of the amendment shall become effective as of August 7, 1952.

3. Section 373.24 Statement of past participation in exports for certain commodities, paragraph (b) Commodities requiring statement of past participation is amended by adding thereto a new subparagraph (f) to read as follows:

(6) Cobalt–chromium dental alloys and dental alloys and enamels containing cobalt. Schedule B No. 664529 and 915550. A separate report on Form IT-821 shall be filed for each Schedule B number and shall cover the quantity, in pounds, of exports from the United States made during each of the calendar years 1949 and 1950, where the combined total of such exports for both commodities was 500 or more for any one year.

This part of the amendment shall become effective with the submission of initial reports for the fourth quarter 1952, for which filing dates will be announced in the near future. However, exporters may submit Form IT-821 at any time.

4. Section 373.51 Supplement No. 1: Time schedules for submission of applications for licenses to export certain Positive List commodities is amended in the following particulars:

a. For the third quarter 1952 the entry for “Copper and manufactures under Commodities other than controlled materials” is amended to read as follows:

Copper and manufactures except refined copper, Schedule B No. 641500,

b. For the fourth quarter 1952 the following entries and related submission dates are added:

<table>
<thead>
<tr>
<th>Commodity</th>
<th>Submission dates-fourth quarter 1952</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sensible</td>
<td>Metal scrap…</td>
</tr>
<tr>
<td>Cobalt…</td>
<td></td>
</tr>
<tr>
<td>Copper…</td>
<td></td>
</tr>
</tbody>
</table>
7. Section 398.1 DO (priority) ratings for foreign aircraft is amended to read as follows:

§ 398.1 DO (priority) ratings and allotment symbols (CMP) for foreign aircraft—(a) Delegation of authority. (1) The Civil Aeronautics Administration has delegated to the Office of International Trade, Department of Commerce, the right to assign DO ratings, using defense program symbols, on purchase orders for maintenance, repair and operating supplies, and supporting navigational aids for commercial transport aircraft of civil air carriers registered in foreign countries other than those listed in paragraph (c) of this section. This rating authority will be exercised in accordance with a program established by the National Production Authority, and limited in total dollar value for each calendar quarter.

(2) The Office of International Trade is further authorized to assign allotment symbols for the procurement of controlled materials (CMP) for commercial transport aircraft of civil air carriers registered in foreign countries other than those listed in paragraph (c) of this section.

(b) Programs. (1) The Office of International Trade will consider requests under the Civil Air Carrier Program for Foreign Aircraft for the assignment of:

(i) Allotment symbols for the procurement of controlled materials, and

(ii) DO ratings for commodities other than controlled materials.

(2) When such requests are approved, OIT will assign the appropriate allotment symbol or rating, using the following Department of Defense program identification symbols:

(i) A-1 Aircraft Program;

(ii) A-7 Electronics and Communications Equipment Program;

(iii) D-9 Production Equipment Program;

(iv) C-9 Miscellaneous Program;

(c) Ratings not assigned by OIT. Requests for DO ratings or allotment symbols on purchase orders for delivery of maintenance, repair and operating supplies and supporting navigational aids to foreign civil air carriers registered in any of the following countries shall be submitted to the Civil Commodity Division, Mutual Security Agency, 801 Connecticut Avenue NW., Washington 25, D. C.

<table>
<thead>
<tr>
<th>Name and address</th>
<th>Effective date of order</th>
<th>Expired date of order</th>
<th>Export privileges affected</th>
<th>Federal Register citation</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Hantra&quot; Transat-Handelsgeellschaft, St. Jakobstrasse 21, Basel, Switzerland.</td>
<td>7-16-52</td>
<td>7-15-55</td>
<td>General and validised licenses</td>
<td>17 F. R. 6796, 7-24-52</td>
</tr>
</tbody>
</table>

This part of the amendment shall become effective as of August 7, 1952.

French Overseas Territories—Continued

China (Taiwan), Formosa, Macao, Portuguese East Indi.

FEDERAL REGISTER

FRIDAY AUGUST 16, 1952

7449

Belgium-Luxembourg Economic Union.

Denmark.

Belgium.

Belgian Overseas Territories:

Belgian Congo. 

Kongo Centrul.

French West Indies.

British Windward Islands.

British Guiana.

French Guiana.

Grenada (Carriacou and Dependencies).

Spanish Cay Islands.

Trinidad and Tobago.

French Guyana.

British Honduras.

British Honduras.

French West Indies.

French Guiana.

French Equatorial Africa.

The Cameroun.

Madagascar and Comoro Islands.

Saint Pierre and Miquelon.

New Caledonia and Dependencies.

French Oceania.

French Indian Ocean Islands.

Reunion Island.

French Equatorial Africa.

Congo.

French Equatorial Africa.

Congo.

Madagascar.

Gambia, Togoland, British Cameroons.

Fiji Islands.

British West Indies.

Bahamas.

Somaliland.

Algeria.

Anadolu (Port. East Africa).

Azores.

French Equatorial Africa.

The Cameroun.

Madagascar and Comoro Islands.

Saint Pierre and Miquelon.

New Caledonia and Dependencies.

French Oceania.

French Indian Ocean Islands.

Reunion Island.

French Equatorial Africa.

Ivory Coast.

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RULES AND REGULATIONS

The delivery of all materials and equipment is required according to a fixed construction or expansion schedule in order to create a functioning unit abroad; and

(iv) The nature of the operation as well as the size and variety of materials and equipment required to require a single decision by the appropriate government agencies on the matter of priority assistance for the entire proposal.

Examples of such foreign enterprises are: a sulfuric acid plant, a pharmaceutical plant, a national rail-ways rehabilitation program, expansion of a copper mine or smelting plant.

Such enterprises generally will be covered by OIT Special Project (SP) Licenses as established in Part 374 of this subchapter, but may be covered by individual licenses. They may or may not be private enterprises and may or may not be Government-sponsored or covered by one or more export license applications Form IT-419.

(e) Procedure for submission of requests. (1) Requests for supply assistance may be submitted under this section by any person subject to the jurisdiction of the United States, who is in fact the exporter, or by his duly authorized agents, coming in accordance with the provisions of § 372.2 of this subchapter.

(2) Alternatively, where a number of exporters and/or manufacturers are filling the orders for the materials required by the foreign enterprise, the request for supply assistance may be submitted by a duly authorized agent (subject to the jurisdiction of the United States) of the enterprise, or by one or more representatives in the United States of the foreign government in whose country the foreign enterprise is located.

Where requests are submitted. Requests for supply assistance submitted under this section should be addressed to the Director, Projects and Technical Data Division, Office of International Trade, Department of Commerce, Washington 25, D. C.

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Where requests are submitted. Requests for supply assistance submitted under this section should be addressed to the Director, Projects and Technical Data Division, Office of International Trade, Department of Commerce, Washington 25, D. C.
### List of Commodities

**Subject:** addition of certain commodities to the Positive List

**Dates:**
- **Saturday, August 16, 1952**
- **Monday, August 18, 1952**

**Federal Register:**
- **Volume 70**
- **Number 169**
- **Pages 7450-7452**

**International Trade:**
- **Part 329—Positive List of Commodities and Related Matters**

**Section 399.1 Appendix A—Positive List of Commodities**

**Commodities added to the Positive List include:**

- **Crude natural rubber and allied gums**
- **Natural pane glass**
- **Other crude natural rubber**
- **Buildings, prefabricated and knocked down, with or without equipment**
- **Iron and steel, except cast iron, grain bins, and sites (specify by name)**
- **Metal powders**
- **Carborundum iron powders for all purposes**
- **Metal moulds, n.e.c., not specially fabricated for particular machines or equipment**
- **Other tests, e.g., lead pipes (specify by size and type of metal)**
- **Brass or bronze bushings**
- **Other brass or bronze manufactures, n.e.c.**
- **Zinc die castings (specify whether finished or unfinished)**
- **Molybdenum**
- **Other iron and steel manufactures, n.e.c.**
- **Electrical and testing instruments, n.e.c.**
- **Electrical testing instruments, n.e.c.**
- **Electrical mining and industrial locomotives, undersized**
- **Electric shunting and industrial locomotives, surface type**
- **Radio and television apparatus**
- **Carrier current equipment (high frequency wire transmitting and receiving apparatus, n.e.c., and specially fabricated parts, n.e.c.)**
- **Carrier current equipment (and special fabricated parts and accessories)**
- **Electron, fluorescent and incandescent bulb and tube (lamp) manufacturing and assembling machines, and specially fabricated parts and accessories, n.e.c.**
- **Electron tubes, n.e.c.**
- **Photographic film and photographic paper, n.e.c.**
- **Photographic paper and film, n.e.c.&amp;**
- **Pencils, n.e.c., specially fabricated parts and accessories, n.e.c.**
- **Certain types of equipment (e.g. power or transportation equipment) under the applicable "M" orders; or it may on occasion issue directives to producers to secure the required delivery.**

**Table:**

<table>
<thead>
<tr>
<th>Dept. of Commerce Schedule No.</th>
<th>Commodity</th>
<th>Processing code and related commodity group</th>
<th>GLY dollar value limits</th>
<th>Validated license required</th>
</tr>
</thead>
<tbody>
<tr>
<td>399-906</td>
<td>Other industrial chemicals</td>
<td>SALT 10</td>
<td>RO</td>
<td></td>
</tr>
</tbody>
</table>

*This amendment was published in Current Export Bulletin No. 675, dated August 7, 1952.*
<table>
<thead>
<tr>
<th>Commodity</th>
<th>Unit</th>
<th>Processing code and commodity group</th>
<th>GILV dollar value limits</th>
<th>Validated license required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parts, n.e.c., specially fabricated, for spares, replacement, or manufacture into larger components, except: air cleaners, door locks, hose bags, hydraulic truck damping hoses; oil filters; oil filters; oil purifiers; oil rectifiers; park lighting fixtures; radiator caps; radiator ornaments; radiators; rear view; roof lights; thermostats; third air approaching, windshield wipers; and specially fabricated parts for the exempt items (see §373.2 of this subchapter)</td>
<td>TRAN</td>
<td>600 R</td>
<td></td>
<td>No</td>
</tr>
<tr>
<td>Locomotives, underground mine (except electric), new</td>
<td>TRAN</td>
<td>600 R</td>
<td></td>
<td>B</td>
</tr>
<tr>
<td>Used and rebuilt locomotives (except electric), surface mine</td>
<td>TRAN</td>
<td>600 R</td>
<td></td>
<td>B</td>
</tr>
<tr>
<td>Parts and accessories, n.e.c., specially fabricated for underground-type locomotives</td>
<td>TRAN</td>
<td>600 R</td>
<td></td>
<td>B</td>
</tr>
<tr>
<td>Parts and accessories, n.e.c., specially fabricated for surface-type locomotives</td>
<td>TRAN</td>
<td>600 R</td>
<td></td>
<td>B</td>
</tr>
<tr>
<td>Parts, for locomotive and railway cars report electric propulsion motors, generators, and controls in 796595 and 796990.</td>
<td>TRAN</td>
<td>600 R</td>
<td></td>
<td>B</td>
</tr>
<tr>
<td>Controls, regulators, indicators, meters, and timers, for ventilating, air conditioning, commercial refrigeration and air cooling equipment; and specially fabricated parts, n.e.c.</td>
<td>GIROQ</td>
<td>100 B</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* The commodities described in this Positive List entry are excepted from the provisions of General In-Transit License GILV. See §373.9(e) of this subchapter.

The above revised entry is substituted for the entry presently on the Positive List under Schedule B No. 755000. The effect of this revision is to reduce the GLV dollar-value limit for natural polyethylene and type L, X, and L, subject to the D.L. restrictions (see §373.22 of this subchapter) by showing the letter "B" in the column headed "Commodity Lists." The above revised entry is substituted for the entry presently on the Positive List under Schedule B No. 619110. The effect of this revision is to reduce the GLV dollar-value limit for natural polyethylene and type L, X, and L, subject to the D.L. restrictions (see §373.22 of this subchapter) by showing the letter "B" in the column headed "Commodity Lists." The above revised entry is substituted for the entry presently on the Positive List under Schedule B No. 619110. The effect of this revision is to reduce the GLV dollar-value limit for natural polyethylene and type L, X, and L, subject to the D.L. restrictions (see §373.22 of this subchapter) by showing the letter "B" in the column headed "Commodity Lists." The above revised entry is substituted for the entry presently on the Positive List under Schedule B No. 619110. The effect of this revision is to reduce the GLV dollar-value limit for natural polyethylene and type L, X, and L, subject to the D.L. restrictions (see §373.22 of this subchapter) by showing the letter "B" in the column headed "Commodity Lists." The above revised entry is substituted for the entry presently on the Positive List under Schedule B No. 619110. The effect of this revision is to reduce the GLV dollar-value limit for natural polyethylene and type L, X, and L, subject to the D.L. restrictions (see §373.22 of this subchapter) by showing the letter "B" in the column headed "Commodity Lists."
STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 70 is intended to conform certain provisions of the regulation to practices existing in the motor vehicle rental industry. The changes made by the amendment, refer primarily to the provisions of section 6, Exemption of certain rental-purchase option agreements, of the regulation.

The first change in section 6 is concerned with the 60-day waiting period provided for in the last two paragraphs of that section. The Office of Price Stabilization has determined that it can complete its action in connection with reports filed under this section within a shorter period than the 60-day period now provided and, as a shorter period would serve the best interests of the industry by expediting the establishment of ceiling rates in many instances, this change is made to provide for a 30-day waiting period.

The second change in section 6 provides that rates proposed may be charged pending consideration of them by the Office of Price Stabilization. Since the equipment for which rates are proposed is generally in the possession of the lessor during the time the rates are being considered, and since a large percentage of the truck and car rental business is transient, a provision for open billing pending OPS action is not practicable. Therefore, it is the opinion of the Director of Price Stabilization that the changes reflect, generally, the views of the industry. In the establishment of the Ceiling Stabilization, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 70 is amended in the following respects:

1. The last two paragraphs of section 6 are amended to read as follows:

"The respective District Directors are hereby delegated authority to act upon and to handle to final conclusion all reports filed pursuant to the provisions of this section. Fifteen days after the receipt of such additional information as may be requested, the proposed ceiling rate shall be deemed approved unless the lessor is advised by the Director of Price Stabilization that the proposed rate has been disapproved or modified. Upon receipt of the report by the appropriate District Office the service may be furnished and the rental charged, provided the lessor maintains complete records of all persons using the service, and all rental agreements expressly provide that any amount collected in excess of the rate approved by the Office of Price Stabilization will be refunded to the lessor."

2. Section 7 is amended to read as follows:

"Sec. 7. Exemption of certain rental-purchase option agreements. (a) Services offered under a rental-purchase option agreement, having a term of not less than 1 year and granting to the lessee upon its termination or cancellation after 1 year an option to purchase the vehicle or vehicles covered by the agreement, are exempt from the other provisions of this regulation, provided the purchase price specified in the option agreement does not exceed (1) in the case of a single truck, tractor, trailer, semi-trailer or bus, $10,000; (2) in the case of a single bus, $15,000; or (3) in the case of any combination of trucks, tractors, trailers, semi-trailers and buses, $15,000, as specified in the option agreement, then the ceiling price shall be calculated by subtracting a deduction of 1 percent of the total of such ceiling price and make-ready costs for each 30-day period from the conclusion of the option agreement to the date the lessor is advised by the Director of Price Stabilization that the proposed rate has been disapproved or modified."

FEDERAL REGISTER

Saturday, August 16, 1952

This part of the amendment shall become effective as of 12:01 a.m., August 14, 1952.

The following commodities are deleted from the Positive List:

<table>
<thead>
<tr>
<th>Dept. of Commerce schedule No.</th>
<th>Commodity</th>
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</thead>
<tbody>
<tr>
<td>19</td>
<td>Pow. oil</td>
</tr>
<tr>
<td>19</td>
<td>Fine tar (formerly 21,989)</td>
</tr>
<tr>
<td>21170</td>
<td>Fine oil</td>
</tr>
<tr>
<td>21172</td>
<td>Fine tar (formerly 21,989)</td>
</tr>
</tbody>
</table>

This part of the amendment shall become effective as of August 7, 1952.

The following commodities are made subject to the IC/DV procedure (see §373.94 of this subchapter). Accordingly, the Positive List is amended by adding opposite the commodity entries listed below the letter "A" in the column headed "Commodity Lists":

<table>
<thead>
<tr>
<th>Dept. of Commerce schedule No.</th>
<th>Commodity</th>
</tr>
</thead>
<tbody>
<tr>
<td>63000</td>
<td>Aluminum scrap (new and old)</td>
</tr>
</tbody>
</table>

This part of the amendment shall become effective as of September 22, 1952.

Shipments of any commodities removed from general license to Country Group R or Country Group O destinations, or whose GLV dollar-value limits were reduced, as a result of changes set forth in Items 1, 2 and 3 of this amendment, which were on deck, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a.m., August 14, 1952, may be exported under orders for export prior to 12:01 a.m., August 14, 1952, may be exported under orders for export prior to 12:01 a.m., and, as a shorter period would serve the best interests of the industry by expediting the establishment of ceiling rates in many instances, this change is made to provide for a 30-day waiting period.

The six changes in section 7 of the regulation are intended to conform its provisions to long-established practices in the industry.

The first of these changes revises the wording of the regulation to provide that an option to purchase may be exercised only after cancellation or termination of the rental agreement.

Secondly, the method of computing the ceiling price of a vehicle in cases where the lessee exercises his right to purchase has been revised. This change was deemed necessary because, in its present form, the provision creates the possibility of vehicles being purchased at prices that may result in lessors finding themselves in the automotive sale business rather than in the rental business.

The depreciation factor contained in section 7 (a) (2) has been changed from 2 percent to 1 and 1/2 percent of the retail ceiling price to conform with long-established practice.

In addition to the above-described changes, two new paragraphs have been added to section 7. Since the exemption provisions of this section may be used as a guise for evading other regulations of the Office of Price Stabilization, paragraph (b) limits the exemption to truck and car rental operators who were doing business as such prior to the issuance of Ceiling Price Regulation 70, and, paragraph (c) makes the amended section applicable to rental-purchase option agreements executed since the issuance of Ceiling Price Regulation 70. It further limits the effect of the exempting provision to January 1, 1953.

In the formulation of this amendment, there has been consultation with industry representatives, trade associations, representatives, to the extent practicable, and consideration has been given to their recommendations. While changes made in Ceiling Price Regulation 70 by this amendment are, in large part, the result of informal suggestions of the industry affected. While formal Industry Advisory Committee consultation with representatives of the industry was not practicable, it is the opinion of the Director of Price Stabilization that these changes reflect, generally, the views of the industry. In the establishment of the Ceiling Stabilization, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.
the date of execution of the lease until the date the purchase option is exercised; or (2) in the case of passenger automobiles and taxicabs, the OPS retail pricing ceiling for the same type of vehicle at the time the lease was executed, but a make-ready costs minus a deduction of 1 1/2 percent of the total of the retail ceiling price and make-ready costs for each 30-day period from the date of execution of the lease until the date the purchase option is exercised, and the rental rate under such rental-purchase option agreement does not exceed the lessor's transient ceiling for such type of vehicle or vehicles.

(b) The exemption contained in this section applies only to (1) lessors who were in the business of renting vehicles on or before September 12, 1951; or (2) lessors to whom this exemption is extended by specific authorization of the Director of Price Stabilization. Requests for such authorization shall be made in writing to the Office of Price Stabilization, Services, Transportation and Foreign Trade Division, Washington 25, D. C., and shall contain a detailed justification for such authorization.

(c) The provisions of this section shall apply to rental-purchase option agreements executed since September 12, 1951, unless extended by a subsequent amendment to this regulation. (Sec. 704, 64 Stat. 816, as amended; 50 U.S.C. App. Sup. 2156)

Effective date. This Amendment 1 to Ceiling Price Regulation 70 shall become effective August 19, 1952.

JOSEPH H. FREEMAN, Acting Director of Price Stabilization.

August 15, 1952.

[F. R. Doc. 52-9184; Filed, Aug. 15, 1952; 17:03 p. m.]

Ceiling Price Regulation 7, Collation 3]

CPR 7—RETAIL CEILING PRICES FOR CERTAIN CONSUMER GOODS

COLL. 3—INCLUDING AMENDMENTS 1-22

Ceiling Price Regulation 7 is republished to incorporate the text of the Corrections issued February 27, 1951, and of Amendments 1 through 22, inclusive. Ceiling Price Regulation 7 was issued February 26, 1951 (16 F. R. 1872). Statements of Consideration for Ceiling Price Regulation 7, and for Amendments 1-22, inclusive, as previously published, are applicable to this republication. The effective dates of this regulation, and of the amendments are shown in a note preceding the first section of the regulation.

REGULATORY PROVISIONS

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1. Introduction.
2. What commodities are covered.
3. What sales are covered.
4. Where this regulation applies.
5. When to begin using pricing rules.

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11. Filing of charts.
12. Failure to file charts.

Sec.
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19. Circled column indicating rate for such vehicle or vehicles.
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39. Ceiling prices for new sellers or for sellers who cannot price under other sections of the regulation.
39a. Adding a unit to a chain which prices centrally and uniformly.
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40. Ceiling prices if you cannot use the pricing rules.
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ARTICLE V—GENERAL PROVISIONS

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52. Records.
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54. Sales slips.
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57. Petitions to amend this regulation.
58. Supplementary regulation modifying this regulation.
59. Definitions.


DISPOSITION: Sections 0-59 contained in Ceiling Price Regulation 7, February 26, 1951 (16 F. R. 1872), except as otherwise noted in brackets following text affected.

EFFECTIVE DATES: CPR 7, February 27, 1951, 16 F. R. 1872, Correction, February 27, 1951, 16 F. R. 1949.

Amendment 1, March 19, 1951, 16 F. R. 2244.

Amendment 2, April 10, 1951, 16 F. R. 2006.

Amendment 3, April 26, 1951, 16 F. R. 2812.

Amendment 4, April 27, 1951, 16 F. R. 2812.

Amendment 5, May 2, 1951, 16 F. R. 3059.

Amendment 6, June 1, 1951, 16 F. R. 3523.

Amendment 7, June 18, 1951, 16 F. R. 3883.

Amendment 8, June 30, 1951, 16 F. R. 6372.

Amendment 9, October 13, 1951, 16 F. R. 10181.

Amendment 10, December 17, 1951, 16 F. R. 12644.

Amendment 11, December 31, 1951, 16 F. R. 13137.


Amendment 16, March 26, 1952, 17 F. R. 2663.

Amendment 17, April 5, 1952, 17 F. R. 2812.

Amendment 18, June 3, 1952, 17 F. R. 4297.

Amendment 19, June 29, 1952, 17 F. R. 6350.

Amendment 20, July 14, 1952, 17 F. R. 6196.

Amendment 21, July 14, 1952, 17 F. R. 6196.

Article I—Scope of Regulation

Section 0. Introduction. This regulation fixes ceiling prices for sales by retailers of a wide range of commodities. The pricing chart method of determining applicable mark-ups or margins is used. Retailers are required to file with the Office of Price Stabilization (hereafter referred to as OPS) a "list date pricing chart" and to fix their ceiling prices by using this chart. (Sample charts are shown in Appendix "A"). The list date under this regulation is February 24, 1951, except where another list date is specified in section 13 (b).

(Article I above added by Amdt. 2)

Article II tells you the scope of this regulation.

Article III sets forth the rules for computing ceiling prices by reference to your charts. It also tells you how to fix your ceiling prices if you cannot use the pricing rules.

Article IV prescribes rules for pricing in special cases (for example, up-stream and cross stream sales, transfers of business, sales of branded articles, etc.).

Article V contains general provisions such as record-keeping requirements, marking or posting ceiling prices, how to treat taxes, sales slips, prohibitions, etc.

Appendix A. This includes a wide variety of consumer goods. They are enumerated. They are divided into 115 categories. In each category is given a category number. For example, men's and boys' underwear and nightwear constitute category 118.

Appendix B. This includes a wide variety of consumer goods. They are divided into 115 categories. In each category is given a category number. For example, men's and boys' underwear and nightwear constitute category 118.

<table>
<thead>
<tr>
<th>Column</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Category number</td>
</tr>
<tr>
<td>2</td>
<td>Net cost</td>
</tr>
<tr>
<td>3</td>
<td>Offering price</td>
</tr>
<tr>
<td>4</td>
<td>Percentage markup</td>
</tr>
<tr>
<td>5</td>
<td>List of invoices</td>
</tr>
</tbody>
</table>

For example, category 118 includes men's and boys' underwear and nightwear.
From time to time articles not listed may be added by amendments to this regulation.

This regulation supersedes the General Ceiling Price Regulation for all articles listed in Appendix B. It does not apply, however: (1) to such articles listed in Appendix B for which ceiling prices for sales at retail are hereafter established by other regulations; nor (2) to any article for which sales at retail are hereafter exempted or suspended from price control under the provisions of any part of this regulation; nor (3) to any imported article if it is sold by the one who imports it; nor (4) to antiques (any article made prior to 1850).

Sec. 2. What sales are covered. This regulation applies to sales at retail. It applies to all sales to ultimate consumers of all kinds (including individual, commercial, and industrial users) of articles which are "bought and sold in substantially the same form." (See definition in section 9.) It applies to sales to persons who are prohibited from making sales to consumers (such as other retailers and wholesalers) if those sales customarily amount to less than 10 percent of the total ceiling prices of sales of articles covered by this regulation. This regulation is also applicable to the retailer's ceiling prices for those sales are fixed by Section 43.

Sec. 3. What sellers are covered. (a) This regulation applies to you if you are a seller whose sales to ultimate consumers of articles covered by this regulation constitute more than 10 percent of the sales of the merchandise covered by this regulation which you buy and sell in substantially the same form. You may, however, elect to continue to fix your ceiling prices under the General Ceiling Price Regulation:

(1) If a seller makes sales at retail through more than one selling unit or department, each selling unit or department is considered to be a separate seller subject to all the provisions of this regulation.

(2) A person who sells through salesmen making sales at uniform prices for sales at retail is a separate seller covered by this regulation.

(3) A selling outlet which has received a copy of the chart from your OPS office on or before July 2, 1951, and the ceiling prices for such sales continue to be established by this regulation as to any mail order sales of articles covered by any of your catalogs, booklets, circulars, flyers, or other forms of printed price lists which are issued before the list date. Your ceiling prices for such sales continue to be established by this regulation as to any mail order sales of articles covered by any of your catalogs, booklets, circulars, flyers, or other forms of printed price lists on the basis of the pricing rules in this regulation.

(b) If you operate a mail order establishment as defined in section 59 of this regulation you are not required to observe the pricing rules of this regulation as to any mail order sales of articles covered by any of your catalogs, booklets, circulars, flyers, or other forms of printed price lists which are issued before the list date. Your ceiling prices for such sales continue to be established by the pricing rules of this regulation as to any mail order sales of articles covered by any of your catalogs, booklets, circulars, flyers, or other forms of printed price lists on the basis of the pricing rules in this regulation.

Art. 11—Pricing Charts

Sec. 11. Filing of charts. (a) If you are a seller subject to this regulation you must file a chart, but you must begin to use the rules not later than May 30, 1951 (unless you elect to continue to use the General Ceiling Price Regulation), and the chart must be filed with your OPS office on or before May 30, 1951.

(b) A chart for an outlet as to any mail order sales of articles covered by any of your catalogs, booklets, circulars, flyers, or other forms of printed price lists on the basis of the pricing rules in this regulation.

(c) Notwithstanding any other provisions of this regulation any seller at retail of an article for which a ceiling price has been established under section 42 (Uniform dollar and cents prices for certain articles) of this regulation or for which a ceiling price is established under a Supplementary Regulation to this regulation shall begin to use the rules of this regulation by filing a part of your chart from your OPS office on or before July 2, 1951, and the ceiling prices for such sales continue to be established by the pricing rules of this regulation as to any mail order sales of articles covered by any of your catalogs, booklets, circulars, flyers, or other forms of printed price lists on the basis of the pricing rules in this regulation.

Sec. 4. Where this regulation applies. This regulation shall be applicable in the forty-eight states and the District of Columbia.

Sec. 5. When to begin using pricing rules. (a) You may begin to use the applicable pricing rules after you file your chart, but you must begin to use the rules not later than May 30, 1951 (unless you elect to continue to use the General Ceiling Price Regulation). Where under the provisions of section 11 you file a part of your chart separately, you may begin using the rules not later than June 30, 1951, and the chart must be filed with your OPS office on or before May 30, 1951.
you must prepare two copies of a list pricing chart for all categories in accordance with this regulation. One copy of the chart must be kept for your use and for inspection by the OPS and the other must be filed with your OPS office within 3 months after the effective date of the amendment which adds the categories.

[Paragraph (e) added by Amdt. 9]

Sec. 12. Failure to file charts. (a) On and after May 30, 1951, you may not offer, sell, or deliver any article covered by this regulation unless you have filed the chart described above. If you have not filed the chart before and after July 31, 1951, you may not offer, sell, or deliver any article covered by this regulation until you have received from the OPS an acknowledgment of the filing of your chart.

[Paragraph (a) redesignated by Amdt. 8; amended by Amdts. 1, 4 and 9]

(b) If by the addition of new categories after June 30, 1951, you become subject to the regulation as to any categories, you may not offer, sell, or deliver any article covered by any categories for which you are required to or elect to file a chart unless you file that chart within 3 months after the effective date of the amendment which adds the categories. On and after 39 days from the last date for filing that chart you may not offer, sell, or deliver any article in the category covered by that chart unless you have received from the OPS an acknowledgment of the filing of that chart.

[Paragraph (b) added by Amdt. 8]

Sec. 13. Contents of charts; general. Put at the top of your chart the following general information:

(a) Your business name and address;

(b) Your list date or list dates. Your list date is February 24, 1951, except:

(1) It is March 31, 1951 for Categories 860 to 895; 901 to 924, and 940 to 985. For those categories, you must prepare a separate list date chart for your use and for inspection by the OPS and the other must be filed with your OPS office on or before May 30, 1951.

[Paragraph (c) added by Amdt. 2; amended by Amdt. 4]

(d) If you are a seller who has already filed a pricing chart, and by the addition of categories to this regulation you are required to file a supplemental chart for the new categories, you must prepare two copies of a supplemental chart for the new categories in accordance with this regulation, numbering the pages as if they followed the last page of the chart already filed. One copy of the supplemental chart must be kept for your use and for inspection by the OPS and the other must be filed with your OPS office within 3 months after the effective date of the amendment which adds the categories.

[Paragraph (d) added by Amdt. 8]

(e) If by the addition of categories to this regulation you are for the first time a seller subject to this regulation, you must prepare two copies of a list pricing chart for all categories in accordance with this regulation. One copy of the chart must be kept for your use and for inspection by the OPS and the other must be filed with your OPS office on or before May 30, 1951.

[Paragraph (b) added by Amdt. 2; amended by Amdt. 4]

(c) If, by the addition to this regulation of Categories 880 to 895; 901 to 924; and 940 to 985 you are a seller subject to this regulation, you must prepare two copies of a list pricing chart for all categories in accordance with this regulation, numbering the pages as if they followed the last page of your original chart. One copy of this supplemental chart must be kept for your use and for inspection by the OPS, and the other must be filed with your OPS office on or before May 30, 1951.

[Paragraph (b) added by Amdt. 2; amended by Amdt. 4]

(d) If you are a seller who has already filed a pricing chart, and by the addition of categories to this regulation you are required to file a supplemental chart for the new categories, you must prepare two copies of a supplemental chart for the new categories in accordance with this regulation, numbering the pages as if they followed the last page of the chart already filed. One copy of the supplemental chart must be kept for your use and for inspection by the OPS and the other must be filed with your OPS office within 3 months after the effective date of the amendment which adds the categories.

[Paragraph (d) added by Amdt. 8]

(e) If by the addition of categories to this regulation you are for the first time a seller subject to this regulation, you must prepare two copies of a list pricing chart for all categories in accordance with this regulation. One copy of the chart must be kept for your use and for inspection by the OPS and the other must be filed with your OPS office on or before May 30, 1951.

[Paragraph (b) added by Amdt. 2; amended by Amdt. 4]

(c) If, by the addition to this regulation of Categories 800 to 895; 901 to 924; and 940 to 985 you are a seller subject to this regulation, you must prepare two copies of a list pricing chart for all categories in accordance with this regulation, numbering the pages as if they followed the last page of your original chart. One copy of this supplemental chart must be kept for your use and for inspection by the OPS, and the other must be filed with your OPS office on or before May 30, 1951.

[Paragraph (b) added by Amdt. 2; amended by Amdt. 4]

(d) If you are a seller who has already filed a pricing chart, and by the addition of categories to this regulation you are required to file a supplemental chart for the new categories, you must prepare two copies of a supplemental chart for the new categories in accordance with this regulation, numbering the pages as if they followed the last page of the chart already filed. One copy of the supplemental chart must be kept for your use and for inspection by the OPS and the other must be filed with your OPS office within 3 months after the effective date of the amendment which adds the categories.

[Paragraph (d) added by Amdt. 8]

(e) If by the addition of categories to this regulation you are for the first time a seller subject to this regulation, you must prepare two copies of a list pricing chart for all categories in accordance with this regulation. One copy of the chart must be kept for your use and for inspection by the OPS and the other must be filed with your OPS office on or before May 30, 1951.

[Paragraph (b) added by Amdt. 2; amended by Amdt. 4]
for sale on the list date." Before you begin to prepare your list chart, you may study the sample charts in Appendix A for the appropriate form. (The OPS will not supply chart forms.)

**Sec. 15, Column 1: List of categories offered for sale.** In the first column from the left, list each number given for a chart category in Appendix B, each category which you offered. If you are including in a "general" category (as defined in Appendix B), you must list each number which you have included in that general category in Appendix B, list each article in parentheses in column I immediately below the category number in which you are including those articles.

For the purpose of listing categories, you may list as a separate category or amend your chart to list as a separate category each of the separate descriptive classifications in Categories 908 and 919 (for example, 908-4—Cleaning Supplies; 919-2—Closet Shop Accessories). If you treat any descriptive classification in a separate category, you must list each article in a separate category, which you must treat as such.

*Footnote 3 added by Amdt. 6.*

**Sec. 16, Column 2: List of net costs.** In the second column from the left, list opposite each category shown in column 1, the "net cost" at which you bought each different article, style, model, or lot number in that category which you offered. Follow these directions for listing net costs in any article not specified above:

(a) Find your "net cost" by deducting all discounts (including cash discounts) from the invoice cost on the last invoice you received before the list date for that article. If you have more than one class of purchasers, use a footnote to show the class of purchaser used in preparing your chart. If you have different offering prices for the same article, style, model, or lot number, unless you are permitted by paragraph (a) of this section to use an earlier invoice.

(b) List your net costs in order from the lowest to the highest.

(c) List each different net cost separately even though you bought other articles, styles, models, or lot numbers in the category for the same gross invoice cost. If you are including in a separate category, each of these net costs is marked in a category at $3.30, $3.00, $2.00, or $2.00, respectively.

(d) List each different net cost only once in the chart. If you have offered more than one article, style, model, or lot number of that net cost in that category, you may list a particular style, model, or lot number which you bought at more than one net cost, list only the net cost shown on the last invoice you received before the list date for that style, model, or lot number, unless you are permitted by paragraph (a) of this section to use an earlier invoice.

(e) List each net cost per unit. Thus, if you buy at "per dozen" prices divide the net cost per dozen by 12 and list the result as net cost per unit. Similarly, if you buy at "per gross" or per hundred, divide your net cost per gross by 144, or per hundred by 100 to find your net unit cost. You may round your cost to the nearest cent. Thus, you may list $1.735 as $1.74 and $1.734 as $1.73.

(f) List each net cost in order from the lowest to the highest.

(g) You may round your cost to the nearest cent. Thus, you may list $1.735 as $1.74 and $1.734 as $1.73.

**Sec. 17, Column 3: Offering prices.** In the third column from the left, list opposite each net cost in column 2, each different price at which you offered your most numerous class of purchasers an article of that category having that net cost. Follow these directions for listing offering prices:

(a) Do not list offering prices which are higher than your ceiling price for the category.

(b) List your offering prices in order from the lowest to the highest.

(c) To avoid the distortion caused by markdowns you may list as your offering price for an article at or before the list date, the price at which you first offered it for sale. If you list your offering price at or before the list date, you must list all your offering prices opposite each net cost in that category.

(d) To avoid the distortion caused by markdowns you may list as your offering price for an article at or before the list date, the price at which you first offered it for sale. If you list your offering price at or before the list date, you must list all your offering prices opposite each net cost in that category.

(e) If your offering price includes a tax on a particular sale or delivery (such as city, state and county sales tax) which the law permits you to state separately from the price, you must deduct the full amount of such tax included in your offering price before you list it. You need not deduct from your offering price any tax which you stated separately from and in addition to your offering price.

(f) You will find that in some cases you have listed more than one offering price opposite a single net cost in a particular category. You must draw a circle around one of these prices; section 19 tells you which offering price to circle. To select your circled price you must first have to find your average percentage markup for the category. Section 18 explains how to find a category average percentage markup.

**Sec. 18, Category average percentage markup.** Compute your average percentage markup for each category as follows:

*Step 1.* Add together all the net costs listed for that category in column 2. To find the correct average, you must, of course, add together an equal number of costs. If you list offering prices in a category at $3.30, $3.00, $2.00, or $2.00, respectively, you must add in the net cost at which you first offered it for sale. If you list your offering price at or before the list date, you must list all your offering prices opposite each net cost in that category.

*Step 2.* Add together all the offering prices listed in column 3 for that category.

*Step 3.* Subtract the total of the net costs found in Step 2 from the total of the offering prices found in Step 2.

*Step 4.* Divide the remainder found in step 3 by the total of the net costs found in Step 1. The result is your average percentage markup for a category. When you have found your average percentage markup for a category, enter it in column 4 for that category.

*Example:* The way to compute average percentage markup for men's and boys' clothing, for example, is as follows:

You may, if you wish, figure your percentage markups as "margins on selling price" instead of on your net cost, but you must follow the same method of figuring all percentage margins and average percentage margins. If you have chosen to list margins on selling price, you must state them on the margin card. You must use margins on selling price. The margin card which permits freight to be reflected is provided in Supplementary Regulation 2 to this regulation.
shirts, category 117, may be illustrated as follows:

<table>
<thead>
<tr>
<th>Total the net costs</th>
<th>offering prices</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1.21</td>
<td>$1.98</td>
</tr>
<tr>
<td>$1.28</td>
<td>$2.00</td>
</tr>
<tr>
<td>$1.30</td>
<td>$2.50</td>
</tr>
<tr>
<td>$1.40</td>
<td>$3.00</td>
</tr>
<tr>
<td>$1.42</td>
<td>$3.00</td>
</tr>
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<td>$1.50</td>
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</tr>
<tr>
<td>$1.50</td>
<td>$3.00</td>
</tr>
<tr>
<td>$1.58</td>
<td>$3.00</td>
</tr>
<tr>
<td>$2.04</td>
<td>$4.99</td>
</tr>
</tbody>
</table>

(Note that the costs in parentheses appear only on your work sheet. They do not appear on your chart.)

Subtract the total of the net costs from the total of the offering prices ($4.99 — $2.04 = $2.95). Divide the remainder, $2.95 by the total of the costs, $25.84 ($18.96 + $3.00 = $21.96). The result, 0.11 percent, is the average percentage markup on cost for category 117. Enter 67% in column 1.

Sec. 19. Circled price. Where you have listed more than one offering price opposite a single net cost in a particular category, you must draw a circle around the offering price which comes closest to reflecting the average percentage markup up for the category. If the price you get is midway between two offering prices, draw a circle around the lower of the two.

Example. You have listed offering prices of $2.88, $3.00 and $3.22. Your average percentage markup for category 922 is 60%. To apply the rule multiply $2.88 by 0.60 ($2.88 x 0.60 = $1.73) and add $2.00 to the result ($2.00 + $1.73 = $3.73). The result ($3.73) is the closest price to your original list and would be your circled price for category 922.

Sec. 20. Column 4: Percentage mark-ups. In the fourth column from the left, list the percentage markup for each different net cost listed in column 2. If more than one offering price is listed opposite the same net cost in a category, you list the percentage markup for the circled price only. To figure a percentage markup, subtract the net cost listed in column 2 from the offering price listed opposite it in column 3, and divide the difference by the net cost. Round the result to one decimal place. For example, you should list 53.72 percent as 53.7 percent and 53.75 percent as 53.8 percent.

Example. If you have listed a net cost of $2.32 and an offering price of $4.85, you subtract $2.32 from $4.85 ($4.85 — $2.32 = $2.53) and divide the difference, $2.53, by the net cost, $2.32 ($2.53 — $2.32 = $0.23773). Your percentage markup over cost for your $2.32 net cost is, therefore, 53.6%. Enter 53.6% in Column 4 opposite the $2.32 net cost.

Sec. 21. Column 5: List of invoices—(a) What invoices must be listed. In the fifth column from the left, list one invoice for every offering price shown in column 3. The invoice you list must cover your purchases for the corresponding net cost listed in column 2 for an article of that category which you offered at that price. If pursuant to section 18 (a) you have made your chart a net cost from an invoice other than the last invoice you got before the list date, you must place a letter "E" beside the invoice listed in column 5.

(b) How to list an invoice. State your supplier's name and the date and number of the invoice. In parenthesis following the listing of the invoice must identify the article the purchase of which at the cost shown in column 2 is covered by the invoice. (An alternative method of listing invoices is provided in Supplementary Regulation 2 to this regulation.)

(c) Inspection of invoices. On request you must supply for examination to the OPS or its agent any invoice which you have listed in column 5.

Sec. 22. Amendment of charts—(a) Amendment by seller. (1) If you find that you have filed an incorrect chart you must file an amendment to your chart with the OPS office where you filed your original chart and you must attach to the amendment a statement explaining why the changes you conform your chart to the requirements of the regulation.

Example. If you wish to amend an inaccurate offering price listed on your original chart, you must recalculate your average percentage markup for that category, and reexamine your circled prices for that category to see if the new category average percentage markup requires a change in any of them. If changes are required, the amendment to your chart must show all the corrections which were necessary.

You may not use the amendment to your chart in fixing ceiling prices until you have received acknowledgment from your OPS office of receipt of the amendment.

Paragraph (1) redesignated by Amdt. 8

(2) Whenever under a provision of Ceiling Price Regulation 7 added to this regulation after May 30, 1951, you are required or permitted to amend your chart, you must file the amendment to your chart or before the thirtieth day following the effective date of that provision. You must attach to the amendment a statement which will designate under what provision you are filing.

Example of statement. This amendment is filed pursuant to Amendment 8 to Ceiling Price Regulation 7, effective June 30, 1951. This amendment allows retailers to handle each classification in Category 908 and Category 919 as a separate category.

You must, when you amend your chart, pursuant to this subparagraph, use the amendment to your chart in fixing ceiling prices. You must also recalculate your average percentage markup for that category to see if the new category average percentage markup requires a change in any of them. If changes are required, the amendment to your chart must show all the corrections which were necessary.

Example of statement. This amendment is filed pursuant to Amendment 8 to Ceiling Price Regulation 7, effective June 30, 1951. This amendment allows retailers to handle each classification in Category 908 and Category 919 as a separate category.

You must, when you amend your chart, pursuant to this subparagraph, use the amendment to your chart in fixing ceiling prices. You must also recalculate your average percentage markup for that category to see if the new category average percentage markup requires a change in any of them. If changes are required, the amendment to your chart must show all the corrections which were necessary.

Paragraph (2) added by Amdt. 8

Sec. 30a. "Permitted increase."Various OPS regulations may provide for increases in your supplier's ceiling prices. Some of these regulations may require your supplier to break down his price into two parts, the first part being the basic price and the second part a "permitted increase" (that is, the portion of the increase granted your supplier which the regulation allows you to pass on to ultimate consumers) of the basic price (without adding the "permitted increase") to find your net cost for determining your ceiling price under this regulation. Then you may add the amount designated as a "permitted increase" to your ceiling price as otherwise determined under this regulation.

Sec. 30b. Ceiling Price Regulation 7 added to this regulation after May 30, 1951, you are required or permitted to amend your chart, you must file the amendment to your chart or before the thirtieth day following the effective date of that provision. You must attach to the amendment a statement which will designate under what provision you are filing.

Example of statement. This amendment is filed pursuant to Amendment 8 to Ceiling Price Regulation 7, effective June 30, 1951. This amendment allows retailers to handle each classification in Category 908 and Category 919 as a separate category.

You must, when you amend your chart, pursuant to this subparagraph, use the amendment to your chart in fixing ceiling prices. You must also recalculate your average percentage markup for that category to see if the new category average percentage markup requires a change in any of them. If changes are required, the amendment to your chart must show all the corrections which were necessary.

Example of statement. This amendment is filed pursuant to Amendment 8 to Ceiling Price Regulation 7, effective June 30, 1951. This amendment allows retailers to handle each classification in Category 908 and Category 919 as a separate category.

You must, when you amend your chart, pursuant to this subparagraph, use the amendment to your chart in fixing ceiling prices. You must also recalculate your average percentage markup for that category to see if the new category average percentage markup requires a change in any of them. If changes are required, the amendment to your chart must show all the corrections which were necessary.
for the article, whichever is lower. (You may round your cost to the nearest cent.) You may not include in “net cost” any item which you labeled “OPS adjustment charge.” Freight, handling charge, or other similar charges may not be added."

**Sec. 32. Rule 1: Articles belonging to a category on your chart and with a net cost listed in Column 2.** If the article you are pricing is in a category listed in Column 1 of your chart, and if it has a net cost listed in Column 2, its ceiling price is the offering price you listed in column 3 for that net cost and category. If you have a circled price for that net cost and category, the circled price is the ceiling price for the article.

Example. You wish to price a pair of men’s pajamas which cost you $1.29 net. On your chart you have listed offering prices of $2.00 and $2.24 for a $1.29 net cost, your ceiling price would be, of course, $2.24.

**Sec. 33. Rule 2: Articles belonging to a category listed on your chart but having a net cost lower than the lowest net cost listed for that category.** If you are pricing an item which has a lower net cost than the lowest net cost listed for that category in column 2 of your chart, you compute your ceiling price by multiplying the net cost of the article by the average of the percentage markups listed in column 4 of the two lowest costs shown on the chart for that category, and adding the result to the net cost.

Example. You wish to price a girl’s sweater having a $1.94 net cost. The two lowest net costs on your chart for category 206 are $2.07 and $2.26. The percentage markups listed for the last two are 35.6% and 34% respectively. You average the last two (35.6% + 34% = 69.6%) and find that 69.6% is the average of the percentage markups. Column 4 of your chart for Category 206 is $72.71. The total, $102.41 is your ceiling price.

Until July 31, 1951, you may, when pricing under Rule 4 is called for, use Rule 4 as it existed prior to June 18, 1951. (Section 35 amended by Amends. 1 and 7)

**Sec. 36. Rule 3: Articles belonging to a category comparable to a category listed on your chart.** If the article you are pricing does not belong to a category which is listed in column 1 of your chart, look in Appendix C where you will find for each category a list of other categories which include the article you are pricing. Follow this category number across to the third column under the percentage bracket into your percentage margin on selling price. In this column you have listed as many comparable categories as you have on your chart. Then compute your ceiling price. (Section 36 amended by Amends. 1 and 7)

Example. You have not listed category 701 on your chart, but now purchase a bedroom suite at a net cost of $85.09. You look in Appendix C that category 706, 708, 714, 703, and 710 are listed as comparable to category 701. When you look in column 4 under the category 706, 708, 714, 703, and 710 you have listed an average of 71.24%. The price you have listed for this bedroom suite as if it belonged to category 706. You find that you have listed a net cost of $78.09 for category 706, and an offering price of $150.00 in column 3 for that net cost. You therefore apply Rule 3 and obtain a ceiling price of $150.00 for the bedroom suite.

**Sec. 37. Rule 6. Articles belonging to a category where your chart has at least three categories in the same group of categories.** If the article you are pricing is not in a category on your chart and you have no comparable category but you do have on your chart at least three categories which include the category, you compute your ceiling price under this rule. (If you cannot price under this rule you determine your price under section 38 which provides for the use of a markup table or in special instances for application for a pricing method.

**Groups of categories.** All categories are divided into the following groups:

- Group I—Categories 101-107
- Group II—Categories 701-752
- Group III—Categories 801-854
- Group IV—Categories 1061-1068
- Group V—Categories 890-893, 895-891, 903, 915-916, 922-923
- Group VI—Categories 871-876, 878, 884, 892, 894, 996, 908-912, 924, 940, 942, 949, 953-958, 965-968, 1062-1064
- Group VII—Categories 942, 950, 984-985, 1050-1058, 1062-1064

**Pricing method.** (1) List the appropriate categories and category averages. At least three categories of the appropriate group on your chart, you list as many of these categories as you have on your chart. Then compute your average percentage markup by subtracting your category average markup from the ceiling price for the article. See whether column 1 of your chart contains the first comparable category. Then compute your ceiling price for the article by multiplying $77.50 by 0.8% and adding the result, $6.21 to $77.50. The total, $83.71 is your current ceiling price.

**Apply table in Appendix D.** Turn to the table in Appendix D. The top row of the table is divided into a series of percentage brackets. In the first column look to the left find the category number which includes the article you are pricing. Follow this category number across and find the markup which appears in the second column of the percentage bracket which includes that first comparable category. Add, in the third column, the average which you computed under subparagraph (2). This is your percentage markup over cost for the new category.

Multiply the net cost of the article you are pricing by this percentage markup. Add the result to the net cost of the article. This final result is your ceiling price for the article you are pricing.

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"Group" as defined for this purpose includes any category which appears in the appropriate series of category numbers excluding categories 105A, 105B, 105C, 105D, 105E, 904, 915-916, 917.

Computations under this section are based on markups over cost. If you are on the retail side of business, multiply the total cost of your prices by this markup and you will have your price. For instance, if you have your markups expressed as percentages of selling prices, you must convert your category average markup to a percentage of selling price by subtracting your average percentage margin on selling price for the category from 100, and then multiplying the result by the total selling price that you have obtained into your percentage margin on selling price. After the percentage margin on selling price for your categories have been converted to markups on cost proceed as set forth above.
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Example. You wish to price a set of boys'
car muffs on which your net cost is 50 cents.
Ear muffs belong to category 123 on the "CFR 7" chart. You
must use your own judgment as to the number of units to be
used. In this example suppose you have ten units in hand, and
you wish to use the "CFR 7" chart as a guide. Since neither this
category, nor any one of the "compatible" categories is listed
on your chart, you must price and sell these articles.

Since category 123 belongs to the group
of categories numbered from 101-607, inclusive,
you may refer to the percentage markup for
those categories listed under section 8 of Supplemen-
tary Regulation 1 to this regulation. If you do not have
three such categories in the appropriate group
on your chart, you price such article un-
der section 8.

Departments in departmental estab-
lishments are provided with methods
additional to those set forth in pricing
rules 1 through 6. These rules which are
set forth in section 8 of Supplementary
Regulation 1 to this regulation must
be used before such a seller resorts to
section 8.

Let us assume that actually you have listed on
your chart articles belonging to eight
groups of this number of categories.
This is your percentage markup for
category 123, which you find you must price under
section 8 of Appendix F.

Example. [Subparagraph (5) amended by Arndt. 13]

You next turn to the table in Appendix D.
In the first column to the left you will find a
series of category numbers. Follow this
column downward until you reach category 123.

Follow this row across the table until you
come to the percentage bracket appearing in
the top row of the table which includes your
"group average" figure. In this case the bracket
is designated by 63 including 63.

At this point you will find that the allowable per-
centage markup for category 123 is 63%.

You next multiply the net cost of the article
you are pricing by this percentage mark-
up (6.00×0.63=3.78). Add this figure to
your net cost of the article you are pricing
(1.00+3.78=4.78). This is your selling price for the article you are pricing.

(3) Group averages above table in
Appendix D. In, if pricing in a category
included in Group I (101-607), your group
average is over 101 percent; in Group II
(701-752) over 75 percent; Group III
(901-1030) over 109 percent; Group V
(689-885), 990-991, 905, 915-916, 922-229
over 72 percent; Group VI (671-676, 762, 764, 824, 826, 905, 908, 913, 921, 924, 941, 942, 943, 945-950, 1050-1056, 1062-1064)
over 101 percent; and, Group VII (650-651, 671, 673, 685, 691, 914, 941, 949-954, 970, 971, 972, 997, 1059-1611.

You next multiply the net cost of the article
you are pricing by this percentage mark-
up (6.00×0.63=3.78). Add this figure to
your net cost of the article you are pricing
(1.00+3.78=4.78). This is your selling price for the article you are pricing.

Example. If you are a house to house seller
and have a "group average" of 125% for your
categories in the group 101 to 607, inclusive,
you must use this group average for all your
articles in the same group不管你 have in your hand, and you wish to sell a
"group average" of 125% for your
ear muffs. In this case you will multiply
your net cost of the article by 125% (1.00×1.25=1.25). Add this figure to
your net cost of the articles you have in hand, and you will find the sum of 1.25
(1.00+1.25=2.25). Use this as your selling price for the articles you have in hand.

(c) Articles which cannot be priced
under Rule 6. If the article you are
pricing is included in categories 204, 214, 353 and 502D; or if your chart for cate-
gories 701-752 was prepared pursuant to
the alternative method provided in section
5 of Supplementary Regulation 2 to this
regulation; or if you do not have three such
categories in the appropriate group
on your chart, you price such article un-
der section 8.

(2) Determine, in the following man-
ner, how many units are covered by each
of the invoices for this article: If the
number of units on hand is less than
or equal to the number of units covered
by the last (most recent) invoice, all the
units on hand are deemed covered by the
last invoice; if the number of units on
hand is more than the number of units
covered by the last invoice, a number of
units equivalent to the number of units
in the last invoice is deemed covered by
the last invoice; the remaining units to
the extent that they do not exceed the
number in the next-to-last invoice are
deemed covered by the next-to-the-
last invoice; if there are any remaining
units, they are deemed covered in the
same way by previous invoices, proceed-
in order from the more recent to the
least recent invoices.

(3) When you have determined how
many units of the article in your inven-
tory are covered by the respective in-
voices you mark all of the units in your
inventory at or below the ceiling price
based on the earlier invoices; if you have sold a quantity equal to the number
of units covered by that invoice.

(4) You then mark the balance of the
units in your inventory at or below the
ceiling price based on your next invoice
until you have sold a quantity equal to
the number of units on that invoice. You
follow the same procedure with each
successive invoice in chronological order.

(b) Averaging of ceiling prices. This
method permits you to sell all units of
the same article in stock at the same
time at a ceiling price which is the same
for all articles in stock.

(1) First use of averaging. You find
this ceiling price as follows:

(i) Determine how many units of the
article you have in stock.

(ii) Determine, in the following man-
ner, how many units are covered by each
of the invoices for this article: If the
number of units on hand is less than
or equal to the number of units covered
by the last (most recent) invoice, all the
units on hand are deemed covered by the
last invoice; if the number of units on
hand is more than the number of units
covered by the last invoice, a number of
units equivalent to the number of units
in the last invoice is deemed covered by
the last invoice; the remaining units to
the extent that they do not exceed the
number in the next-to-last invoice are
deemed covered by the next-to-the-
last invoice; if there are any remaining
units, they are deemed covered in the
same way by previous invoices, proceed-
in order from the more recent to the
least recent invoices.

(3) When you have determined how
many units of the article in your inven-
tory are covered by the respective in-
voices you mark all of the units in your
inventory at or below the ceiling price
based on the earlier invoices; if you have sold a quantity equal to the number
of units covered by that invoice.

(4) You then mark the balance of the
units in your inventory at or below the
ceiling price based on your next invoice
until you have sold a quantity equal to
the number of units on that invoice. You
follow the same procedure with each
successive invoice in chronological order.

(2) Continued use of averaging. Whenever you receive additional units of
the article, you determine a new ceiling price as follows:

Example. [Subparagraph (5) amended by Arndt. 13]
(i) Multiply the number of units already in stock by their ceiling price as previously determined.

(ii) Multiply the number of units on the new invoice by the ceiling price based on that invoice.

(iii) Add the results of (i) and (ii) and divide by the total of the units in (i) and (ii). The resulting amount is your new ceiling price.

Example. You have in stock 20 units of an article, each unit with a ceiling price of $5.00 each, and you receive 75 additional units of the same article with a ceiling price of $4.75 each. You multiply $5.00 by 20 (total $100.00) and $4.75 by 75 (total $356.25). You add the dollar-and-cents amount ($356.25) by the number of units (20 + 75 = 125). You divide the dollar-and-cents sum ($356.25) by the number of units (125) to find your new ceiling price ($2.85).

Now assume that you have sold 35 of your 125 units when you receive an additional 10 units of the article with a ceiling price of $4.25 each. You multiply $4.25 by 90, the number of units in stock (total $382.50) and $4.25 by 10 (total $42.50). You divide the dollar-and-cents amount ($325.00 + $42.50 = $366.25) by the unit sum (90 + 10 = 100) to find your new ceiling price ($3.66).

[Above example corrected by Amdt. 22]

(3) Changing methods. After establishing your ceiling prices by this method, you may continue to use it each time you receive additional units of the article or you may segregate the additional units, treat the number of units for which ceiling prices have already been determined under this paragraph as if they were covered by one invoice on the basis of which the ceiling price would be the average ceiling price, and use either the "Fifo" method or the other methods of pricing provided in this regulation.

(c) When two articles are the same article under this section. Two articles are the same article (for the purposes of this section) if they meet all six of the following tests:

(1) They serve the same purpose.

(2) They are made of the same basic materials of equivalent quality and construction.

(3) They consume substantially the same quantities of these basic materials for the same size.

(4) They have the same grade, quality, and type of construction.

(5) They are interchangeable in trade and consumer acceptance.

(6) Retailers of the same class, handling both articles at the same time, in actual practice would customarily have sold them at the same price under the same conditions.

(d) Record-keeping. Whenever you use the method of paragraph (a) or (b) of this section, you must record the method used and the invoices covering the units of the article in stock when you begin to use it, and the number of units covered by each invoice together with the ceiling price based on that invoice. When you receive additional units, you must record the number of each new invoice, the number of units of the article covered by the new invoice, and the ceiling price based on that new invoice. If you use the method of paragraph (b) of this section, you must also keep a record of your computations, showing clearly how you figured your ceiling prices.

[Section 39b added by Amdt. 18]

Sec. 39. Ceiling prices for new sellers or for sellers who cannot price under other sections of the regulation. You determine your ceiling prices under sections 396-399 if you are a new seller; or if you wish to establish your ceiling prices pursuant to sections 30-38a; or if you elected to remain under the General Ceiling Price Regulation and therefore you take on articles in a CFR category and prior to taking on such articles you did not handle any articles in that category pursuant to the General Ceiling Price Regulation.

If you are a chain which prices centrally and uniformly and you are adding a new unit, you use section 39a. If you are a chain which does not price centrally and uniformly and you are adding a new unit, you use section 39b. If you are a seller with a single unit for which you have filed a chart and you wish to add another unit for which you will determine prices centrally and uniformly with your existing unit, you follow section 39c. If you are a seller who has previously been handling articles covered by CFR 7 at markups higher than those in Appendix E for related articles at prices which for those articles are higher than those received by the average seller and you wish to open a chain or to add a category handling CFR 7 articles at markups higher than those in Appendix E, you follow section 39d. In all other instances a seller uses section 39e.

All applications, notifications, and reports required by section 39a through 39e must be made by the applicant or a duly authorized officer or agent.

[Section 39a amended by Amts. 3, 6, 9 and 12]

Sec. 39a. Adding a unit to a chain which prices centrally and uniformly. A chain or group of stores which constitutes a single seller under section 3(b), or which has become a chain pursuant to section 39c or pursuant to section 7 of Supplementary Regulation 1 to this regulation, may include in the chain the new unit or to add a category handling CFR 7 articles at markups higher than those in Appendix E for related articles at prices which for those articles are higher than those received by the average seller and you wish to open a chain or to add a category handling CFR 7 articles at markups higher than those in Appendix E, you follow section 39d. In all other instances a seller uses section 39e.

All applications, notifications, and reports required by section 39a through 39e must be signed by the applicant or a duly authorized officer or agent.

[Section 39a amended by Amts. 3, 6, 9 and 12]

Sec. 39b. Adding a new unit to a chain which does not price centrally and uniformly. A chain which does not constitute a single seller under section 3(b), or which has become a chain pursuant to section 39c or pursuant to section 7 of Supplementary Regulation 1 to this regulation, may include in the chain the new unit or to add a category handling CFR 7 articles at markups higher than those in Appendix E for related articles at prices which for those articles are higher than those received by the average seller and you wish to open a chain or to add a category handling CFR 7 articles at markups higher than those in Appendix E, you follow section 39d. In all other instances a seller uses section 39e.

(b) Authorization. The OPS will acknowledge a notification containing the information described in paragraph (a) of this section. Two copies of the acknowledgment of notification will be sent to the applicant, one to be retained in the principal office of the chain and the other to be kept in the new unit for inspection by the OPS.

[Paragraph (b) amended by Amdt. 22]

Sec. 39c. Adding a unit to a chain which constitutes a single seller under section 3(b), or which has become a chain pursuant to section 39c. Any seller who prior to December 31, 1951, filed a report or application pursuant to section 39c or pursuant to section 39e of these sections a notification containing the information described below to its OPS office and receives an acknowledgment thereof from the OPS.

(1) The name of the chain or group and the address of its principal office;

(2) The name and address of the new unit;

(3) The date of opening the new unit;

(4) A statement:

(a) That central and uniform pricing with other members of the chain or group is to be maintained in the new unit;

(b) That the new unit will be the same type of operation, will extend the same services; provide the same class of merchandise; and cater to the same class of purchasers as, the units comprising the chain or group immediately prior to January 26, 1951 (or the units comprising the chain created pursuant to section 39e or any unit in the chain created pursuant to section " of Supplementary Regulation 1)

(c) Authorization. The OPS will acknowledge a notification containing the information described in paragraph (a) of this section. Two copies of the acknowledgment of notification will be sent to the applicant, one to be retained in the principal office of the chain and the other to be kept in the new unit for inspection by the OPS.

[Paragraph (c) amended by Amdt. 22]

Sec. 39d. Adding a new unit to a chain which does not constitute a single seller under section 3(b), or which has become a chain pursuant to section 39c or pursuant to section 7 of Supplementary Regulation 1 to this regulation, may include in the chain the new unit or to add a category handling CFR 7 articles at markups higher than those in Appendix E for related articles at prices which for those articles are higher than those received by the average seller and you wish to open a chain or to add a category handling CFR 7 articles at markups higher than those in Appendix E, you follow section 39d. In all other instances a seller uses section 39e.

All applications, notifications, and reports required by section 39a through 39e must be signed by the applicant or a duly authorized officer or agent.

[Section 39d added by Amdt. 12]
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Sect. 39c. A seller with a single unit who wishes to open another unit and to establish prices for the new unit centrally and uniformly. A seller who has a single unit and wishes to open a new unit and to establish prices for that new unit centrally and uniformly with the unit for which he has filed a chart may do so if prior to opening the new unit he sends a notification containing the information described below to his OPS office and receives an acknowledgment thereof from OPS.

(a) Notification. The notification must include the following information:
(1) His name and address and the name and address of the unit for which he has already filed a chart;
(2) The name and address of the unit to be opened;
(3) The proposed date of opening;
(4) A statement:
(i) That central and uniform pricing is to be maintained in the two units;
(ii) That the new unit will be the same type of operation, will extend the same services, provide the same class of merchandise, and be in the same class of purchaser as the existing unit.
(b) Authorization. The OPS may authorize a seller with one unit to become a chain, centrally and uniformly priced, if the notification includes the information set forth in paragraph (a) of this section. Two copies of the acknowledgment of notification will be sent to the applicant and one to be retained in the principal office of the chain and the other to be kept in the new unit for inspection by the OPS.

Sect. 39d. A seller who has previous experience and wishes to open a new unit or to add a category. If you are a seller who has previously covered 39a, 39b, or 39c, who has the experience qualifications described in paragraph (a) below, you may use this section when opening a new unit or adding a category which you are unable to price under prior sections of this regulation. If you are adding a category or opening a new unit under this section, you apply for authorization under this section, and if approved, the OPS will authorize the use of the chart, if any, for that category. For the purpose of this section, price ceilings for such categories are higher than the average ceiling prices received by sellers of articles in the trading area.

(a) Eligibility. You may apply for authorization under this section if:
(1) You already own one or more establishments selling articles covered by Ceiling Price Regulation 7 which have ceiling prices higher than those yielded by markups in Appendix E; or
(2) You already own one or more establishments selling articles related to those covered by Ceiling Price Regulation 7 which have ceiling prices for such articles that are higher than the average ceiling prices received by sellers of the articles in the trading area.
(b) Application to establish a new unit. If you are opening a new unit pursuant to this section, your application must be filed with your OPS Office and must include:
(1) Your name and address and the name and address of the unit to which the category is to be added;
(2) The category number and description of the category to be added and the markup requested;
(3) A statement that the category cannot be priced pursuant to the prior sections of the regulation; and
(4) The names and addresses of those of the three closest competitors handling the category.

(b) Authorization. Upon application made pursuant to paragraph (b) or (c) the OPS may, by order, authorize you to use markups for each category in line with or lower than those of sellers carrying on business most nearly like that in which you propose to use the markups (i.e., with your closest competitors).

(a) Application to add a new category. If pursuant to this section, you are adding a category which you are unable to price under prior sections of the regulation, your application must be filed with your OPS Office and must include:
(1) Your name and address and the name and address of the unit for which the category is to be added;
(2) The category number and description of the category to be added and the markup requested;
(3) A statement that the category cannot be priced pursuant to the prior sections of the regulation; and
(4) The names and addresses of those of the three closest competitors handling the category.

(Paragraph (c) amended by Amdt. 19)

(6) Authorization. Upon application made pursuant to paragraph (b) or (c) the OPS may, by order, authorize you to use markups for each category in line with or lower than those of sellers carrying on business most nearly like that in which you propose to use the markups (i.e., with your closest competitors).

(6) Reports of changes in ownership. Any seller who has received an order authorizing him to establish prices under this section must report to the District Office which granted the order any change in ownership or management occurring subsequent to the filing of the application involving persons named in the application under paragraph (b).

(Paragraph (d) amended by Amdt. 22)
SAC 39e. When to use Appendix E markups. If you cannot determine your ceiling prices under any previous section of this regulation or under section 39f or section 39g, you use Appendix E markups.

(a) Pricing method. You find your ceiling price for all articles which must be priced under this section as follows by using the table in Appendix E. On the left side of the table is listed column of category numbers; opposite each category number is a percentage markup. Find the percentage markup for the category to which the article you are pricing belongs. Multiply the net cost of the article you are pricing by this percentage markup. Add the result so obtained to the net cost of the article. The amount so arrived at is your ceiling price for the article you are pricing.

(b) Reports. You may not sell or deliver any article which you are required to price under this section until you have filed the following reports are applicable with your OPS office:

(1) You must file a statement that you have filed a list date pricing chart (if that is a fact) and a list of the categories you intend to price under paragraph (a) of this section; or

(2) If you have not filed a list date pricing chart, you must file a statement containing the following information:

(i) Your name and address or your proposed name and address and names and addresses of all owners, stockholders, or officers of the business establishment. Owners holding less than 10 percent of the total number of shares of corporations preparing this statement need not be listed.

(ii) The date of or the proposed date of the organization of the business establishment.

(iii) A list of the categories which you intend to price under this section.

(iv) The type of store you operate or intend to operate (dry goods, furniture, men's furnishings, specialty shop, etc.).

(v) Whether you offer or intend to offer (Installment selling, charge accounts, free deliveries, etc.).

(vi) If you are a leased department, the name and address of the prior lessee; if the department was previously operated by the lessee, this should be stated.

Paragraph (b) amended by Amdt. 22.

(Sec. 39f. Applications by certain sellers to sell exclusively in small groups of articles to which services have been added. (1) Eligibility. If prior to your list date, you have been engaged in the business of assembling, packaging, and selling a small group of articles (groups of articles) to which you have added services the cost of which is more than 10 percent of the total net costs of the constituent articles of the assembled sets, you may apply to your OPS office for a pricing method for the sale of your assembled sets. You must submit with your application containing the following information:

(i) Your name and address;

(ii) Date of your business;

(iii) Description of manner in which you conduct your business (indicating whether you are a department store, a leased department, a specialty store, another; cash, installment or other terms; and class of merchandise you handle);

(iv) A list of all sets offered by you for sale in the last 12 months, enumerating for each the articles included in each set, the cost of each set, the cost of each article, the cost of services added by you on each set, and the selling price of each set on the list date; and

(v) Substantiating evidence such as advertisements, catalogues, or prospectuses to show that you sold or offered for sale the sets (listed under (iv)) on the list date.

(2) Authorization. Upon application made pursuant to subparagraph (2), the OPS may, by order, permit you to add to the total of the net costs of the constituent articles the cost of the services you provide (packaging, monogramming, etc.) and a markup in line with the level of prices established by this regulation.

Section 39f amended by Amdt. 6, redesignated by Amdt. 12.

(Sec. 39g. Applications by sellers who repair or recondition. If you do not have a list date pricing chart and you are in or propose to enter the business of regularly buying (or selling in trade) reconditioned articles for the purpose of reconditioning them and selling them as reconditioned or repaired, you may apply to your OPS office for a pricing method which will reflect your costs of reconditioning or repairing the articles which you sell. In such a case the OPS may, by order, permit you to add to the ceiling price established under this regulation the actual net cost of reconditioning or repairing the articles which you sell. In no case shall the cost of reconditioning or repairing include a cost greater than that required to restore the article to a factory standard article of the same type.

Section 39g redesignated by Amdt. 12.

Art. 40. "Up stream" and "cross stream" sales and sales of "cross stream" articles to ultimate consumers. If your sales to persons other than ultimate consumers constitute less than 10% of your total sales of articles covered by this regulation you are governed by the regulations of Section 40. When you compute your ceiling prices for those sales are computed under this section.

(a) Ceiling prices for "up stream" sales. Your ceiling price for a sale of an article covered by this regulation to any person other than an individual ultimate consumer, another retailer, or an industrial, commercial, or institutional user, is the net cost of that article to you from the seller.

(b) Ceiling prices for "cross stream" sales. (1) Your ceiling price for a sale to another retailer of any article covered by this regulation shall be the sum of the following items:

(i) the net cost of the article to you (which, as defined in Section 31 excludes any freight, OPS adjustment charge or handling charge);

(ii) the incoming freight allocable to the article which you have paid in addition to the net cost;

(iii) the OPS adjustment charge, if any, shown on the invoice received by you;

(iv) the handling charge, if any, which you customarily made when selling articles covered by this regulation to another retailer immediately prior to January 26, 1951. However, you may your handling charge exceed 10 percent of the net cost of the article to you.

You must give the buyer an invoice which must state separately each item making up your costs as itemized in this subparagraph (1) and, in addition, must contain the following notice:

You must compute the price for resale of the above articles pursuant to section 40 (a) or Ceiling Price Regulation 7.

(2) If you customarily made sales of commodities covered by this regulation to other retailers immediately prior to January 26, 1951, on which you figured your price by granting a specific discount from your retail price, you may continue to make such sales (excepting sales articles purchased by you from other retailers). On such sales you must furnish the buyer with an invoice, which, in addition to showing your retail price as established by this regulation and the discount you granted, must contain the following notice:

NOTICE OF CEILING PRICE

Under Section 40 of Ceiling Price Regulation 7 you may sell the above articles to consumers at prices higher than our retail ceiling shown on this invoice.

(c) Ceiling prices for sales to ultimate consumers of articles to ultimate consumers. (1) If you purchase articles covered by this regulation from another retailer and pay the seller his ceiling price, you may apply to your OPS office for an additional and alternative ceiling price for sales of these articles to ultimate consumers in accordance with the pricing rules of this regulation taking into consideration your cost from your supplier's invoice and excluding all freight, OPS adjustment charge and handling charges.

(2) If you purchase articles covered by this regulation and pay the seller his retail price less a specified discount, you must use as your ceiling price for sales of those articles to ultimate consumers the seller's retail price as stated on his invoice to you.

(d) Articles acquired by transfer from another seller in the same selling establishment. If one department or part of the same legal entity acquired an article by a transfer from another part of the same legal entity, the transferred pricing rules such an article must use as his net cost the net cost determined from the invoice received by the transferee.

The document covering the transfer must show the original invoice cost and must be preserved for inspection by the OPS.

Sec. 41. Additional and alternative methods provided in supplementary regulations. Methods of preparing pricing charts and methods of determining
ceiling prices additional or alternative to those specified in this regulation are provided in supplementary regulations as follows:

(a) Special pricing methods for certain chains, mail order establishments, departmentalized establishments, and consignor and consignee-outlets are set forth in Supplementary Regulation 1.

(b) Alternative and special methods for preparing chart dates and pricing in certain cases are set forth in Supplementary Regulation 2.

(c) Supplementary Regulation 3 provides the method for establishment of ceiling prices for mail order distributors and retailers for certain home canning supplies.

(d) Supplementary Regulation 4 provides a method for the establishment by manufacturers and wholesalers of uniform dollar-and-cents ceiling prices for retail or wholesale and retail sales of certain branded articles.

(e) A method for deleting "unrepresentative" chart dates is set forth in Supplementary Regulation 6.

[Section 41 amended by Amends. 17 and 20]

Sec. 42. Transfers of business—(a) How a transferee fixes his ceiling prices.

This section applies to you if:

(1) After the list date, you purchase or otherwise acquire a substantial part of the business, assets, or stock in trade of any business which sells or sold any articles covered by this regulation at retail; and

(2) You purchase or otherwise acquire a substantial part of another store previously owned or operated by you for the sale of such articles at retail.

If this section applies to you, your transfers are the same as those which your transferee would have had if the transfer had not taken place (except as provided in this section).

(3) Your obligations to keep records sufficient to verify such prices shall be the same as if the transfer had not taken place.

(b) Filings charts. If your transferee has not already filed a chart, you must prepare a chart based on his experience on the list date, using the list date which he would have used if no transfer had occurred. If your transferee has filed a chart, you must file a chart showing your business name and address and the date of the transfer. (You must attach a copy of this statement to the chart in your possession.) If the transferee's records are not available to you, you must file your ceiling prices under section 29.

(c) Mergers and combinations. If, after the list date, two or more sellers merge, consolidate, or combine and continue as a single seller, the seller who continues to operate shall fix his ceiling prices under this regulation on the same basis as that which the seller who had the larger dollar volume of sales of articles covered by this regulation during the 12 months immediately preceding the merger or combination would have had to follow.

Sec. 43. Uniform dollar-and-cents ceiling prices for certain articles. A special method of establishing uniform dollar-and-cents ceiling prices for certain branded articles is provided in Supplementary Regulation 4 to this regulation.

After March 26, 1952, the provisions of this section 43 as they existed prior to that date shall remain in effect only to the extent as specified in Supplementary Regulation 4, except that applications for orders filed before December 17, 1951 may be granted until April 1, 1952.

[Section 43 amended by Amends. 4, 11 and 16]

Article V—General Provisions

Sec. 50. How to treat taxes. The ceiling prices determined under the pricing rules in this regulation are your ceiling prices exclusive of tax. If a tax on a particular sale or delivery such as a sales tax or a coping tax use tax is imposed and the tax law permits the tax to be separately stated, you may charge or collect the tax on the sale or delivery of the article in addition to the ceiling price fixed under the pricing rules.

[Section 50 amended by Amends. 6]

Sec. 51. Marking, tagging or posting. On and after July 1, 1951, you may not offer or sell any article covered by this regulation unless it is marked or tagged with the ceiling price in a manner plainly visible to, and understandable by, the purchasing public. If, however, you become subject to the regulation after June 30, 1951, the pricing rules for determining your ceiling price for certain articles after the last date for filing your chart, unless it is marked or tagged in accordance with this section.

[Above paragraph amended by Amends. 9]

(a) Marking. You may mark the selling price on the shelf, bin, rack, or other holder or container upon or in which the article is kept provided it is in the business, shell, bin, rack, box, or container having the same selling price.

(b) Tagging. If you do not wish to mark the prices as described in paragraph (a) of this section, you must mark your ceiling price for each article by writing the price directly on the article or by attaching to the article a tag or ticket stating the selling price.

(c) Posting. On and after July 1, 1951, you may not offer or sell any article covered by this regulation unless you post in a prominent and clearly visible position in your store, a sign stating the following:

Notice

The prices of merchandise in this store are no higher than the 1951 ceiling prices of the articles.

Sec. 52. Records. The records required by this section must be kept for as long as the Defense Production Act of 1950 remains in effect and for two years thereafter. All such records must be kept at your store, except in the case of certain chain stores, for which special record keeping requirements are provided in Supplementary Regulation 1 to this regulation.

(a) List date records. You must preserve for inspection by the OPS:

(1) All records which you were required to prepare and preserve pursuant to section 16 (a) (1) and (4) of the General Ceiling Price Regulation, 14 relating to articles covered by this regulation;

(2) All records relating to articles covered by this regulation which you were required to prepare and keep pursuant to section 16 (b) of the General Ceiling Price Regulation 14 from January 26, 1951, to the date you begin pricing under this regulation, not later than the date you are notified by the Director of Price Stabilization of the date you are to begin using the pricing rules under section 5 (a) of this regulation;

[Subparagraph (2) amended by Amends. 1, 4 and 8]

(3) The last invoice which you received before the list date for each kind, style, model, or lot number of the articles covered by this regulation, the list date, the date you ordered and received the invoice, and all other invoices which you used in preparing your list date chart; and

(4) All other records and data, such as sales slips, inventory records or work sheets, used by you in preparing your

14The pertinent section of the General Ceiling Price Regulation is as follows:

"Sec. 10. Records. This section tells you what records you must preserve and what additional records you must prepare.

(a) Base period records.

(1) You must preserve and keep available for examination by the Director of Price Stabilization those records in your possession which show the prices at which you purchased commodities and services for which you delivered or offered to deliver during the base period, and all records to show your purchase or other costs incurred by you prior to the end of the base period in purchasing the commodities (if you are a wholesaler or retailer)."

(4) (You must also prepare and preserve a statement of your customary price differences for terms and conditions of sale and classes of purchasers, which you had in effect during the base period.)

"The pertinent section of the General Ceiling Price Regulation follows:"

"(b) Current records. If you sell commodities or services covered by this regulation, you must prepare and keep available for examination by the Director of Price Stabilization for a period of not more than two years, after the time of purchase or other acquisition of the commodities for which you were required to keep and preserve your purchase invoices and to record thereon both your initial payment and the prices at which you subsequently delivered or offered to deliver during the base period. If you are required to preserve your purchase invoices and to record thereon both your initial selling price and the sales or other payments to which you have entitled your selling price."
chart or showing your costs and offering prices on the list date.

(b) Current records—(1) Obtaining and preserving invoices. On and after the effective date of the regulation or any amendment applicable to you, you must obtain a purchase invoice (or some other record of cost) and preserve the purchase invoices (or other cost record) which you receive for each article covered by this regulation. You must keep these invoices according to some recognized filing system, such as alphabetical, numerical, or chronological order.

(2) "Retailing" invoices. Before selling or offering for sale any article covered by this regulation which is delivered to you on or after the effective date of the regulation or any amendment applicable to you, you must "retail" the invoice, that is, you must mark your first selling price for each article on the invoice covering your purchase of the article, and the number of the section or purchase order this regulation, or the special order or other order under which you figured your ceiling price for the article. The pricing rule and method may be stated as "Rule 1" or "Rule 2" or "Rule 6." If the invoice does not state the quantity of each article, style, model, or lot number which was sold, you must also enter the quantity of such invoices which were sold.

(3) Preserving sales slips. If you customarily prepared your sales slips in more than one copy, you must preserve for at least six months after delivery a duplicate copy of each sales slip delivered by you pursuant to section 54.

(4) Listing items in General Category not enumerated or charged. If you fix ceiling prices for articles in a "general" category (as described in Appendix B) not specifically listed in that category or not charged by you on your list date, you must prepare and preserve with your chart a list of such articles designating as to each the general category in which you placed the item.

Sec. 53. Records and reports of initial markups or gross margins—(a) Records and reports of initial percentage markups—(1) Records. Base period records of initial percentage markups. If you use the so-called "retail method of accounting" or if you have other records from which the following information can be readily computed, you must preserve for inspection the data showing for each of the smallest subdivisions of your business (such as department, subdepartment, or store) for which you have such records for the periods described in paragraph (a) (1) (i) the total dollar gross margin on sales for which you have such records for the periods described in paragraph (a) (1) (i). You must file one copy of this report with your chart and keep the other available for inspection by the OPS.

Sec. 54. Sales slips. If you customarily gave your customers a sales slip, receipt, or similar evidence of purchase you must continue to do so. Upon request from a customer, regardless of previous custom, you shall give the purchaser a receipt showing the date, your name and address, a description of each article sold and the price received for it.

Sec. 55. What acts are prohibited by this regulation. On and after February 27, 1951, regardless of any contract or other obligation, the following practices are forbidden:

(a) Charging more than ceiling prices. You are prohibited from selling or delivering an article at a price higher than the ceiling price permitted by this regulation. A lower price may, of course, be charged.

(b) Buying for more than ceiling price. You are prohibited from buying or receiving, in the course of trade or business, any article sold in violation of any of the provisions of this regulation.

(c) Changing customary terms of sale. You are prohibited from changing your customary terms, discounts, allowances, or price differentials on sales of articles, if the change results in a higher net price. This includes differentials allowed to cash purchasers by sellers who customarily extend credit.

(d) Combination sales. You are prohibited from requiring any purchaser to agree, before you will sell or buy any other article, service, package, or wrapped group of products connected with the sale or delivery of any article covered by this regulation. Every exercise of such power is prohibited by this regulation.

(e) Indirect price increases. You are prohibited from doing any act which directly or indirectly increases, above the ceiling price, the consideration paid for any article or delivery of any article, or, for the purposes of evading the price limitations set forth in this

**Footnote 17 amended by Amdt. 22.**
regulation, to purchase, deliver, con­
tact, deal or otherwise operate with or
through any other person under com­
mon control with, controlled by, con­
trolling or otherwise affiliated with you.
You shall not do any other act which
directly or indirectly increases the con­
sideration paid for any article. Any
practice which is a device to secure the
effect of a higher-than-ceiling price is
as much a violation as an outright boast above the ceiling price.

(f) Attempts to violate. Every per­
son is prohibited from agreeing, offering,
soliciting, or attempting to do any of
the acts prohibited by this regulation.

(g) Changing delivery practices. It
shall not be deemed a violation of this
section for a retailer to discontinue a
practice of delivering parcels which are
sufficiently small and light in weight to
be carried in hand from the store by the
purchaser.

[Paragraph (g) added by Amend. 21]

Sec. 55. Enforcement. Any person who violates any provision of this regula­
tion is subject to the criminal penali­
ties, civil enforcement actions and suits
for damages, provided by the Defense
Production Act of 1950.

Sec. 57. Petitions to amend this regu­
lation. Any person may file a petition for an amendment of general apply­
bility to any provision of this regulation in accordance with the provisions of
Price Procedural Regulation No. 1.

Sec. 58. Supplementary regulations
modifying this regulation. The pro­
visions of this regulation, as applied to
certain commodities or persons subject
to this regulation, may be modified by
Supplementary Regulations issued under
this section.

Sec. 59. Definitions:

"Accommodation sale" means a sale
made entirely without profit, solely for
the benefit or convenience of the pur­
cusher. For example, a sale by the em­
ployer to his employees, or by a school to
its students—and not for the purpose of
promoting trade is an accommodation
sale. It has not been intended to include sales on a
cooperative, nonprofit, or other organiza­
tions which make sales initially above
cost, but later give refunds, bonuses,
dividends, or other allowances to pur­
casers.

"Buy and sell in substantially the same
form." An article is bought and sold in
substantially the same form if the article
which you sell belongs to the same cate­
gory as the article you bought and, ex­
ccept as provided in section 38 and section
39 (d) (pricing of repaired or recondi­
tioned goods) if, before offering it for
sale you have not added to the article
you sell, materials which cost you more
than 10 percent of the net cost (as de­
defined in section 31) of the original article.

"Consignee" means a person subject
to this regulation who sells articles to
ultimate consumers through outlets the
ownership of which is not in the same
legal entity as his own and who retains
title to such articles until the articles are
sold to ultimate consumers. The words "con­
signee," "sale on consignment," "purchasers as consignees," "con­
signment outlet" and "consignee" shall be
construed accordingly.

RULES AND REGULATIONS

APPENDIX A

Examples of Lead, Price Fixing Chart

Men's Furnishings Department (Dept. No. 20) in Chain Store (Statement of Total Store Volume Filed Separately)

ABC Department Store, 123 Maine Street, New City, Kansas

<table>
<thead>
<tr>
<th>Category</th>
<th>Net cost (per unit)</th>
<th>Offering price (per unit)</th>
<th>Percent markup on cost</th>
<th>Supporting invoice</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
<td>(5)</td>
</tr>
<tr>
<td>Category 161, Underwear and Night­</td>
<td>$0.40</td>
<td>$0.40</td>
<td>0%</td>
<td>#1232 A. B. Under­</td>
</tr>
<tr>
<td>wear (sleeping shorts)</td>
<td></td>
<td></td>
<td></td>
<td>wear Co.</td>
</tr>
<tr>
<td>Average percentage markup 0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category 177, Shirts</td>
<td>$0.20</td>
<td>$0.20</td>
<td>0%</td>
<td>#3972 S. &amp; L. Paj­</td>
</tr>
<tr>
<td>Average percentage markup 0%</td>
<td></td>
<td></td>
<td></td>
<td>ama Co.</td>
</tr>
<tr>
<td>Category 186, Hoseiery</td>
<td>$0.40</td>
<td>$0.40</td>
<td>0%</td>
<td>#2158 A. B. Under­</td>
</tr>
<tr>
<td>Average percentage markup 0%</td>
<td></td>
<td></td>
<td></td>
<td>wear Co.</td>
</tr>
<tr>
<td>Category 110, Underwear and Night­</td>
<td>$0.20</td>
<td>$0.20</td>
<td>0%</td>
<td>#4086 A. B. Under­</td>
</tr>
<tr>
<td>wear (sleeping shorts)</td>
<td></td>
<td></td>
<td></td>
<td>wear Co.</td>
</tr>
<tr>
<td>Average percentage markup 0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category 126, Ties</td>
<td>$0.10</td>
<td>$0.10</td>
<td>0%</td>
<td>#4210 A. B. Under­</td>
</tr>
<tr>
<td>(tie and handkerchief set)</td>
<td></td>
<td></td>
<td></td>
<td>wear Co.</td>
</tr>
</tbody>
</table>
APPENDIX A—Continued
EXAMPLES OF A LIST DAILY PRICING CHART

<table>
<thead>
<tr>
<th>Category</th>
<th>Net cost (per unit)</th>
<th>Offering price (per unit)*</th>
<th>Percent markups on cost</th>
<th>Supporting invoice</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category 701, Wood</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category 701, Wood</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average percentage markup 76.1%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$322.34 (20.00, 2/10) 3.10</td>
<td>$36.85</td>
<td>75.8</td>
<td>F. C. Mfg. Co., #1354, 1/3/51 (3 pc. maple).</td>
</tr>
<tr>
<td></td>
<td>$302.20 (20.00, 2/10) 3.50</td>
<td>69.45</td>
<td>69.5</td>
<td>K. F. Furniture Co., #3100, 1/3/51 (3 pc. mahogany).</td>
</tr>
<tr>
<td></td>
<td>$141.10 (20.00, 2/10) 3.00</td>
<td>70.00</td>
<td>70.0</td>
<td>C. H. Furniture Co., #3155, 1/3/51 (3 pc. walnut veneer).</td>
</tr>
<tr>
<td></td>
<td>$102.50 (20.00, 2/10) 2.50</td>
<td>74.00</td>
<td>74.0</td>
<td>M. S. Furniture Co., #3155, 1/3/51 (3 pc. mahogany).</td>
</tr>
<tr>
<td></td>
<td>$72.50 (20.00, 2/10) 2.00</td>
<td>83.00</td>
<td>83.0</td>
<td>T. H. Jones Co., #3155, 1/3/51 (3 pc. mahogany).</td>
</tr>
<tr>
<td></td>
<td>$68.00 (19.00, 2/10) 1.50</td>
<td>80.00</td>
<td>80.0</td>
<td>H. M. Co., #3155, 1/3/51 (3 pc. walnut veneer).</td>
</tr>
<tr>
<td></td>
<td>$51.50 (19.00, 2/10) 1.00</td>
<td>85.00</td>
<td>85.0</td>
<td>L. M. Furniture Co., #3155, 1/3/51 (3 pc. mahogany).</td>
</tr>
</tbody>
</table>

*Based on sales to mail customers.
Percentage markups on offering prices may be listed if so labeled in this column.
Signed: ABC DEPARTMENT STORE, DEPARTMENT 21, By: John Doe, Dept. Head.

[Category 122 amended by Amdt. 1]
(b) Furniture Store—List Daily Pricing Chart for Stores including Freight in Determining Markups
E.M. Furniture Co., 1115 Massachusetts Ave., Barre, Vermont
[Type of store—Independent furniture store. Total retail sales $300,000-$500,000]

[Appendix A—Continued by Amdt. 11]
(e) Furniture Store—List Daily Pricing Chart for Store not including Freight in determining Markups
XY Furniture Co., 1006 Pennsylvania Ave., Eustis, Vermont
[Type of store—Independent furniture store. Total retail sales $500,000-$1,000,000]
### RULES AND REGULATIONS

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Category 106A</strong>—Men’s Overalls, including Bib and Dungarees, and Overall Jackets</td>
<td><strong>Category 106B</strong>—Men’s Work Shirts, Work Pants and Match Sets, including Work Shirts and Work Pants</td>
<td><strong>Category 106C</strong>—Men’s Work Accessories, including gloves, bannancans, hobnobs, caps and hats (including sarar!, which are used primarily as work or farm hats)</td>
<td><strong>Category 106D</strong>—Men’s One-piece Work Suits and Men’s Smocks</td>
</tr>
<tr>
<td><strong>Category 106E</strong>—Men’s U.S. Regulation Military Uniforms</td>
<td><strong>Category 107</strong>—Men’s Sports and Utility Heavy Overwear</td>
<td><strong>Category 107A</strong>—Hunting and Fishing Apparel</td>
<td><strong>Category 107B</strong>—Men’s Raincoats and Water Repellent Garments</td>
</tr>
<tr>
<td><strong>Category 107C</strong>—Men’s Work Accessories, including work clothing or any garments covered by Categories 111, 112, 112A. Among the garments included are:</td>
<td>Sport and loafer jackets and non-tailored coats except water repellent jackets and accessories</td>
<td><strong>Category 107D</strong>—Hunting and Fishing Apparel (Men, Women and Children)</td>
<td>Jackets, such as water repellent poplin, Non-tailored raincoats, rain cap, and hats. Suits. Pants. Overalls. Aprons. Vests. Leggings.</td>
</tr>
<tr>
<td><strong>Category 107E</strong>—Men’s Raincoats and Water Repellent Garments</td>
<td><strong>Category 108</strong>—Boys’ Raincoats and Water Repellent Garments</td>
<td><strong>Category 108A</strong>—Boys’ Raincoats and Overcoats, sizes 3 to 10 and 6 to 16.</td>
<td><strong>Category 108B</strong>—Boys’ Raincoats and Water Repellent Garments</td>
</tr>
<tr>
<td>This category includes: Tailored topcoats and overcoats. Tailored fingertip-length coats and tailored rain and reversible coats of all lengths. Detachable coat linings.</td>
<td>This category does not include uniform overcoats and overcoats covered by Categories 111, 112, 112A. Among the garments included are: Tailored topcoats and overcoats. Tailored fingertip-length coats and tailored rain and reversible coats of all lengths. Detachable coat linings.</td>
<td><strong>Category 108C</strong>—Boys’ Raincoats and Overcoats, sizes 3 to 10 and 6 to 16.</td>
<td>This category includes: Raincoats and water repellent jackets. Non-tailored raincoats. Rain cap and hats. Suits. Pants. Overalls. Aprons. Vests. Leggings.</td>
</tr>
<tr>
<td><strong>Category 109</strong>—Suits and Sport Coats, Cadets’ sizes 10 to 20 and Students’</td>
<td><strong>Category 109A</strong>—Suits and Sport Coats, Cadets’ sizes 10 to 20 and Students’</td>
<td><strong>Category 110</strong>—Men’s and Boys’ Bathing Wear</td>
<td><strong>Category 112B</strong>—Boys’ Raincoats and Water Repellent Garments</td>
</tr>
<tr>
<td><strong>Category 111</strong>—Boys’ Uniforms</td>
<td><strong>Category 111A</strong>—Boys’ Raincoats and Water Repellent Garments</td>
<td><strong>Category 111B</strong>—Boys’ Work Clothes</td>
<td><strong>Category 112</strong>—Boys’ Sport and Utility Heavy Overwear</td>
</tr>
<tr>
<td><strong>Category 112A</strong>—Boys’ Raincoats and Water Repellent Garments</td>
<td><strong>Category 112B</strong>—Boys’ Sport and Utility Heavy Overwear</td>
<td><strong>Category 112C</strong>—Boys’ Play Clothes</td>
<td><strong>Category 113</strong>—Boys’ Play Clothes</td>
</tr>
<tr>
<td><strong>Category 113</strong>—Boys’ Play Clothes</td>
<td><strong>Category 113A</strong>—Boys’ Play Clothes</td>
<td><strong>Category 114</strong>—Men’s and Boys’ Bathing Wear</td>
<td><strong>Category 115</strong>—Men’s and Boys’ Sweaters</td>
</tr>
</tbody>
</table>

**APPENDIX B**

What Commodities Are Covered by This Regulation

This appendix describes the articles covered by this regulation. These articles are grouped into "categories," each of which is given a number in this appendix. Paragraph (A) lists some categories of apparel and apparel accessories. Paragraph (B) lists the categories of first piece goods and certain household textile commodities covered. Paragraph (C) lists the categories of certain consumer goods covered. Paragraph (D) lists women’s, misses’, teens’, girls’ and children’s apparel.

Each category is intended to be a "general" category unless designated as "specific" category. A "specific" category is one which includes only the articles that are specifically listed for that category. A "general" category is one which includes not only the articles that are specifically listed for that category but also all other related articles that fall within the general category description and are not listed in any other category in this appendix. In making your chart you must include in a "general" category all the articles listed in that category; you must include in addition all other related articles that fall within the general description and are not listed in any other category, unless you buy together at a unit price two or more articles (unless the combination is listed in a particular category) place the cost price of the combination.

(A) Categories of Apparel and Apparel Accessories

(1) Masculine Apparel and Apparel Accessories.

Certain categories are for men only and certain others for boys only. These are some categories that apply to both men and boys and some categories which apply to men, women and children. No categories include sizes commonly known as "toddler’s" or "infant’s".

**Category 101**—Men’s Tailored Topcoats and Overcoats

This category does not include any military or civilliform uniform overcoats, topcoats, raincoats or other coats covered by categories 105, 105A, 106, 107. Among the articles included are:

- Tailored topcoats and overcoats.
- Tailored fingertip-length coats and tailored rain and reversible coats of all lengths.
- Detachable coat linings.

**Category 102**—Men’s Suits and Sport Costs

This category does not include any garments covered by categories 104, 105, 105A, 105B and sport and utility heavy overwear covered by Category 107. Among the garments included are:

- Tailored suits made of cotton, rayon, wool, or other fibres or of mixtures.
- Separate tailored sport coats.

**Category 103**—Men’s Trousers and Related Items

This category does not include any staple work clothing or any garments covered by categories 105, 105A, 106, 107. Among the garments included are:

- Separate trousers, pants, and slacks.
- Breeches, riding pants, and jodhpurs.
- Knickers and walking shorts.
- Vets made of woven cloth.

**Category 104**—Men’s Slack Suits

Uniform overcoats and topcoats.

Uniform jackets.

Uniform trousers.

Uniform hats and caps.

**Category 105**—Men’s Raincoats and Water Repellent Garments

This category does not include any garments covered by Categories 111, 112, 112A. Among the garments included are:

- Tailored topcoats and overcoats.
- Tailored fingertip-length coats and tailored rain and reversible coats of all lengths.
- Detachable coat linings.

**Category 105A**—Men’s Overalls, including Bib and Dungarees, and Overall Jackets

This category does not include any garments covered by Categories 111, 112, 112A. Among the garments included are:

- Tailored suits, including tailored sport suits, made of cotton, rayon, wool, or other fibres or of mixtures.
- Separate tailored sport coats.

**Category 105B**—Men’s Work Shirts, Work Pants and Match Sets, including Work Shirts and Work Pants

Among the garments included are:

- Tailored suits, including tailored sport suits, made of cotton, rayon, wool, or other fibres or of mixtures.
- Separate tailored sport coats.

**Category 105C**—Men’s Work Accessories, including gloves, bannancans, hobnobs, caps and hats (including sarar!, which are used primarily as work or farm hats)

Among the garments included are:

- Tailored suits, including tailored sport suits, made of cotton, rayon, wool, or other fibres or of mixtures.
- Separate tailored sport coats.

**Category 106**—Men’s U.S. Regulation Military Uniforms


**Category 106A**—Men’s Overalls, including Bib and Dungarees, and Overall Jackets

This category does not include any garments covered by Categories 111, 112, 112A. Among the garments included are:

- Tailored topcoats and overcoats.
- Tailored fingertip-length coats and tailored rain and reversible coats of all lengths.
- Detachable coat linings.

**Category 106B**—Men’s Work Shirts, Work Pants and Match Sets, including Work Shirts and Work Pants

This category does not include any garments covered by Categories 111, 112, 112A. Among the garments included are:

- Tailored suits, including tailored sport suits, made of cotton, rayon, wool, or other fibres or of mixtures.
- Separate tailored sport coats.
SWEATERS. 
Sweater vests. 
Sweater coats. 
Knit pull-over. 
Knit cardigans.

Category 116—Men's and Boys' Underwear and Nightwear

This category includes all underwear and nightwear garments made of either knitted or woven fabrics. Among the garments included are:
- Union suits.
- Boxers, drawers, and briefs.
- Underwear and T-shirts.
- Pajamas.
- Nightshirts and sleeping caps.

Category 117—Men's and Boys' Shirts

This category includes all types of shirts made from all fabrics, except that it does not include any staple work shirts which are covered by Categories 105, 105C, 106, and 111. Among the garments included are:
- Union suits.
- Boxers, drawers, and briefs.
- Underwear and T-shirts.
- Pajamas.
- Nightshirts and sleeping caps.

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毛衣。
毛衣背心。
毛衣外套。
针织套头毛衣。 
针织开衫。

类别116—男士和男孩的内衣和睡衣

本类别包括所有内衣和睡衣制成的针织或机织布料的衣物。其中包括以下衣物：
- 装睡衣。
- 盒子，内裤，和短裤。
- 内衣和T恤。
- 睡衣。
- 夜间衬衫和睡帽。

类别117—男士和男孩的衬衫

本类别包括所有类型的衬衫，材料除外，它不包括任何原棉工作衬衫，该类别覆盖了105，105C，106和111号。其中包括以下衣物：
- 装睡衣。
- 盒子，内裤，和短裤。
- 内衣和T恤。
- 睡衣。
- 夜间衬衫和睡帽。
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(3) Infants’ Apparel and Accessories

Noten: Categories 301-307 include apparel in infants’ size ranges for both sexes and accessories designed for use by infants.

Category 301—Infants’ Costumes, Snowsuits, and Leggings

This category includes garments made of either knitted or woven fabric, or of leather, plastic, or other materials. Among the articles included are:

- Costumes and coat sets.
- Snowsuits and snowsuit sets.
- Separate leggings.

Category 302—Infants’ Knitted and Crocheted Outerwear

This category does not include any knitted coats, snowsuits, or leggings. Among the articles included are:

- Sweaters, sweater sets, and knitted suits.
- Jackets.
- Shawls and scarves.
- Mittens and gloves.
- Booties.

Category 303—Infants’ Woven Outerwear

This category does not include any snowsuits or leggings. Among the articles included are:

- Rompers, creepers, and crawlers.
- Bonnats and playsuits.
- Dresses and wash suits.
- Overalls (long and short).
- Woven jackets.

Category 304—Infants’ Headwear

This category includes all crocheted, knitted, and woven hats. Among the articles included are:

- Hats.
- Bonnets.
- Bonnets.

Category 395—Infants’ Dresses, Underwear, and Nightwear

Among the articles included in this category are:

- Panties.
- Gowns and sleepers.
- Kimons, wrappers, and bath robes.
- Sacks.
- Dresses, slips, and gowns.
- Training pants and training suits.
- Socks, stockings, and anklets.
- Bands.
- Scarves.
- Plastic or rubber lined diapers and diaper protectors.

[Category 305 amended by Amdt. 13]

Category 306—Infants’ Bedding and Related Items

This category includes:

- Towels or bath towels covered with cases.
- Ribbed cases.
- Shower caps.
- Pillow cases.
- Blanket covers.
- Mattress pads and similar quilted pads.

Category 309A—Diapers

This category includes diapers of birds eye, cheese cloth, and all other materials, including disposable types.

Category 307—Miscellaneous Infants’ Items

This category does not include any articles that can be priced under categories 301, 309 and 310. Among the articles included are:

- Carriage covers.
- Blankets.
- Infants’ quilts.
- Bibs.
- Crib and carriage spreads.
- Fancy pillows.
- Trimmed baskets and baskets.

Category 308—Infants’ Metal and Wood Wheel Goods and Other Metal Goods

Some of the items included in this category are:

- Birdies.
- Walkers.
- Collapsible carriages.
- Swings.
- All-weather and carrying baskets.

[Category 308 corrected by Amdt. 11]

Category 309—Infants’ Staple Accessories

Among the items included in this category are:

- Staple notions.
- Infant toiletries.
- Bottles and nipples.
- Reed and metal hampers.
- Diaper pails.
- Untrimmed baskets (except metal covered by category 309).

Category 310—Infants’ Novelties

Included in this category are such items usually designated as gifts. Some of the items included are:

- Comb and brush sets.
- Record books.
- Baby scales.
- Bottle warmers.
- Bottle sterilizers.
- Food dishes.
- Saltcellars.
- Thermometers.
- Ear conformers.
- Thumb guards.
- Safety straps.

(4) Masculine and Feminine Apparel

Noten: Categories 351-353 include apparel and accessories for men and women and girls and boys in all size ranges except infants’ size ranges.

Category 351—Athletic Clothing and Accessories

Among the articles included in this category are:

- All athletic uniforms (such as baseball, football, basketball, and related suits and separate parts of suits).
- Gym, track, and related suits.
- Coated waterproofs.
- Tennis, boxing, track, and related shorts.
- All athletic hose (such as baseball and football hose).
- Knee, shoulder, chest, hip, and similar pads, guards, and protectors.
- Athletic gloves.

Category 392—Umbrellas and Canes

This is a “specific” category. The articles covered are:

- Umbrellas.
- Parasols and sunshades.
- Umbrella cases and separate umbrella covers.
- Canes.

Category 393—Miscellaneous Clothing

Among the garments included in this category are:

- Costumes.
- Regals.
- Baptismal suits.
- Ecclesiastical vestments and habits.
- Academic gowns.
- All other related garments.

(5) Footwear

Noten: Categories 401-410 include footwear of all descriptions and in all sizes for both sexes, including corrective footwear.
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Category 401—Men's Dress Shoes
Street shoes. Sport shoes. Evening pumps and shoes. High top street shoes. Low-cut oxfords or oxfords, other than work oxfords. Sandals, casuals, and moccasins for outdoor wear.

Category 402—Men's Work Shoes
This does not include shoes priced under category 402A, 402B, or 410. Among the shoes included are:

High top work shoes. Low-cut Oxford type work shoes. Logger boots, utility cowboy boots, and men's high-cut laced boots. Shearling or felt shoes (other than slippers).

Category 402A—Overshoes for Men, Women and Children
This category does not include any shoes in category 402B. It includes:

Rubbers. Rubber boots. Rubber overshoes. Similar articles made of plastic or other materials.

Category 402B—Men's, Women's and Children's Rubber-Soled Canvas Shoes
This category includes all shoes commonly known as tennis shoes or sneakers.

Category 403—Little Gents', Youths' and Boys' Shoes
Among the shoes included are:


Category 405—Women's and Growing Girls' Shoes
This category does not include any shoes covered by category 402A, 402B, or 409 or any safety shoes covered by category 410. Among the shoes included are:


Category 406—Misses' and Children's Shoes
This category does not include any shoes covered by category 402A, 402B, or 409 or any safety shoes covered by category 410. It includes shoes in sizes only up to and including size 3. Among the shoes included are:


Category 407—Infants' Shoes
Among the shoes included are:


Category 408—Men's, Women's and Children's and Infants' House Slippers
This category includes house shoes and slippers made of all materials in all size ranges and for both sexes. Not included are floor warmers covered in Category 321. Among the shoes and slippers included are:


Category 409—Men's, Women's and Children's Athletic Shoes
This category includes shoes in all size ranges and for both sexes. Among the shoes included are:


Category 410—Men's, Women's and Children's Safety Shoes
This category includes safety shoes for both men and women. Among the shoes included are:


(Above title amended by Am. 87)

(1) Certain Household Textile Commodities and Certain Yard Goods

Category 501—Bed Linens
This is a "specific" category. It does not include any crib sheets, pillow cases, or rubber sheets, pillow cases covered by category 306 or rubber sheets covered by category 305. It includes articles made of all types of fabrics. The articles covered are:

Bed sheets. Pillow slips and cases.

Category 502—Blankets and Electric Blankets
This category does not include any infants' or crib blankets covered by categories 306 and 307. Among the articles included are:


Category 502A—Quilts
This category does not include any infants' or crib quilts covered by categories 306 and 307. Among the articles included are:

Comforters. Quilts.

Category 502B—Spreads
This category does not include any infants' or crib spreads covered by categories 306 and 307. Among the articles included are:


Category 503—Bed Pillows
This category includes all bed pillows regardless of cover and contents, except that it does not include any infants' or crib pillows covered by categories 306 and 307. Among the articles included are:


Category 503—Bath and Kitchen Linens and Accessories
This category does not include any infants' towels or wash cloths covered by category 306. It includes articles as listed below whose value has not been enhanced by printing, embroidery, hemstitching, or other embellishments.

Turkish or Terry cloth towels, towel sets, and toweling. Huck towels, towel sets, and toweling. Kitchen towels and toweling. All other towels and toweling. Wash cloths. Dish cloths. Bath mats not covered by category 303A.

Category 504—Fancy Table and Household Linens
In this category are items made of woven materials, plastic, cork, etc., whose value has been enhanced by printing, embroidery, hemstitching, or other embellishments. Among the articles included are:

Table cloths. Woven table cloth material. Napkins. Table cloth and napkin sets. Table pads and padding. Bridge sets. Dollies and dolly sets. Place mats and luncheon sets. Fancy linens other than bed linens. Dresser sets. Scarves and runners. All towels not covered by category 503.

Category 504A—Staple Table and Household Linens
In this category are items made of woven materials, plastic, cork, etc., whose value has not been enhanced by printing, embroidery, hemstitching, or other embellishments. Among the articles included are:

Table cloths. Woven table cloth material. Napkins. Table cloth and napkin sets. Table pads and padding. Bridge sets. Dollies and dolly sets. Place mats and luncheon sets. Fancy linens other than bed linens. Dresser sets. Scarves and runners.

Category 505—Domestics
Among the articles covered are:


Category 506—Curtains and Drapes
Among the articles in this category are:

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Category 506A—Ready-Made Slip Covers (for Chairs, Sofas, Studio Couches, etc.)

Among the articles in this category are:
Silk covers of all fabrics.
Knitted silk covers.
Sewn silk covers.
Plastic covers.

Category 506B—Shower Curtains and Drapes

Included in this category are items made of all materials including plastics: Shower curtains.
Matching window drapes, not covered by Category 706.
Sets or combinations of the above.

Category 507—Curtain, Drapery, and Upholstery Fabrics

Included in this category are the following:
Curtain fabrics.
Drapery fabrics.
Upholstery fabrics.
Silk-cover fabrics.
Drapery lining and Interlining.

Category 508—Drapery Hardware

This category includes all articles made of metal, plastic, or other non-cellular materials designed to make possible the hanging of curtains or drapes, or to improve the appearance of the curtains or drapes or the opening to which the drapery or curtain is attached. Among the items included are:

- Solid and extending rods.
- Traverse rods.
- Traverse cords.
- Track.
- Hooks.
- Tiebacks.
- Cornices.

Category 509—Window Shades and Venetian Blinds

In this category are included:
Window shades of paper.
Window shades of cloth.
Window shades of other materials.
Shade rollers.

All types of Venetian blinds (wood, metal, paperboard or any other material).

Category 510—Outdoor Shades and Awnings

In this category are included all types of rigid, roll-up and other styles used outside of windows and doors or on porches. Included are:

- Canvas awnings and shades.
- Metal awnings.
- Bamboo shades.

(2) Certain Yard Goods

Category 501—White and Solid Colored Cottons, Linens, and Plastics

This category covers all cotton yard goods, linens and plastic yard goods of all weaves and constructions that are either all white or a solid color unless otherwise covered by Categories 502, 503, 505A, 505, 507 and 509. This category also covers all yard goods that contain 50% or more by weight of cotton, linen or plastic and less than 25% by weight of wool. Some of the items included are:

- Cheesecloth.
- Nainsooks.
- Baize.
- Dimity.
- Lawns.
- Combed muslins.
- Organza.
- Percales.
- Broadcloths.
- Flannelsets.

Category 502—All Wool Yard Goods Costing Over $2.45 Net Per Yard

This category includes all yard goods having more than 25 percent by weight of wool fibers. Among the fabrics included are:

- Woolen and worsted yard goods.
- Knitted woolen and worsted yard goods.

Category 601A—Fancy Yard Goods (Cottons, Linens, Plastics)

This category includes all types of yard goods described in Category 601 but which have printed, embroidered or woven patterns in different colors and any other embellishments. Included are:

- Curtains or drapes or the opening to which the drapery or curtain is attached.
- Any yard goods having less than 25 percent by weight of these yarns combined with cotton, linen or plastic.
- Any yard goods having less than 25 percent by weight of wool fibers.

Category 606A—All Wool Yard Goods Costing $2.45 Net or Less Per Yard

This category does not include any blankets covered by category 502 or drapery or upholstery fabrics covered by category 597. It includes all woolen and worsted yard goods, woven or knitted of yarns containing 25 percent or more by weight of wool fibers. Any yard goods having less than 25 percent by weight of wool are to be priced in the category that governs the yarn which by weight forms the greatest percentage of the total contents. Among the fabrics included are:

- Woven woolen and worsted yard goods.
- Knitted woolen and worsted yard goods.

Category 626—Fancy Rayon, Silk, and Synthetic Fiber Yard Goods, File Fabrics and Mixtures

This category includes all types of yard goods described in Category 601 but which have printed or embroidered patterns or patterns woven in different color or any other embellishments. Included are:

- Sheers.
- Lace.
- Net.
- Miscellaneous Fancy Fabrics

This category includes woven, knitted, and crocheted fabrics. Included are:

- Marquisette, chiffon, georgette, meta, made of cotton, rayon, nylon, or other synthetic fiber.
- Burn's sheers made of rayon or nylon.
- Organza made of rayon or nylon.
- Embroidered sheers of all above types.
- Lace, (gimp and web) Tulle, maline, tarian.

Category 667—Coated Fabrics

Oil cloth.
Rubberized fabrics.
Pyroxylin coated fabrics.


Category 610—Hand Knitting Yarn and Crochet Thread.

Examples of articles included are:
Laces up to 3⁄8" wide (See Category 606 for wide, 3⁄8" or over).
Val lace.
Venice lace.
Irish crochet.
Alencon.
Frogs, fringe, braids.
Flounces and feather trimmings.
Vells and ruffling.

Fur fabric trimming.

[Category 615 amended by Amdt. 13]}

Category 620—Ribbons.

The article included are ribbons of all materials and all widths.

[Subparagraph (3) added by Amdt. 8]

C) Categories of Consumer Durable Goods and Related Articles

[Handout (C) amended by Amdt. 2]

(1) Household furniture.

Category 703—Bedroom Suites and Open Stock Pieces

Wood and metal bedroom suites and open stock bedroom pieces including:

- Beds.
- Vanities.
- Chest of drawers.
- Vanity benches.
- Dressers.
- Wardrobes.
- Night tables.

[Category 704—Boudoir Chairs

Furniture distinguished by its construction and coverings as intended for use in bedrooms including:

- Boudoir chairs and rockers.
- Chaise longues.
- Ottomans.

Category 705—Cedar Chests

This category includes any wood finished cedar or cedar-lined chests.

Category 706—Dining Room Suites and Open Stock Pieces

This category includes wood dining-room suites, dinette suites, and all open stock of dining room and dinette pieces:

- Dining and dinette tables.
- Buffets.
- Credenzas.
- Chairs.
- Cabinets.
- Hutches.
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Category 706A—Metal Dinette Suites and Separate Pieces

All metal tables or metal combined with any other material, for example, metal legs with wood tops and seats contained in the tables; chairs, all metal or metal combined with other materials. All metal dinette pieces including banquet, buffet, credenza, chairs, cabinets, servers, china closets, cupboards, hutches and benches.

Category 706—Individual Pieces of Dining-room Furniture

Articles not bought as matched sets (a table, chairs, and at least one other article) which are commonly offered as individual pieces:

- Chairs
- Buffets
- Tables
- Benches

Category 706B—Chairs and Rockers

All wood chairs, all over-stuffed chairs, all upholstered pieces not included in those known as pull-up, occasional, and desk chairs. This category includes chairs, longues and armchairs. It does not include dining room and dinette chairs, boudoir chairs, kitchen or bathroom chairs or in Categories 717 and 717A.

Category 710—Upholstered Suites, Sofas and Love Seats

This category includes suites containing a sofa or love seat and one or more matching chairs. Does not include any sofa or suit in Categories 717 and 717A.

Category 712—Upholstered Dual Purpose Sleeping Equipment

This category includes upholstered soft- or single and double studio couches, love seats, chairs, davenports, etc., which open into beds and a suite of these articles with one or more chairs.

Category 713—Living-Room Tables of All Types

This category includes cocktail, end, coffee, gate-leg, child's and baby's table, etc., made of wood, glass, plastic, etc., non-folding rigid bridge tables and complete rigid bridge sets.

Category 714—Desks, Secretaries and Break-Fronts

Category 715—Living-room Novelty Pieces

This category includes smokers, étagères, magazine racks, bookcases, record cabinets, sewing cabinets, telephone sets, washers and dryers, and any other material which is sold on the basis of the price per rug. This category includes all locker cabinets, bookcases, cabinets, etc., which are included in Paragraph (5) of this appendix, nor pillows.

Category 716—Kitchens, Utility Cabinets, Kitchen Tables, Chairs and Stools

This category includes kitchen cabinets of all kinds, kitchen tables, kitchen chairs, kitchen stools, utility cabinets, kitchen step stools, electric toaster base cabinets, sink cabinet bases, and, unless plumbing, storage hampers, bath room stools and bar benches.

Category 717—Furniture for Outdoor Use and Bridge Tables

Suites and individual pieces made of wood, metal, red, silver, rattan or any combination of these whether upholstered or not but which cannot remain outdoors without damage; also suites and pieces made of wood, including oak, maple or other wood interiors, all folding bridge tables and complete rigid bridge sets.

Category 717A—Sun Parlor Furniture

Suites and individual pieces made of wood, metal, red, silver, rattan or any combination of these whether upholstered or not but which cannot remain outdoors without damage; also suites and pieces made of wood, including oak, maple or other wood interiors, all folding bridge tables and complete rigid bridge sets.

Category 718—Juvenile Furniture

This category includes all articles of infants', nursery, and youths' furniture. Among these are:

- Bassinets
- Cribs
- Play yards
- Nursey seats
- Rockers
- Rockers, etc.

Category 719—Unfinished Furniture

This category includes all unfinished furniture, made of unfinishable kitchen sets, tables and chairs, bookcases, cabinets, dressers, beds, magazine racks, record cabinets, etc. A cost of sheets and other surface covering material merely to prevent soiling of this furniture does not remove it from this category.

Category 720—Pictures and Mirrors

Included in this category are all framed and unframed pictures and mirrors.

(2) Bedding

These categories do not cover household textile commodities such as sheets, pillow cases, mattress protectors, blankets, comforters, etc., which are included in Paragraph (5) of this appendix, nor pillows.

Category 721—Mattresses, Springs, Mattress Pads, and Headboards

This category includes mattresses, springs, box springs, mattress pads, rubber mattress, upholstered and non-upholstered headboards of all types and materials. It also includes box springs on legs, legs combinations of a matching mattress and box spring on legs, headboard sets (consisting of a headboard and box spring with or without a mattress), etc.

Category 722—Wood and Metal Cots

This category includes folding and non-folding cots of all kinds and any combination set consisting of a cot and mattress or mattress pad.

(3) Floor coverings and carpet covering

All floor coverings are included in these categories.

[Category 723 amended by Amdt. 1]

A category 801—Soft Surface Carpeting by the yard and Rugs Made of This Carpeting

This category includes all kinds of carpeting made of cotton (except those covered in Category 803A and 803C), wool, jute, rayon, or other fibers or any combination of these materials, which is sold on the basis of the price per yard or square yard and is to be cut from the bolt. Also all rugs made of this carpeting cut from the bolt in all sizes.

Category 802—Soft Surface Larger Rugs

This category includes all kinds of rugs which are sold on the basis of the price per rug. This category includes all rugs not covered in Category 801A or 801C.

[Category 803 amended by Amdt. 32]

Category 803A—String and Chenille Cotton Rugs

All string rugs.

Category 803B—American, Chinese or Japanese Hooked Rugs of all sizes (if not imported by seller)

This category also includes nunnuch type rugs.

Category 803C—Miscellaneous Floor Coverings and Linings

This category includes all yard goods and rugs not covered by Categories 803, 803A, 803B. Included are: rugs made of rags, braid, waste, felted materials, cocoa and other door mats, stair pads, carpet pads, padding and carpet paper. Also included are rugs and tiles made of grass, fiber, etc., most frequently designated as summer rugs.

Category 804—Genuine Oriental Rugs

Included are rugs of all sizes commonly known as Genuine or Real Orientals that are not imported by you.

Category 805—Hard Surface Floor Covering

This category includes all kinds of hard floor covering and wall covering, including linoleum, felt base linoleum, rubber and plastic sold by square yard from bolts; also tiles of linoleum, rubber, asphalt, plastic, etc., sold by square foot, square yard or by tile.

Category 806—Hard Surface Rugs

This category includes all kinds of hard surface floor covering (linoleum, felt base, etc.), which is bought by you on the basis of the price per rug.

Category 811—Floor Lamps

This category includes all lamps not priced under categories 801 and 803A.

Category 803A—Table and Desk Lamps costing $2.95 or under

The price of $2.95 is not cost to you f. o. b. factory and includes packing charges. This category includes all lamps not priced under categories 801 and 803A.

Category 804A—Table and Desk Lamps costing $3.95 or under

The price of $3.95 is not cost f. o. b. factory and includes package charges. This category includes all lamps not priced under categories 801 and 803A.

Category 805—Lamp Shades and Covers

This category covers lamp shades of all types, sizes and materials and all styles of lamp shade covers.

[Categories of Musical Instruments

Category 860—Pianos, Electric Organs and Electronic Attachments for Pianos or Organs

This is a “specific” category.]

Category 861—Other Musical Instruments

This category includes all musical instruments other than those in Category 860. Including but not limited to the following:
7171

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(6) Radios

Category 871—Table Radios
Category 872—Portable Radios
Category 873—Table and 1 or Phonograph
Combinations
Category 874—Amateur or Communications
Type Short-Wave Table Radios
Category 875—Consoles and Console Radios
Category 876—Console and Phonograph
Combinations, with a net cost of less than $250
Category 877—All types of radios and radio-
phonograph combinations (custom cabinet, etc.)
with a net cost of $250 or more
Category 878—Radio Replacement Parts

(7) Television Sets and Television Accessories

Category 880—Table Television Sets
Category 881—Console Television Sets up to
7 inches
Category 882—Console Television Sets, 7 inches
or Larger
Category 883—All Television Combinations
Examples: Television-Radio Combinations
Television-Radio-Phonograph Combinations
Category 884—Television Antennae, Boosters,
Accessories, Replacement Parts

(8) Phonographs and Recorders

Combinations are covered by categories
878, 877, 876, and 883.
Category 890—Record Player Attachments
with a net cost of less than $17
Category 891—Record Player Attachments
with a net cost of $17 and over
Category 892—Portable Phonographs and
Separate Phonographs
Category 893—Magnetic Recorders, Tape or
Wire (not including office equipment for recording
correspondence)
Category 894—Phonograph Records (all
types)
Category 895—Tape and Wire for Magnetic
Recording

(9) Housewares

Categories 901 to 908 include certain
houseware categories similar to those found
in the housewares department of a depart-
ment store or the housewares section of a
hardware store. Kitchen furniture which is
covered by categories 766 and 766a is not
included in these categories. Category 903,
a single category, covers 20 classifications of
housewares.

Category 901—Household Cleaning Brushes
This category includes all types of house-
hold cleaning brushes. Excluded are per-
sonal brushes such as: toilet, brush, hair
brushes, etc. Examples of the articles in-
cluded are:
Scrubbing brushes
Bathtub brushes
Vegetable brushes
Garden brushes
Sink brushes
Tumbler brushes
Radiator brushes

Category 902—Fireplace Equipment
Examples of the articles included are:
 Mantels
Fireplace screens
Andirons
Electric logs, etc.

Category 903—Household Thermometers
This category includes all types of house-
hold thermometers. Excluded from this cat-
egory are clinical thermometers. Examples of
the articles included are:
Oven thermometers
Outdoor thermometers
Room thermometers
Meat thermometers
Candy thermometers
Deep fat thermometers, etc.

Category 904—Kitchen Cutlery
This category includes all types of kitchen
cutlery. Excluded from this category is all
kitchen cutlery which is covered by category
940.

Examples of the articles included are:
Kitchen forks
Steak sets
Kitchen knives
Kitchen shears
Slicers
Kitchen saws
Carving aids
Poultry shears
Knife and fork sets
Boning shears

Category 905—Power Lawn Mowers
This is a "specific category." Hand lawn
mowers (not power driven) are covered by
category 906.

Category 906—Small Electrical (Houseware)
Appliances
This category includes all types of small
electrical houseware appliances. Excluded
are large major appliances, such as refrigera-
tors.

Examples of the articles included are:
Electric toasters
Electric mixers
Electric grills
Electric waffle irons
Electric irons (in-
cluding steamers
and travel irons)
Electric heating pads
Electric coffee makers
Electric fans
Electric ventilators
Electric juicers
Electric sun lamps
Electric broilers
Electric hot plates

Category 907—Utility Cabinets (Movables)
This category covers movable utility cabi-
nets. Excluded are composition wardrobes
which are covered by category 919. Examples
of the articles included are:
Steel wardrobes and chests
Steel shelf cabinets
Broom cabinets
Wall cabinets
Base cabinets, etc.

Category 908—General Housewares
The following 20 classifications of house-
wares are all covered by this one category.

Examples of the articles included are:
Cookie cutters
Cheese knife
Corks
Ice picks
Mortars
Ice crushers
Cake turner
Beaters
Can opener
Bottle openers
Strainers
Shredders
Spatulas
Salt and reaper
Measuring cup
Shakers
Basters
Tea balls
Peelers
Nut crackers
Maskers
Pepper mills
Kork screws
Knife sharpeners
Leadis
Knife scales
Sifter
Tea-cream dippers
Slicers
Butter churns
Choppers
Food mills
Juicers
Kitchen tools, etc.

(9) Galvanized Ware
Examples of the articles included are:
Ash cans
Water pans
Garbage cans
Wash boilers, etc.

10. Garden Equipment
Not included in Garden Equipment are:
power lawn mowers which are covered by
category 906.

[Above paragraph amended by Amdt. 8]
Examples of the articles included in Garden Equipment are:
- Weeding tools
- Pruning shears
- Hand lawn mowers
- Garden hose
- Sprinklers, etc.

11. Grocery Carts

12. Miscellaneous Household Equipment, Window Ventilators, Radiator Shields
Examples of the articles included are:
- Humidifiers
- Ventilators
- Air Mote-detser pans
- Trays
- Radiator shields
- Waste baskets, etc.

13. Kitchen Glassware and Pottery (including plastics)
Examples of the articles included are:
- Water bottles
- Bowls and bowl sets
- Butter dishes
- Cocktail shakers
- Coffee makers (not electric)
- Range sets
- Servers
- Casserole

14. Miscellaneous Kitchen Utensils
Examples of the articles included are:
- Sous-vide
- Cake boxes
- Cookie jars
- Pastry boards
- Knife racks
- Can openers
- Cutting boards, etc.

15. Kitchen Wooden Ware (plain)
Examples of the articles included are:
- Rolling pins
- Spoons
- Knife and fork sets
- Toasters
- Casserole sets

16. Laundry Equipment
Examples of the articles included are:
- Outdoor dryers
- Indoor dryers
- Colanders
- Clothes pins
- Clothes pins bags
- Cloth hangers
- Curtain hangers

17. OiOcloth and Paper Household Needs
This category does not include paper household needs covered by Category 915.
Examples of the articles included are:
- Chair pads
- Paper napkins
- Paper bags

18. Pantry Ware
Examples of the articles included are:
- Cans
- Cookie jars
- Meat choppers
- Sausage makers
- Storage boxes
- Floor mats

19. Picnic Supplies
Examples of the articles included are:
- Picnic baskets
- Paper plates
- Paper cups
- Vacuum bottles
- Fitted picnic suit

20. Rubber Kitchen Ware and Rubber Covered Wire Goods
All kinds of rubber mats and rubber implements for sink and kitchen.
Rubber covered wire goods.

(10) Categories of Notions
Category 915—Sanitary Napkins, Tampons, Toilet Tissues and Other Paper Items
This category does not include paper household needs included in Category 908.

Classification 17. Examples of the articles included are:
- Sanitary napkins
- Tampons
- Toilet tissue
- Paper towels
- Wax paper.

[Category 915 amended by Amdt. 3]

6. Notion Novelities
Examples of articles included are:
- Paper bags
- Carrying cases
- Sachets
- Plastic table covers

7. Sanitary Goods
This category does not include the follow-

ing items covered by Category 205: corks,
- Glassware and other related articles
- Made of plastic, canvas, leather, fiber,
- Nylon, etc. Not included are golf bags in-

cluded in category 921.
RULES AND REGULATIONS

Examples of the articles included are:

- Animal carriers
- Attache cases
- B n o t e l l a r cases
- Camera cases
- Boston bags
- Bottle cases
- Brief bags and cases
- Club bags
- Companion bags
- Duffle bags and cases
- Pitted cases
- Fiber cases
- Fishing rod cases
- Gladstone bags
- Gun cases
- Hat and shoe bags
- Jackknife cases

Category 921—Sporting Goods

This sporting goods category does not include the following: golf and tennis balls, which are included in category 922; bicycles which are included in category 923; all athletic clothing, shoes, and accessories which are included in categories 351 and 409.

Examples of articles included are:

- Archery equipment
- Badminton equipment
- Bags (saddles, golf, punching, etc.)
- Baseball equipment (bats, balls, masks, etc.)
- Basket balls
- Boxing, wreisting and striking bag equipment
- Croquet sets and equipment
- Fishing tackle
- Fishing rods
- Other fishing accessories
- Football equipment
- Golf clubs
- Handball equipment
- Helmeets (athletic)
- Hockey equipment
- Lacrosse equipment
- Shuttleboard equipment
- Shuttlecock
- Skates (ice and roller)
- Sled equipment (skis, poles, binding, etc.)
- Snowshoes
- Soccer balls
- Squash equipment
- Surf boards
- Table tennis equipment
- Tennis racquets
- Toboggans, bob-sleds and equipment
- Volleyball equipment

Category 922—Golf and Tennis Balls

This is a "specific" category.

Category 923—Bicycles

This is a "specific" category.

Category 924—Bicycle Accessories

Examples of articles included are:

- Flatware (sets and individual pieces)
- Silverware, China and Glassware

Category 941—Plated Hollowware

This category includes articles of hollowware which are silver-plated, chromium plated, or plated with other materials.

Examples of articles included are:

- Butter dishes
- Vegetable dishes
- Water pitchers
- Cheese and cracker dishes
- Camembert cases
- Ice buckets
- Cocktail shakers
- Salt and pepper shakers
- Bowls
- Candle holders
- Candelabras
- Trays and platters
- Sugar and creamers

Category 942—Sterling or Plated Hollowware

This category includes articles of hollowware which are sterling silver, silver-plated, or gold-plated.

Examples of articles included are:

- Jewelry, Watches, and Clocks

NOTES. Categories 970-985 do not include articles described here as "precious jewelry." "Precious jewelry" when the value of the "precious stone" (or "precious stones") exceeds the value of the total of the other component parts of the finished article, includes the following:

1. Any article a component part of which is a "precious stone" (or "precious stones")

2. A mounting into which a "precious stone" (or "precious stones") is set.

This precious metal jewelry category does not include sterling silver jewelry which is included in Category 971.

Examples of articles included are:

- Rings
- Brooches
- Necklaces
- Earrings
- Lockets

Category 971—Costume Jewelry

This category includes jewelry which are gold filled or gold or silver plated, or are made of base metals.

Examples of articles which are included are:

- Rings
- Brooches
- Necklaces
- Earrings
- Lockets

Category 972—Ring Mountings and Mountings for Other Jewelry Items

This category includes all mountings for jewelry made from gold, platinum, silver, or any other metal. (Note the exception in the headnote preceding section 975.)

Category 973—Welding Rings

This category includes all wedding rings made of gold, platinum, silver, or any other metal.

Category 974—Religious Jewelry

Category 975—Watch attachments (Precious Metal)

This category includes articles made of gold, platinum and sterling silver.

Examples of articles included are:

- Watch Bands
- Watch Fobs

Category 976—Watch Attachments (Other Than Precious Metal)

This category includes gold-filled, gold-plated, silver-plated, base metal, plastic and any other materials. Not included are watch attachments made of precious metals which are included in Category 975.

Examples of articles included are:

- Watch Fobs

Category 977—Precious Metal Unfitted Compacts, Cigarette Cases and Miscellaneous Cases

This category includes unfitted compacts, cigarette cases and miscellaneous cases made of gold, sterling silver, platinum and other precious metals.

Examples of articles included are:

- Compacts (unfitted)
- Cigarette cases
- Cigar cases

Category 978—Unfitted Compacts, Cigarette Cases and Miscellaneous Cases (Other Than Precious Metal)

This category includes gold-filled, gold-plated, silver-plated unfitted compacts, cigarette cases, and miscellaneous cases, and all such cases made of any base metal, plastic.
Category 1004—Teen Age and Girls' Coats
This includes all coats in sizes 10 to 16 and 7 to 14 not covered by categories 206, 207, 209, 351, 353 and 1014.
Category 1005—Girls' and Toddlers' Coats
This includes all coats size 6x and smaller except those covered by Categories 989 and 1018. Also included are coats and legging sets, coats, but not legging sets other than those covered by Category 1012.

(1) Women's and Girls' Suits
For this regulation a suit consists of a coat and skirt priced together, or a coat with two or more skirts or a coat, vest and skirt, or a coat, skirt, or specified, they are bought as a unit and priced as a unit. The intent is to separate clearly in your chart suits of two-piece dresses which are to be priced under Categories 1010 to 1019. One definition of a suit is a two-piece garment, the skirt of which may be worn without the coat in combination with a blouse.

Category 1006—Women's Suits
Included are all women's suits usually bought in the size range of 34's, 36's, etc., without one-piece dresses which are usually bought in sizes 10 to 20 and 7 to 17, but does not include any suit in categories 201, 202, 205, 207, 351, 353, 1023 and 1026.

Category 1007—Misses' and Jr. Misses' Suits
This category includes all suits in sizes 10 to 20 and 7 to 17, but does not include any suit in categories 201, 202, 205, 207, 351, 353, 1023 and 1026.

Category 1008—Teen Age and Girls' Suits
This includes all suits for girls in size 7 to 14 and 10 to 16 except those covered in Categories 205, 206, 207, 351 and 353.

Category 1009—Girls' and Toddlers' Suits
This includes all suits for both boys and girls both in sizes ranges 8 to 0x but does not include boys' suits that are usually bought in size ranges from 3 to 8 or 3 to 12 which are priced under categories 109, 110, 111, 112, 113 and 114.

(2) Dresses
These categories cover dresses for all ages and sizes for women and girls. All style dresses are covered under size and two-piece models, the latter consisting of a skirt and a separate blouse or a separate unlined jacket sold at one price. The intent of this regulation is to price two-piece dresses under these categories and not under suit categories 1006, 1007 and 1008. Included are all women's dresses covered by Categories 205, 206, 207 and 351 and girls' dresses covered by Categories 205, 206, 207 and 351 and all infants' dresses. All other dresses of all materials are included, such as: Street dresses, afternoon dresses, party dresses, formal, house dresses, jumpers and pinafores.

Category 100A—Wedding Dresses
Included are: All wedding dresses in women's, misses', and juniors' sizes. One characteristic of dresses in this category is long sleeves or a long-sleeved jacket that is sold with the dress. This category does not include formal dresses which are covered by Categories 1010 and 1011.

Category 1010—Women's Dresses Costing Over $2.53
All dresses in women's sizes, such as 36's, 38's, etc., all half-size, all extra sizes, with a cost at source of over $2.53 after all discounts have been deducted.

Category 101A—Women's Dresses Costing $2.53
This category covers all dresses bought in jr. sizes (7 to 17), costing at source over $2.53 after all discounts have been deducted.

Category 1010A amended by Amdt. 1]
Category 1023—Women's Slacks and Slack Suits
Included are garments in all sizes for women, misses, and juniors, sizes 7 to 17 and in waist sizes equivalent to these.

Category 1024—Girls' and Teen-Age Girls' Slacks
This category covers garments in girls' sizes 7 to 14 and teen age sizes 10 to 16 and garments bought in waist sizes equivalent to these.

Category 1025—Women's Slacks and Slack Suits
This category includes all garments bought in sizes 6x and larger except toddler garments covered by Category 101, excludeds are all boys' blouses and shirts bought in sizes smaller than those covered by category 117 and toddler garments that are covered by category 206. Some of the garments included are overalls (other than work clothes), slacks, jodhpurs, slack suits, slack sets. Garments covered by this category are full-length garments and excludes all garments that are covered by categories 201, 202, 206, and 207.

Category 1026—Women's Ski and Snow Suits
Included are garments in all sizes for women, misses and juniors, sizes 7 to 17 and in waist sizes equivalent to these sizes.

Category 1027—Girls' and Teen-Age Ski and Snow Suits
This category covers garments in girls' sizes 7 to 14 and teen age sizes 10 to 16 and garments bought in waist sizes equivalent to these.

(7) Ski and Snow Suits
Categories 1026 and 1027 cover ski and snow suits of all materials for women, misses, girls and teenage girls. All one-piece and two-piece snow suits and ski suits with separate hood are included when sold at a unit price.

Category 1028—Women's Ski and Snow Suits
Included are garments in all sizes for women, misses, and juniors, and in waist sizes equivalent to these sizes.

Category 1029—Women's, Misses' and Junior Misses' Separate Ski Pants
This category covers garments in girls' sizes 7 to 14 and teenage sizes 10 to 16 and garments bought in waist sizes equivalent to these.

Category 1030—Toddler, Girls' and Teen-Age Ski and Snow Suits
This category covers ski and snow suits of all materials for women, misses, and juniors, and in waist sizes equivalent to these sizes.

(8) Legging Sets and Separate Leggings
The following category covers legging sets and separate leggings for girls, children, and toddlers. Included are all sets consisting of costs or jackets with leggings, with or without hoods, and caps sold at a unit price.

Category 1032—Women's, Misses' and Junior Misses' Separate Ski Pants

Category 1033—Toddler, Girls' and Teen-Age Separate Ski Pants

(9) Separate Ski Pants for Women and Children

(10) Separate Ski Sets for Women and Children

Examples of articles included are:
Dolls
Doll accessories
Stuffed toys
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No comparable categories.

You obtain a price for a straw hat (Category 123A) by pricing it as if it belonged to Category 123. After you have found the price under the appropriate pricing rule as if the straw hat belonged to Category 123, you may add 80c, if that selling price is less than the selling price and the result is your selling price for the straw hat.

Example: If you are pricing a straw hat, Category 123A, having a cost of $3.00 and an offering price of $5.00 your chart for Category 123A will show a ceiling price of $5.40 for this straw hat.
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Table 1: Straw Hats.

<table>
<thead>
<tr>
<th>Category Group I amended by Arndts. 1, 3, 9 and 13</th>
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<tbody>
<tr>
<td>Under and including 30</td>
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<td>Over 35 including 35</td>
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</table>

Table 2: Straw Hats.

<table>
<thead>
<tr>
<th>Category Group I amended by Arndts. 1, 3, 9 and 13</th>
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<tbody>
<tr>
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</table>
**RULES AND REGULATIONS**

**APPENDIX D—Continued**

**TABLE FOR FIXING IN-LINE CATEGORY MARK-UPS UNDER RULE 6 (SECTION 37)**

<table>
<thead>
<tr>
<th>Category Group II</th>
<th>Under in-lining 25%</th>
<th>Under in-lining 30%</th>
<th>Under in-lining 35%</th>
<th>Under in-lining 40%</th>
<th>Under in-lining 45%</th>
</tr>
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<tbody>
<tr>
<td>A</td>
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<td>9.9</td>
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<td>7.9</td>
<td>8.9</td>
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<td>10.9</td>
</tr>
<tr>
<td>C</td>
<td>7.9</td>
<td>8.9</td>
<td>9.9</td>
<td>10.9</td>
<td>11.9</td>
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<tr>
<td>D</td>
<td>8.9</td>
<td>9.9</td>
<td>10.9</td>
<td>11.9</td>
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<tr>
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<td>9.9</td>
<td>10.9</td>
<td>11.9</td>
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<td>13.9</td>
</tr>
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</table>

*These mark-ups are to be applied to net cost of item excluding freight charges.*

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**Category Group III amended by Amrd. 13**

<table>
<thead>
<tr>
<th>Category Group IV</th>
<th>Under in-lining 25%</th>
<th>Under in-lining 30%</th>
<th>Under in-lining 35%</th>
<th>Under in-lining 40%</th>
<th>Under in-lining 45%</th>
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</thead>
<tbody>
<tr>
<td>A</td>
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<td>6.9</td>
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<tr>
<td>C</td>
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</tr>
<tr>
<td>D</td>
<td>8.9</td>
<td>9.9</td>
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<td>11.9</td>
<td>12.9</td>
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<tr>
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<td>10.9</td>
<td>11.9</td>
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<td>13.9</td>
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</table>

*Category Group IV amended by Amrd. 9, 10 and 13*
### Table for Fixing In-Line Category Markups Under Rule 6 (Sec. 57)

<table>
<thead>
<tr>
<th>Category Group V</th>
<th>16 through 20</th>
<th>21 through 24</th>
<th>25 through 28</th>
<th>29 through 32</th>
<th>33 through 36</th>
<th>37 through 40</th>
<th>41 through 44</th>
<th>45 through 48</th>
<th>49 through 52</th>
<th>53 through 56</th>
<th>57 through 60</th>
<th>61 through 64</th>
<th>65 through 68</th>
<th>69 through 72</th>
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</thead>
<tbody>
<tr>
<td>Category Group VI</td>
<td>25 through 28</td>
<td>29 through 32</td>
<td>33 through 36</td>
<td>37 through 40</td>
<td>41 through 44</td>
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<td>65 through 68</td>
<td>69 through 72</td>
<td>73 through 76</td>
<td>77 through 80</td>
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</table>

**[Category Group V added by Amdt. 10]**

<table>
<thead>
<tr>
<th>Category Group VI</th>
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<th>29 through 32</th>
<th>33 through 36</th>
<th>37 through 40</th>
<th>41 through 44</th>
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<th>61 through 64</th>
<th>65 through 68</th>
<th>69 through 72</th>
<th>73 through 76</th>
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**[Category Group VI added by Amdt. 19]**

<table>
<thead>
<tr>
<th>Category Group VII</th>
<th>75 through 80</th>
<th>81 through 86</th>
<th>87 through 92</th>
<th>93 through 98</th>
<th>99 through 104</th>
<th>105 through 110</th>
<th>111 through 116</th>
<th>117 through 122</th>
<th>123 through 128</th>
<th>129 through 134</th>
<th>135 through 140</th>
<th>141 through 146</th>
<th>147 through 152</th>
</tr>
</thead>
</table>

**[Category Group VII added by Amdt. 19]**

| Category Group VII | 75 through 80 | 81 through 86 | 87 through 92 | 93 through 98 | 99 through 104 | 105 through 110 | 111 through 116 | 117 through 122 | 123 through 128 | 129 through 134 | 135 through 140 | 141 through 146 | 147 through 152 |
### RULES AND REGULATIONS

#### APPENDIX E—Table for Fixing Category

<table>
<thead>
<tr>
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#### APPENDIX E—Table for Fixing Category—Continued

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#### APPENDIX F—Group 1

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#### APPENDIX F—Group 2

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#### APPENDIX F—Group 3

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#### APPENDIX F—Group IV

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#### APPENDIX F—Group V

<table>
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</tr>
</tbody>
</table>

**Note:** Use mark-up for category 123 and add 8 percent to retail price thus obtained.

*Appendix E amended by Amdts. 3, 9, 10, and 12.*
Since under Ceiling Price Regulation 9 or Ceiling Price Regulation 61, the export regulation, a seller is permitted his customary markup over landed costs, the Office of Price Stabilization considers it necessary to permit manufacturers covered by this supplementary regulation to include the increase in freight charges in their ceiling prices. Accordingly, this amendment provides that manufacturers subject to Supplementary Regulation 2, Revision 1, to Ceiling Price Regulation 9, Revision 1, may add to their ceiling prices established under the supplementary regulation, the difference between base period shipping charges and charges for preparation for shipment, and the current charges incurred.

In the formulation of this amendment, it has been impracticable due to the nature of the action taken, to consult with industry representatives, including trade association representatives. However, recommendations have been received from several manufacturers covered by the supplementary regulation, and full consideration has been given to their recommendations. In the opinion of the Director, this amendment is fair and equitable and is necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 2, Revision 1, to Ceiling Price Regulation 9, Revision 1, establishes ceiling prices for mainland manufacturers selling commodities which at the time of sale are located in one of the territories or possessions of the United States.

In computing his ceiling price under this supplementary regulation, the manufacturer is permitted to reflect shipping costs in the period December 19, 1950-January 25, 1951, if during that period he included such costs in his territorial selling price.

Since that base period, however, there have been several increases in shipping rates to most of the territories and in the cost of preparation for shipment and the result has been a narrowing of the margins of manufacturers.

Since under Ceiling Price Regulation 9 or Ceiling Price Regulation 61, the export regulation, a seller is permitted his customary markup over landed costs, the Office of Price Stabilization considers it necessary to permit manufacturers covered by this supplementary regulation to include the increase in freight charges in their ceiling prices. Accordingly, this amendment provides that manufacturers subject to Supplementary Regulation 2, Revision 1, to Ceiling Price Regulation 9, Revision 1, may add to their ceiling prices established under the supplementary regulation, the difference between base period shipping charges and charges for preparation for shipment, and the current charges incurred.

In the formulation of this amendment, it has been impracticable due to the nature of the action taken, to consult with industry representatives, including trade association representatives. However, recommendations have been received from several manufacturers covered by the supplementary regulation, and full consideration has been given to their recommendations. In the opinion of the Director, this amendment is fair and equitable and is necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

1. Section 2 of Supplementary Regulation 2, Revision 1, to Ceiling Price Regulation 9, Revision 1, is amended to read as follows:

Sec. 2. Ceiling prices. If you are a manufacturer, your ceiling price for a sale subject to CPR 9, Revision 1, is the sum of the following amounts:

(a) An amount equal to your current ceiling price for the commodity computed under the applicable ceiling price regulation (other than CPR 61) to the same class of purchaser at the port of shipment.

(b) An amount equal to your customary markup for the commodity for sales in the particular territory in which the commodity is located, computed in accordance with section 3 of this supplementary regulation. If you made a sale of the commodity in the base period, but customarily had no differential between port of shipment selling prices and territorial selling prices, your ceiling price for the commodities, established under this supplementary regulation, may not include any amount under this paragraph.

(c) The difference between the base period cost of shipment and preparation for shipment, and the current cost of shipment and preparation for shipment actually incurred by you on the commodity for which the ceiling price is established by this supplementary regulation.

The term "base period," as used in this regulation, means the period December 19, 1950-January 25, 1951.

Effective date. This Amendment 1 to Supplementary Regulation 2, Revision 1, to Ceiling Price Regulation 9, Revision 1, is effective as of June 28, 1952.

JOSEPH H. FREHILL,
Acting Director of Price Stabilization.

AUGUST 15, 1952.

[C.R. Doc. 52-9130; Filed, Aug. 15, 1952; 12:01 p.m.]

[CPR Price Regulation 9, Revision 1, Supplementary Regulation 4, Revision 1]

CPR 9—TERRITORIES AND POSSESSIONS

SR 4—SPECIAL PROVISIONS FOR INCREASING CEILING PRICES OF SELLERS WHOSE COSTS ARE INCREASED BY WEST COAST STRIKE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Revision 1 to Supplementary Regulation 4 to Ceiling Price Regulation 9, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 4 to Ceiling Price Regulation 9, Revision 1, was issued by the Office of Price Stabilization in order to afford some relief for sellers of food products in the Territory of Hawaii, who, because of the maritime strike on the west coast of the United States, necessarily incurred increased shipping costs. As stated in the Statement of Considerations, food products of necessity would have to be shipped from ports in the continental United States other than west coast ports. Supplementary Regulation 4 permitted sellers of food products in the Territory of Hawaii to pass through any increase in ocean freight charges incurred by reason of such shipments.

This Revision 1 to Supplementary Regulation 4 to Ceiling Price Regulation 9, Revision 1, extends to all sellers in the Territory of Hawaii covered by Ceiling Price Regulation 9, Revision 1, the privilege of passing through the increased ocean freight charges previously authorized only for sellers of food products. This action is deemed necessary because the continuance of the maritime strike on the west coast has exhausted the inventories of sellers of all types of merchandise usually shipped to Hawaii through west coast ports.

When the strike emergency has ended the Office of Price Stabilization anticipates the revocation of this supplementary regulation as to all commodities not actually delivered or in transit at that time.

Because of the nature of this supplementary regulation special circum-

APPENDIX F—Continued.

<table>
<thead>
<tr>
<th>Category you are pricing</th>
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<th>Category you are pricing</th>
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</table>

[Group VI added by Amst. 10 Correction]
stices have rendered consultation with industry representatives, including trade association representatives, impracticable.

REGULATORY PROVISIONS

Sec. 1. Applicability of Ceiling Price Regulation 9, Revision 1.


the maritime strike on the west coast of the United States other than the port from which your supplier customarily ships to you, your ceiling price is that price which would otherwise be your ceiling price under Ceiling Price Regulation 9, Revision 1, plus an amount not to exceed $25,000 in his last complete fiscal year for all manufacturing units under his ownership and control. The exemption is also extend- ed to any new manufacturer who has not already benefited. The exemption ceases if sales reach $25,000 during the seller's first complete fiscal year ending after July 1, 1952, the exemption under this paragraph ceases immediately.

(4) The preceding subparagraphs of this general exemption do not apply to sales or deliveries by producers of saw logs, pulpwood, wooden mine materials, ties, poles and pilings, and related forest products.

(Aug. 15, 1952. [F. R. Doc. 52-1181; Filed, Aug. 15, 1952; 12:02 p. m.])

[Ceiling Price Regulation 22, Amdt. 54]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

EXEMPTION FOR PRODUCERS WHOSE GROSS SALES DO NOT EXCEED $25,000

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this amendment to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts small manufacturers from coverage by CPR 22 with certain exceptions. Any manufacturer whose gross sales of commodities manufactured by him did not exceed $25,000 in his last complete fiscal year prior to July 1, 1952, for all manufacturing units under his ownership and control is exempted. The exemption is extended to any new manufacturer who has not completed a fiscal year but who expects his gross sales during his first complete fiscal year not to exceed $25,000 for all manufacturing units under his ownership and control. In any event, the exemption ceases if sales reach $25,000 during the seller's first complete fiscal year ending after July 1, 1952. The reasons for this action are spelled out more fully in the Statement of Considerations to Amendment 33 to the General Ceiling Price Regulation issued concurrently herewith.

In view of the nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Appendix A, paragraph (a), is amended by adding a subparagraph numbered "4" reading as follows:

(4) (1) Sales or deliveries of commodities made or produced by a seller whose gross sales did not exceed $25,000 in his last complete fiscal year prior to July 1, 1952, for all manufacturing units under his ownership and control.

(2) Sales or deliveries of commodities made or produced by a seller who did not complete a fiscal year prior to July 1, 1952, whose gross sales of such commodities are not expected to exceed $25,000 in his first complete fiscal year for all manufacturing units under his ownership and control.

(3) In the event that the gross sales for all manufacturing units under the ownership and control of a seller exempt under the preceding subparagraphs (1) and (2) of this paragraph reach $25,000 during the seller's first fiscal year ending after July 1, 1952, the exemption under this paragraph ceases immediately.

(4) The preceding subparagraphs of this general exemption do not apply to sales or deliveries by producers of saw logs, pulpwood, wooden mine materials, ties, poles and pilings, and related forest products.

(Aug. 15, 1952. [F. R. Doc. 52-1181; Filed, Aug. 15, 1952; 12:02 p. m.])

[Ceiling Price Regulation 22, Amdt. 1 to Supplementary Regulation 39]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 30—TRANSLATION OF F. O. B. INTO DELIVERED CEILING PRICES FOR CERTAIN CONSUMER DURABLE GOODS

ADDITIONS TO APPENDIX

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2 this Amend- ment to Supplementary Regulation 30, Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts small manufacturers from coverage by CPR 22 with certain exceptions. Any manufacturer whose gross sales of commodities manufactured by him did not exceed $25,000 in his last complete fiscal year prior to July 1, 1952, for all manufacturing units under his ownership and control is exempted. The exemption is extended to any new manufacturer who has not completed a fiscal year but who expects his gross sales during his first complete fiscal year not to exceed $25,000 for all manufacturing units under his ownership and control. In any event, the exemption ceases if sales reach $25,000 during the seller's first complete fiscal year ending after July 1, 1952. The reasons for this action are spelled out more fully in the Statement of Considerations to Amendment 33 to the General Ceiling Price Regulation issued concurrently herewith.

In view of the nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

(4) (1) Sales or deliveries of commodities made or produced by a seller whose gross sales did not exceed $25,000 in his last complete fiscal year prior to July 1, 1952, for all manufacturing units under his ownership and control.

(2) Sales or deliveries of commodities made or produced by a seller who did not complete a fiscal year prior to July 1, 1952, whose gross sales of such commodities are not expected to exceed $25,000 in his first complete fiscal year for all manufacturing units under his ownership and control.

(3) In the event that the gross sales for all manufacturing units under the ownership and control of a seller exempt under the preceding subparagraphs (1) and (2) of this paragraph reach $25,000 during the seller's first fiscal year ending after July 1, 1952, the exemption under this paragraph ceases immediately.

(4) The preceding subparagraphs of this general exemption do not apply to sales or deliveries by producers of saw logs, pulpwood, wooden mine materials, ties, poles and pilings, and related forest products.

(Aug. 15, 1952. [F. R. Doc. 52-1181; Filed, Aug. 15, 1952; 12:02 p. m.])

[Ceiling Price Regulation 22, Amdt. 1 to Supplementary Regulation 39]
FEDERAL REGISTER

AMENDATORY PROVISIONS

Supplementary Regulation 30 to Ceiling Price Regulation 22 is amended by addition of the consumer durable goods item: "Gas and Electric Cooking Stoves", so that Appendix A to SR 39, CPR 22, shall read as follows:

APPENDIX A

Refrigerators.

Home freezers.

Gas and electric cooking stoves.

(Sec. 704, 64 Stat. 818, as amended; 50 U.S.C. App. Sup. 2154)

Effective date. This Amendment 1, Supplementary Regulation 30 to Ceiling Price Regulation 22, is effective August 20, 1952.

Note: The record-keeping and reporting requirements of this supplementary regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1944.

EUGENE ARMSTRONG,
Director of Price Stabilization.

AUGUST 15, 1952.

[FR Doc. 52–9183; Filed. Aug. 15, 1952; 12:03 p.m.]

GENERAL CEILING PRICE REGULATION

EXEMPTION FOR PRODUCERS WHOSE GROSS SALES DO NOT EXCEED $25,000

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

STATEMENT OF CONSIDERATIONS

Numerous requests to the Office of Price Stabilization by small producers for relief from the administrative burdens of ceiling price regulations inspired a review of the language of section 14 (n) of the General Ceiling Price Regulation. That section exempted sales or deliveries of commodities made or produced by the seller at his own home, solely for his own account, without the assistance of hired employees, if the total of such sales or deliveries did not exceed $1,000 in any one calendar month.

It was determined that the restrictive terms of the section substantially frustrated the original intent to exempt commodities made and sold by small producers. The use of a calendar month, the $1,000 limitation and the definition of the locale of production as the home eliminated a large number of small producers from the relief the exemption was designed to give.

This amendment eliminates the restrictive features formerly contained in the exemption and broadens it to include all producers whose gross sales are less than $25,000 a year for all units under their ownership and control. The retention of controls on these small producers simply imposes a record keeping burden on them which is difficult to discharge and an unwarranted administrative burden on OPS. This amendment deletes the requirement that commodities to be exempt as the products of small business must be made in the seller's home and without the assistance of hired employees. The commodities of any producer who did not complete a fiscal year by July 1, 1952 are exempt if he does not exceed his gross sales for his first complete fiscal year to reach $25,000 for all units under his ownership and control. If a producer's gross sales exceed $25,000 during his first fiscal year ending after July 1, 1952, the sales of his commodities are thereafter no longer exempt from price control.

It has been determined that this exemption shall not apply to saw logs, pulpwood, wooden mine materials, ties, poles and piling, and related forest products. Because of the need for economy of data and information relating to the major economic implications of exempting these commodities, the Director of Price Stabilization has deemed it advisable that they should be controlled by this regulation at this time. However, further study and consideration is being devoted in regard to the feasibility of their eventual exemption.

In view of the nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Section 14 (n) is amended to read as follows:

(1) Sales or deliveries of commodities made or produced by a seller whose gross sales of such commodities did not exceed $25,000, in his last complete fiscal year prior to July 1, 1952, for all units under his ownership and control.

(2) Sales or deliveries of commodities made or produced by a seller whose gross sales exceed $25,000 during his first fiscal year ending after July 1, 1952 whose gross sales of such commodities are not expected to exceed $25,000 in his first complete fiscal year for all units under his ownership and control.

(3) In the event that the gross sales for all units under the ownership and control of a seller exempt under the preceding subparagraphs (1) and (2) of this paragraph reach $25,000 during the seller's first fiscal year ending after July 1, 1952, the exemption under this paragraph ceases immediately.

This amendment is issued in compliance with a directive of August 1, 1952, issued by the Director of Price Stabilization. In the opinion of the Director of Price Stabilization, that this exemption would not increase the differential between home delivered milk and milk sold by retail stores, which results from the provisions of AMPR 18 as originally issued, is sufficient to disturb normal marketing practices in the areas covered by this regulation. He has accordingly directed, in order to maintain normal marketing practices, that AMPR 18 be issued to provide for an increase of 1/4 cent per quart over GCPR ceiling prices on sales to distributors and subdealers and 1/2 cent per quart on other sales.

Experience in administering AMPR 18 indicates that the use of a uniform adjustment of GCPR ceiling prices rather than specific dollars and cents ceiling prices would be an equitable method of applying the granted increase. The use of specific dollars and cents ceiling prices in this regulation was based on the desire to facilitate enforcement and to satisfy the requests of the industry and of the Office of Milk Industry of the State of New Jersey for this type of regulation. The effect has been to give unjustified increases in some instances and to work undue hardships in others. A review of the reports submitted under the provisions of section 5 reveals that there is much less uniformity of prices, particularly on sales to subdealers, than the Office of Price Stabilization had reason to believe. While the prices specified by section 4 are representative, they permit some processors to increase their subdealer prices and require others to reduce theirs. This effect was not intended, and this amendment, therefore, substitutes uniform adjustments of GCPR ceiling prices for specific dollars and cents ceiling prices.

This method of establishing ceiling prices permits the reporting requirements of the regulation to be simplified.

Except as modified by the foregoing, the statement of considerations set forth in AMPR 18 applies to this amendment.

AMENDATORY PROVISIONS

Supplementary Regulation 63 to Supplementary Regulation 39 to Area Milk Price Regulation 18 is hereby amended in the following respects:

AMPR 18—AREA MILK PRICE ADJUSTMENTS

STATEMENT OF CONSIDERATIONS

This amendment is issued in compliance with a directive of August 1, 1952, issued by the Director of Price Stabilization. In the opinion of the Director of Price Stabilization, that AMPR 18 be issued to provide for an increase of 1/4 cent per quart over GCPR ceiling prices on sales to distributors and subdealers and 1/2 cent per quart on other sales.

Experience in administering AMPR 18 indicates that the use of a uniform adjustment of GCPR ceiling prices rather than specific dollars and cents ceiling prices would be an equitable method of applying the granted increase. The use of specific dollars and cents ceiling prices in this regulation was based on the desire to facilitate enforcement and to satisfy the requests of the industry and of the Office of Milk Industry of the State of New Jersey for this type of regulation. The effect has been to give unjustified increases in some instances and to work undue hardships in others. A review of the reports submitted under the provisions of section 5 reveals that there is much less uniformity of prices, particularly on sales to subdealers, than the Office of Price Stabilization had reason to believe. While the prices specified by section 4 are representative, they permit some processors to increase their subdealer prices and require others to reduce theirs. This effect was not intended, and this amendment, therefore, substitutes uniform adjustments of GCPR ceiling prices for specific dollars and cents ceiling prices.

This method of establishing ceiling prices permits the reporting requirements of the regulation to be simplified.

Except as modified by the foregoing, the statement of considerations set forth in AMPR 18 applies to this amendment.

AMENDATORY PROVISIONS

Area Milk Price Regulation No. 18 to Supplementary Regulation 63 to GCPR is hereby amended in the following respects:

AMPR 18—AREA MILK PRICE ADJUSTMENTS

STATEMENT OF CONSIDERATIONS

This amendment is issued in compliance with a directive of August 1, 1952, issued by the Director of Price Stabilization. In the opinion of the Director of Price Stabilization, that AMPR 18 be issued to provide for an increase of 1/4 cent per quart over GCPR ceiling prices on sales to distributors and subdealers and 1/2 cent per quart on other sales.

Experience in administering AMPR 18 indicates that the use of a uniform adjustment of GCPR ceiling prices rather than specific dollars and cents ceiling prices would be an equitable method of applying the granted increase. The use of specific dollars and cents ceiling prices in this regulation was based on the desire to facilitate enforcement and to satisfy the requests of the industry and of the Office of Milk Industry of the State of New Jersey for this type of regulation. The effect has been to give unjustified increases in some instances and to work undue hardships in others. A review of the reports submitted under the provisions of section 5 reveals that there is much less uniformity of prices, particularly on sales to subdealers, than the Office of Price Stabilization had reason to believe. While the prices specified by section 4 are representative, they permit some processors to increase their subdealer prices and require others to reduce theirs. This effect was not intended, and this amendment, therefore, substitutes uniform adjustments of GCPR ceiling prices for specific dollars and cents ceiling prices.

This method of establishing ceiling prices permits the reporting requirements of the regulation to be simplified.

Except as modified by the foregoing, the statement of considerations set forth in AMPR 18 applies to this amendment.

AMENDATORY PROVISIONS

Supplementary Regulation 63 to Supplementary Regulation 39 to Area Milk Price Regulation 18 is hereby amended in the following respects:

AMPR 18—AREA MILK PRICE ADJUSTMENTS

STATEMENT OF CONSIDERATIONS

This amendment is issued in compliance with a directive of August 1, 1952, issued by the Director of Price Stabilization. In the opinion of the Director of Price Stabilization, that AMPR 18 be issued to provide for an increase of 1/4 cent per quart over GCPR ceiling prices on sales to distributors and subdealers and 1/2 cent per quart on other sales.

Experience in administering AMPR 18 indicates that the use of a uniform adjustment of GCPR ceiling prices rather than specific dollars and cents ceiling prices would be an equitable method of applying the granted increase. The use of specific dollars and cents ceiling prices in this regulation was based on the desire to facilitate enforcement and to satisfy the requests of the industry and of the Office of Milk Industry of the State of New Jersey for this type of regulation. The effect has been to give unjustified increases in some instances and to work undue hardships in others. A review of the reports submitted under the provisions of section 5 reveals that there is much less uniformity of prices, particularly on sales to subdealers, than the Office of Price Stabilization had reason to believe. While the prices specified by section 4 are representative, they permit some processors to increase their subdealer prices and require others to reduce theirs. This effect was not intended, and this amendment, therefore, substitutes uniform adjustments of GCPR ceiling prices for specific dollars and cents ceiling prices.

This method of establishing ceiling prices permits the reporting requirements of the regulation to be simplified.

Except as modified by the foregoing, the statement of considerations set forth in AMPR 18 applies to this amendment.

AMENDATORY PROVISIONS

Supplementary Regulation 63 to Supplementary Regulation 39 to Area Milk Price Regulation 18 is hereby amended in the following respects:
RULES AND REGULATIONS

1. The first and second sentences of section 1: "What this area milk price regulation does are amended to read as follows: “This area milk price regulation, issued pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation, as amended, provides uniform adjustments of ceiling prices determined under section 3 of the General Ceiling Price Regulation (hereinafter referred to as GCPFR base period prices) for fluid milk, as defined in section 13 (hereinafter referred to as milk), when sold in Milk Marketing Areas 3, 4 and 5, and other size containers.

2. Section 4 is deleted and a new section 4 is added to read as follows:

Sec. 4. Ceiling prices—(a) Ceiling prices of milk sold by processors to distributors and subdealers. Your ceiling prices for milk sold to distributors and subdealers shall be your GCPFR base period prices for the same type of milk when delivered in the same size and type of container to a purchaser of the same class, plus the following uniform adjustments:

Adjustment
Size container: (cent)
1/2 pint
1 pint
1 quart
All other sizes (per quart)

(b) Ceiling prices of milk sold by processors, distributors and subdealers to all other classes of purchasers. Your ceiling prices for milk sold to all other classes of purchasers shall be your GCPFR base period prices for the same type of milk when delivered in the same size and type of container to a purchaser of the same class, plus the following uniform adjustments:

Adjustment
Size container: (cent)
1/2 pint
1 pint
1 quart
All other sizes (per quart)

(c) Price differentials. Ceiling prices established pursuant to sections 4 (a) and (b) must be modified by price differentials which existed between your GCPFR base period prices and which resulted from discounts, allowances, premiums, extras, locations of purchasers and terms and conditions of sale or delivery.

(d) Modification of proposed ceiling prices by District Director of Price Stabilization. The District Director of the Office of Price Stabilization may at any time disapprove or revise downward ceiling prices established under this section so as to bring them into line with the level of ceiling prices otherwise established under this regulation.

3. Section 5 is deleted and a new section 5 is added to read as follows:

Sec. 5. Reporting of GCPFR prices. Within five days after the effective date of this amendment you shall submit to the District Office of the Office of Price Stabilization, 200 East State Street, Trenton, N. J., by registered mail, return receipt requested, your price lists in effect during any part or all of the GCPFR base period, including the time during which they were in effect, unless you have previously mailed such price lists by registered mail to the Director who is issuing this amendment to the regulation. You shall not sell at the ceiling prices computed pursuant to section 4 until the Office of Price Stabilization has received the report required by this paragraph as shown by your return postal receipt.

4. Section 6 (a) is amended to read as follows:

(a) How you determine your ceiling price. If you cannot determine a ceiling price under section 4, your ceiling price for the sale of milk to any class of purchaser is the ceiling price determined under this regulation for the sale of the same milk in the same size and type of container by your closest competitive seller of the same class (as defined in section 22 of GCPFR, as amended) to the same class of purchaser.

5. The first sentence of section 7 (a): "How to obtain your ceiling price is amended to read as follows: "If you cannot determine a ceiling price under section 4, your ceiling price for sales of milk to you that of that milk."

6. The first sentence of section 8 (a): "How you determine your ceiling price is amended to read as follows: "The following prices are the for raw milk on which are based the uniform adjustments specified in or determined pursuant to section 4 of this area milk price regulation."

Effective date. This Amendment to Area Milk Price Regulation No. 18 is effective as of August 15, 1952.

HARRY A. WALKER
District Director,
Office of Price Stabilization.

August 15, 1952.

[For. Doc. 52-9187; Filed, Aug. 15, 1952; 12:04 p.m.]

[General Overriding Regulation 9, Amdt. 25]

GOR 9—EXEMPTIONS OF CERTAIN INDUSTRIAL MATERIALS AND MANUFACTURED GOODS

EXEMPTION OF EXPERIMENTAL METALS, METAL ALLOYS, SINTERED METAL CARBIDES AND METALLIC CARBIDES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 25 to General Overriding Regulation 9, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment suspends from price control sales by producers of experimental metals, metal alloys, sintered metal carbides, and metallic carbides of such sales totaling $25,000 for any commodity or $100,000 for any category.

This amendment was issued for the same reasons and accomplishes the same objectives as Amendment 17 to General Overriding Regulation 9. Accordingly, the statement of considerations involved in the issuance of that
amendment is equally applicable to this amendment.

In view of the nature of this amendment and circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

**AMENDATORY PROVISIONS**

COR 9 is amended in the following respects:

Section 2 (b) (7) is amended to read as follows:

(7) Experimental metals, metal alloys, sintered metal carbides and metallic carbides. Sales and deliveries by producers of experimental metals, metal alloys, sintered metal carbides or metallic carbides so long as the total sales of any such commodity do not exceed $20,000 and the total sales of all such commodities falling within the same category do not exceed $100,000. A commodity is “experimental” only where it is the resulting product of research, testing and sampling done in a laboratory or pilot-plant, or both. When a commodity ceases to be experimental or when sales of a commodity reach $20,000, or when the total sales of all such commodities falling within the same category reach $100,000, future sales shall be subject to the General Ceiling Price Regulation or the applicable numbered ceiling price regulation.

(Sec. 704, 64 Stat. 518, as amended: 50 U. S. C. App. Sup. 2154)

**Effective date.** This Amendment 25 to the General Overriding Regulation 9 shall become effective August 15, 1952.

JOSEPH H. FRIEHEIL.
Acting Director of Price Stabilization.

August 15, 1952.

[F. R. Doc. 52-9172; Filed, Aug. 15, 1952; 11:20 a.m.]

Chapter VI—National Production Authority, Department of Commerce


CANS MADE OF CERTAIN SPECIFIED MATERIALS EXEMPTED FROM CAN MATERIAL SPECIFICATIONS AND CAN QUOTAS

This amendment to NPA Order M-23 is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of the Defense Production Act of 1950, as amended. In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

NPA Order M-23, as amended May 14, 1953, is hereby further amended in the following respect:

Subparagraph (1) of paragraph (b) of section 9 is amended to read as follows:

(b) Can materials. (1) the can materials and the quantity usage limitations of this order do not apply to cans or parts of cans made en-

Article 1—GENERAL PROVISIONS

**Section 2.** Defining terms. For the purposes of this order, the following terms shall have the following meanings:

1. “Electric utility” means any individual, partnership, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories or possessions, supplying, or having facilities built for supplying, electric power, directly or indirectly, for general use by the public or in the case of a cooperative, for use by its members. If an electric utility is engaged in the supply of electric power and in other activities, this order shall apply only to the procurement and use of materials required directly or indirectly for the supply of electric power.


Article 2—PROCUREMENT OF CONTROLLED MATERIALS GENERALLY

**Section 31.** Restrictions on construction. Allotted materials shall be used only as required by the approved construction schedules and allotments for major plant additions.

33. Required use of excess inventory.

Section 34. Authorization to use DO ratings to obtain products and materials other than controlled materials for major plant additions.

**Section 35.** Minor requirements.

Section 41. Allotted controlled materials for minor requirements.

Section 42. Quarterly allotted material quotas for minor requirements.

Section 43. Applications for increased controlled materials quotas.

Section 44. Authorization to use DO ratings to obtain products and materials other than controlled materials for minor requirements.

Section 45. Inventory restrictions.

**Section 1.** What this order does. This order provides rules of special application to the procurement and use of materials by electric utilities. It sets forth the procedure by which electric utilities procure materials under the Controlled Materials Plan. It modifies the application to electric utilities of CMP Regulations Nos. 2 and 6, as well as other orders and regulations of the National Production Authority.

**Section 2.** Definitions. (a) “Electric utility” means any individual, partnership, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories or possessions, supplying, or having facilities built for supplying, electric power, directly or indirectly, for general use by the public or in the case of a cooperative, for use by its members. If an electric utility is engaged in the supply of electric power and in other activities, this order shall apply only to the procurement and use of materials required directly or indirectly for the supply of electric power.

(b) “DEPA” means the Administrator of the Defense Electric Power Administration.

(c) “Maintenance” means the continuation of any plant, facility, or equipment in sound working condition; and “repair” means the restoration of any plant, facility, or equipment to sound working condition when it has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts, or the like. “Maintenance and repair” include the replacement of any equipment regardless of its accounting classification, but neither “maintenance” nor “repair” includes the improvement of any plant, facility, or equipment, or the replacement of material which is in working condition when it has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts, or the like.

(d) “Operating supplies” means material, other than fuel, which is consumed in the course of an electric utili-
(e) "Gross weight of conductor" means, in the case of overhead lines, the weight of conductor as installed, including steel content in the case of conductor containing steel, and, without deduction for material salvaged; and in the case of underground lines the copper and aluminum content only, without deduction for material salvaged.

(f) "Line construction" means construction of both overhead and underground lines.

(g) "Net material cost" means the cost of all material, including any commodity, equipment, accessory, part, assembly, or product of any kind, incorporated in plant; less the cost of all material removed from plant, priced in accordance with the electric utility's regular accounting practice.

(h) "Plant addition" means the construction or installation of new facilities or the replacement of existing facilities with facilities of greater capacity.

(i) Single plant additions may not be combined or subdivided for purposes of affecting their classification as "major plant additions," as defined in this section. To assist in determining whether particular construction constitutes one or more than one plant addition, it shall be considered that a single plant addition consists of:

(1) Any construction of related facilities, excluding maintenance and repair work, which is completed during a continuous period of construction interruptions of time such as months or years, except where such interruption is caused by uncontrollable forces, such as adverse weather conditions.

(2) In the case of line construction, a single continuous integrated system of lines, with necessary connected substations. (Thus, several sections of line emanating from different points on a utility's system would be several plant additions, not one plant addition.)

(i) "Major plant addition" means any plant addition which involves one or more of the following:

(1) Line construction designed for operation at more than 15kv where the plant addition requires more than 10,000 pounds gross weight of conductor; or
(2) Line construction designed for operation at 15 kv or less where the plant addition has a net material cost exceeding $50,000; or
(3) Nonline construction necessary for the generation, transmission, and distribution of electric power, where the plant addition has a net material cost over $300,000, excluding construction of facilities for use as a garage, warehouse, operating headquarters, office building, administrative building, or other similar use, unless such facilities are essential for the transmission, transmission, and distribution of electric power.

(j) "Approved major plant addition" means any major plant addition in which DEPA has approved commencement or continuation of construction.

(k) "Minor requirements" means electric utility requirements of controlled materials and other materials for all purposes (including MRO) except major plant additions, and except construction of facilities for use as a garage, warehouse, office building, administrative building, or other similar use, unless such facilities are essential for the transmission, transmission, and distribution of electric power.

(l) "Inventory" of any item of controlled material means new or salvaged controlled material in the possession of an electric utility's inventory and not physically incorporated in plant, without regard to its accounting classification, excluding, however:

(1) Any controlled material specifically set aside on April 1, 1951, for use in time of emergency, and replacement thereof; and
(2) Any controlled material set aside on July 17, 1951, or thereafter, for use in an approved major plant addition. Any controlled material set aside for use in any such major plant addition shall be returned to inventory as soon as it becomes apparent that such controlled material will not be used in such major plant addition.

(m) "Practicable minimum working inventory" means the smallest quantity of controlled material from which an electric utility can reasonably supply services on the basis of its currently scheduled method and rate of operation. In the absence of unusual circumstances, an electric utility's inventory will be considered in excess of a practicable minimum working inventory if the ratio of its inventory to its currently scheduled operations is substantially greater than the ratio which it normally maintained between its inventory and its operations during any reasonably representative period in the 6 months ending June 30, 1950.

(n) "Permissible inventory" of any item of controlled material means the quantity of such item which is necessary for use in supplying electric service on the basis of an electric utility's scheduled method and rate of operation pursuant to this order during the summer period, or a practicable minimum working inventory, whichever is less.

(o) "Excess inventory" of any item of controlled material means that part of an electric utility's inventory of such item which exceeds its permissible inventory of such item.

(p) "Commence construction," "authorized construction schedule," "controlled material," "allotment," "Class A product," "Class B product," "delivery order," and "authorized controlled material order" shall have the meanings respectively assigned to such terms in Revised CMP Regulation No. 6; "repairman" shall have the meaning assigned to such term in CMP Regulation No. 7.

(q) "Controlled material" means copper, aluminum, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1, as modified by Directive 9 to CMP Regulation No. 1.

See also Section 6.1 for a discussion of the provisions of CMP Regulations Nos. 5 and 6 that apply to electric utilities.
Electric utilities shall procure materials for maintenance, repair, and operating supplies in the manner provided in Article IV of this order.

In addition to the restrictions contained in section 42 of this order, each electric utility is hereby granted an allotment of controlled materials for minor requirements in the amount of its quota for such controlled material. Each authorized controlled materials order for minor requirements shall contain the allotment number H-4 as provided in section 23 of this order.

**ARTICLE IV—MINOR REQUIREMENTS**

**Sec. 41. Allotments of controlled materials for minor requirements.** Subject to the restrictions contained in section 46 of this order, each electric utility is hereby granted an allotment of controlled materials for minor requirements in the amount of its quota for such controlled material. Each authorized controlled materials order for minor requirements shall contain the allotment number H-4 as provided in section 23 of this order.

**Sec. 42. Quarterly controlled material quotas for minor requirements.** Unless DEPA otherwise provides, an electric utility may elect to use either a standard quota or an alternative quota, but may not thereafter change from one quota to the other without the express approval of DEPA.

- **(a) Standard quota.** An electric utility's standard quota for any controlled material for any calendar quarter is the percentage specified in the applicable appendix to this order of the quantity of such material which was used for minor requirements in the calendar year 1950.
- **(b) Alternative quota.** An electric utility's alternative quota for any controlled material for any calendar quarter is the percentage specified in the applicable appendix to this order of the quantity of such material which was used for minor requirements in the calendar year 1950.

**Sec. 43. Applications for increased controlled materials quotas.** Each application for an increased controlled material quota shall contain the following information:

- **(a) Statement of the amount of any special authorization which the utility has received.**
- **(b) Statement of the total amount, in pounds or tons, of each controlled material requested to be authorized for use in minor requirements during each quarter, including the base-period quota permitted by the applicable appendix to this order.**
- **(c) Detailed statement of necessity for larger quota.**
- **(d) Quantity in inventory of the items applied for, and any additional inventory...**
SEC. 45. Inventory restrictions. No electric utility shall place delivery orders for, or accept delivery of, any item of controlled material if its inventory of such item is, or by receipt of such material would become in excess of a permissible inventory. If an electric utility would be authorized by this section to place a delivery order for a quantity of any item of controlled material less than the minimum sales quantity of such item, it may accept delivery of the minimum sales quantity of such item.

The issuance of this amended order shall not in any way affect M-56, Direction 1 of July 22, 1952.

This order as amended shall take effect August 15, 1952.

APPENDIX A OF NPA ORDER M-50—ALUMINUM


2. Aluminum quotas for minor requirements for third quarter of 1952.

<table>
<thead>
<tr>
<th>Period</th>
<th>Standard Quota</th>
<th>Alternative Quota</th>
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<td>First quarter</td>
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<td>50.0</td>
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<tr>
<td>Second quarter</td>
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<tr>
<td>Third quarter</td>
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3. Aluminum quotas for minor requirements for fourth quarter of 1952.

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<th>Period</th>
<th>Standard Quota</th>
<th>Alternative Quota</th>
</tr>
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<tbody>
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</tbody>
</table>

4. Advance aluminum quotas for minor requirements.

<table>
<thead>
<tr>
<th>Period</th>
<th>Standard Quota</th>
<th>Alternative Quota</th>
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<td>Second quarter</td>
<td>40.0</td>
<td>80.0</td>
</tr>
</tbody>
</table>

5. Exemption from quantity restrictions. The quantity restrictions applicable to aluminum shall not apply to any electric utility which orders for delivery, in any calendar quarter, a quantity of carbon steel which does not exceed 1,000 pounds.

APPENDIX B OF NPA ORDER M-50—COPPER

1. Definition. "Copper" means the shapes and forms indicated in Schedule I of CMP Regulation No. 1.

2. Copper quotas for minor requirements for third quarter of 1952.

<table>
<thead>
<tr>
<th>Period</th>
<th>Standard Quota</th>
<th>Alternative Quota</th>
</tr>
</thead>
<tbody>
<tr>
<td>First quarter</td>
<td>12.5</td>
<td>50.0</td>
</tr>
<tr>
<td>Second quarter</td>
<td>25.0</td>
<td>60.0</td>
</tr>
<tr>
<td>Third quarter</td>
<td>12.5</td>
<td>50.0</td>
</tr>
</tbody>
</table>

3. Copper quotas for minor requirements for fourth quarter of 1952.

<table>
<thead>
<tr>
<th>Period</th>
<th>Standard Quota</th>
<th>Alternative Quota</th>
</tr>
</thead>
<tbody>
<tr>
<td>First quarter</td>
<td>12.5</td>
<td>50.0</td>
</tr>
<tr>
<td>Second quarter</td>
<td>25.0</td>
<td>60.0</td>
</tr>
</tbody>
</table>

4. Advance copper quotas for minor requirements.

<table>
<thead>
<tr>
<th>Period</th>
<th>Standard Quota</th>
<th>Alternative Quota</th>
</tr>
</thead>
<tbody>
<tr>
<td>First quarter</td>
<td>12.5</td>
<td>50.0</td>
</tr>
<tr>
<td>Second quarter</td>
<td>25.0</td>
<td>60.0</td>
</tr>
</tbody>
</table>

5. Exemption from quantity restrictions. The quantity restrictions applicable to copper shall not apply to any electric utility which orders for delivery, in any calendar quarter, a quantity of carbon steel which does not exceed 1,000 pounds.

APPENDIX C OF NPA ORDER M-50—CARBON STEEL

1. Definition. "Carbon steel" means carbon steel, including wrought iron, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

2. Carbon steel quotas for minor requirements for third quarter of 1952.

<table>
<thead>
<tr>
<th>Period</th>
<th>Standard Quota</th>
<th>Alternative Quota</th>
</tr>
</thead>
<tbody>
<tr>
<td>First quarter</td>
<td>18.75</td>
<td>75.0</td>
</tr>
<tr>
<td>Second quarter</td>
<td>37.5</td>
<td>87.5</td>
</tr>
</tbody>
</table>

3. Carbon steel quotas for minor requirements for fourth quarter of 1952.

<table>
<thead>
<tr>
<th>Period</th>
<th>Standard Quota</th>
<th>Alternative Quota</th>
</tr>
</thead>
<tbody>
<tr>
<td>First quarter</td>
<td>18.75</td>
<td>75.0</td>
</tr>
<tr>
<td>Second quarter</td>
<td>37.5</td>
<td>87.5</td>
</tr>
</tbody>
</table>

4. Advance carbon steel quotas for minor requirements.

<table>
<thead>
<tr>
<th>Period</th>
<th>Standard Quota</th>
<th>Alternative Quota</th>
</tr>
</thead>
<tbody>
<tr>
<td>First quarter</td>
<td>18.75</td>
<td>75.0</td>
</tr>
<tr>
<td>Second quarter</td>
<td>37.5</td>
<td>87.5</td>
</tr>
</tbody>
</table>

5. Exemption from quantity restrictions. The quantity restrictions applicable to carbon steel shall not apply to any electric utility which orders for delivery, in any calendar quarter, a quantity of carbon steel which does not exceed 1,000 pounds.

APPENDIX D OF NPA ORDER M-50—ALLOY STEEL (EXCEPT STAINLESS STEEL)


2. Alloy steel quotas for minor requirements for third quarter of 1952.

<table>
<thead>
<tr>
<th>Period</th>
<th>Standard Quota</th>
<th>Alternative Quota</th>
</tr>
</thead>
<tbody>
<tr>
<td>First quarter</td>
<td>14.0</td>
<td>40.0</td>
</tr>
<tr>
<td>Second quarter</td>
<td>25.0</td>
<td>50.0</td>
</tr>
<tr>
<td>Third quarter</td>
<td>14.0</td>
<td>40.0</td>
</tr>
</tbody>
</table>

3. Exemption from quantity restrictions. The quantity restrictions applicable to alloy steel shall not apply to any electric utility which orders for delivery, in any calendar quarter, a quantity of carbon steel which does not exceed 1,000 pounds.
5. Alloy steel quotas for minor requirements for fourth quarter of 1952.

<table>
<thead>
<tr>
<th>Percent</th>
<th>&quot;Alternative quota&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard quota</td>
<td>15.0</td>
</tr>
<tr>
<td>Alternative quota</td>
<td>60.0</td>
</tr>
</tbody>
</table>

4. Advance alloy steel quotas for minor requirements.

(a) First quarter, 1953:

<table>
<thead>
<tr>
<th>Percent</th>
<th>&quot;Alternative quota&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard quota</td>
<td>14.9</td>
</tr>
<tr>
<td>Alternative quota</td>
<td>50.0</td>
</tr>
</tbody>
</table>

(b) Second quarter, 1953:

<table>
<thead>
<tr>
<th>Percent</th>
<th>&quot;Alternative quota&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard quota</td>
<td>11.25</td>
</tr>
<tr>
<td>Alternative quota</td>
<td>45.0</td>
</tr>
</tbody>
</table>

(c) Third quarter, 1953:

<table>
<thead>
<tr>
<th>Percent</th>
<th>&quot;Alternative quota&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard quota</td>
<td>11.25</td>
</tr>
<tr>
<td>Alternative quota</td>
<td>45.0</td>
</tr>
</tbody>
</table>

APPENDIX E OF NPA ORDER M-50—STAINLESS STEEL

1. Definition. "Stainless steel" means a stainless steel, wrought, cast, or sintered, containing 1 percent or more of nickel.

2. Special provisions for stainless steel. The quotas expressed in this appendix are percentages of base-period use of stainless steel as reported on Form DEPA-8, Revision 1, even though such usage may have included stainless steel containing less than 1 percent of nickel.


<table>
<thead>
<tr>
<th>Percent</th>
<th>&quot;Alternative quota&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard quota</td>
<td>11.25</td>
</tr>
<tr>
<td>Alternative quota</td>
<td>45.0</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Percent</th>
<th>&quot;Alternative quota&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard quota</td>
<td>6.4</td>
</tr>
<tr>
<td>Alternative quota</td>
<td>27.5</td>
</tr>
</tbody>
</table>

5. Advance stainless steel quotas for minor requirements.

(a) First quarter, 1953:

<table>
<thead>
<tr>
<th>Percent</th>
<th>&quot;Alternative quota&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard quota</td>
<td>18.25</td>
</tr>
</tbody>
</table>

(b) Second quarter, 1953:

<table>
<thead>
<tr>
<th>Percent</th>
<th>&quot;Alternative quota&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard quota</td>
<td>2.6</td>
</tr>
<tr>
<td>Alternative quota</td>
<td>10.0</td>
</tr>
</tbody>
</table>

(c) Third quarter, 1953:

<table>
<thead>
<tr>
<th>Percent</th>
<th>&quot;Alternative quota&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard quota</td>
<td>2.6</td>
</tr>
<tr>
<td>Alternative quota</td>
<td>10.0</td>
</tr>
</tbody>
</table>

SCHEDULE A—DEFENSE-RENTAL AREAS

PENDUNSYLVANIA

Effective August 16, 1952, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 304, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1949)

Issued this 13th day of August 1952.

WILLIAM G. BARR, Acting Director of Rent Stabilization.

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

RENT REGULATIONS

Section 1. What this direction does.

The purpose of this direction is to reduce temporarily the permissible inventories of certain steel items held by electric utilities.

Sec. 2. Reduction of permissible inventories of steel. At no time during the period September 1, 1952, through December 31, 1952, shall an electric utility accept delivery of any item of steel listed in Schedule I of CMP Regulation No. 1, if its inventory of such items is, or by such receipt would become, in excess of the quantity of such item necessary for use in supplying electric service on the basis of its scheduled method and rate of operation during the succeeding 30-day period, or a practicable minimum working inventory, whichever is less.

Sec. 3. Relation to NPA Order M-50. This direction, in effect, temporarily, amends in part the definition of "permissible inventory" contained in section 2 (n) of NPA Order M-50, and thereby modifies the inventory restrictions set forth in section 45 of NPA Order M-50.

This direction shall take effect August 15, 1952.
written report showing the decrease in furniture, furnishings, or equipment. Except as modified by this paragraph (e), the provisions of sections 146 to 149 shall be applicable to all such cases.

(f) In the case of any action which on August 16, 1952, is required, or authorized, by this regulation to be taken within a specified period of time, the same period shall be applicable but such time period shall be counted from August 16, 1952.

2. A new item 66 is added to Schedule B of Rent Regulation 2, reading as follows:


Effective August 16, 1952, the provisions of this regulation shall apply to housing accommodations in the territory to which this item of Schedule B relates, except as modified by the following provisions:

(a) All orders in effect on December 20, 1949, in accordance with this regulation shall be in full force and effect.

(b) Section 81 and those which precede section 91, relating to the establishment of maximum rents, shall be inapplicable. Such time period shall be such time period as the landlord shall determine, but such time period shall be counted from August 16, 1952.

(c) If, on August 15, 1952, there was a ground for adjustment under sections 126 to 137 or which had previously been issued, and a petition for adjustment is filed on or before September 30, 1952, the adjustment shall be effective as of August 16, 1952.

(d) In section 137 whenever the date July 31, 1951, appears, the date August 15, 1952, shall be substituted.

(e) If, on August 15, 1952, the services provided with any housing accommodations are less than the minimum required by section 76, the landlord shall either restore and maintain such minimum services or file a petition on or before September 30, 1952, requesting approval of the decreased services.

(f) If, on August 15, 1952, the furniture, furnishings, or equipment provided with any housing accommodations are less than the minimum required by section 76, the landlord shall file, on or before September 30, 1952, a written report showing the decrease in furniture, furnishings, or equipment. Except as modified by this paragraph (e), the provisions of sections 146 to 149 shall be applicable to all such cases.

(g) In the case of any action which on August 15, 1952, is required, or authorized, by this regulation to be taken within a specified period of time, the same period shall be applicable but such time period shall be counted from August 16, 1952.

TITL E 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE:

POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

AUSTRALIA

a. In § 127.34 Recall and change of address amendment paragraph (f) by inserting the phrase immediately after "Australia" amended (applies only to regular-mail-articles)."

b. In § 127.71 Sealing amendment paragraph (a) by inserting, in proper alphabetical order, "Australia (insured)" in the list of countries shown therein.

b. In § 127.76 Group shipments amendment paragraph (b) by inserting, in proper alphabetical order, "Australia" in the list of countries shown therein.

c. In § 127.82 Recall and change of address delete "Australia" from the list of countries shown in the second paragraph.

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 860]

KANSAS

TRANSFERRING JURISDICTION OVER THE OIL AND GAS DEPOSITS IN CERTAIN LANDS OWNED BY THE UNITED STATES

Whereas the hereinafter-described lands, title to which has been acquired by the United States, comprising the warehouse site of the Smoky Hill Air Forces Base, Kansas, are reported to be subject to drainage or other interference by oil and gas deposits by wells on adjacent lands in private ownership; and

Whereas it is necessary in the public interest that such protective action be taken as will prevent loss to the United States by reason of the drainage or threatened drainage from the said lands; and

Whereas, in order to facilitate such action, it is considered advisable that jurisdiction over the oil and gas deposits in such lands be transferred from the Department of the Air Force to the Department of the Interior:

WHEREAS, a new subdivision is hereby transferred from the Department of the Air Force to the Department of the Interior:

SIXTH PRINCIPAL MERIDIAN

T. 25 S., R. 4 W.

A certain parcel of land lying in sec. 24, as shown on map entitled "Smoky Hill A.F.B. Warehouse Site, October 18, 1949, Installation No. 2765, Drawing No. Kansas 13-A," a copy of which is on file in the Bureau of Land Management, Department of the Interior, Washington, D. C., and more particularly described as follows:

Beginning at a point 2,550 feet east of the southwest corner of said sec. 24, thence:

North, 950 feet;
East, 590 feet;
North, 950 feet;
East, 940 feet;
Northeast 4° 57' 4", 470 feet to a point on the south line of McArthur Avenue;
N. 54° 15' E. 2260 feet along south line of
McArthur Avenue;
N. 34° 45' W. 365 feet to a point on the south
line of Newton Street;
N. 58° 15' E. 655 feet along south line of
Newton Street; and
Northeasternly and easterly 5430 feet along
south line of McArthur Avenue to the corner
of sec. 17, T. 16 S., R. 3 W.;
South, 300 feet to the northerly right-of-
way of Missouri Pacific Railroad;
Southwesterly along the northerly
right-of-way of Missouri Pacific Railroad to a
point on the south boundary of sec. 24, T. 16 S., R. 4 W.;
West, 230 feet on south boundary of sec. 24
to the point of beginning.

The area as described contains 221.10
acres.

2. The Secretary of the Interior shall take
such action as may be necessary to
protect the United States from loss on
account of drainage or threatened drain-
age of oil and gas from such land.

3. The Secretary of the Interior shall be
subject to the primary jurisdiction of the
Department of the Air Force over the
lands for air force purposes.

4. If the Department of the Interior
advises for bids to
lease any of the lands mentioned
herein, the Department of the Air Force
shall be given the opportunity to
indicate any further restrictions that it
deems necessary to be incorporated in
the proposed lease or leases.

5. All moneys received as royalties
under leases, or otherwise, on account of
oil and gas extracted from such land
shall be paid into the Treasury of the
United States and credited to miscel-
laneous receipts.

JOEL D. WOLFSCHN,
Acting Secretary of the interior.
AUGUST 12, 1952.
[F. R. Doc. 52-6028; Filed, Aug. 15, 1952; 8:46 a. m.]

TITLE 46—SHIPPING
Chapter I—Coast Guard, Department of
the Treasury
Subchapter C—Regulations Applicable to Certain
Vessels During Emergency
[CGFR 52-42]
PART 154—WAIVERS OF NAVIGATION AND
VESSEL INSPECTION LAWS AND REGULATIONS
PART 155—LICENSED OFFICERS AND
CERTIFIED MERCHANT VESSELS DURING EMERGENCIES
ALIENS SERVING AS LICENSED OFFICERS ON
MERCHANT VESSELS

The purpose of this document is to
revoke the waiver order designated as 49
CFR 154.15, as well as 33 CFR 19.15, and
the regulations in 49 CFR Part 155, regard-
ing employment of aliens as watch
officers on merchant vessels and the
qualifications for alien
officers.

It has been determined upon investiga-
tion that there is sufficient experienced
personnel in the merchant marine in-
dustry to meet the requirements of

1 Also codified as 33 CFR Part 19.

FEDERAL REGISTER
Saturday, August 16, 1952

N. 55° 15' E. 2260 feet along south line of
McArthur Avenue;
N. 34° 45' W. 365 feet to a point on the south
line of Newton Street;
N. 58° 15' E. 655 feet along south line of
Newton Street; and
Northeasternly and easterly 5430 feet along
south line of McArthur Avenue to the corner
of sec. 17, T. 16 S., R. 3 W.;
South, 300 feet to the northerly right-of-
way of Missouri Pacific Railroad;
Southwesterly along the northerly
right-of-way of Missouri Pacific Railroad to a
point on the south boundary of sec. 24, T. 16 S., R. 4 W.;
West, 230 feet on south boundary of sec. 24
to the point of beginning.

The area as described contains 221.10
acres.

2. The Secretary of the Interior shall take
such action as may be necessary to
protect the United States from loss on
account of drainage or threatened drain-
age of oil and gas from such land.

3. The Secretary of the Interior shall be
subject to the primary jurisdiction of the
Department of the Air Force over the
lands for air force purposes.

4. If the Department of the Interior
advises for bids to
lease any of the lands mentioned
herein, the Department of the Air Force
shall be given the opportunity to
indicate any further restrictions that it
deems necessary to be incorporated in
the proposed lease or leases.

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Newton Street; and
Northeasternly and easterly 5430 feet along
south line of McArthur Avenue to the corner
of sec. 17, T. 16 S., R. 3 W.;
South, 300 feet to the northerly right-of-
way of Missouri Pacific Railroad;
Southwesterly along the northerly
right-of-way of Missouri Pacific Railroad to a
point on the south boundary of sec. 24, T. 16 S., R. 4 W.;
West, 230 feet on south boundary of sec. 24
to the point of beginning.

The area as described contains 221.10
acres.

2. The Secretary of the Interior shall take
such action as may be necessary to
protect the United States from loss on
account of drainage or threatened drain-
age of oil and gas from such land.

3. The Secretary of the Interior shall be
subject to the primary jurisdiction of the
Department of the Air Force over the
lands for air force purposes.

4. If the Department of the Interior
advises for bids to
lease any of the lands mentioned
herein, the Department of the Air Force
shall be given the opportunity to
indicate any further restrictions that it
deems necessary to be incorporated in
the proposed lease or leases.

5. All moneys received as royalties
under leases, or otherwise, on account of
oil and gas extracted from such land
shall be paid into the Treasury of the
United States and credited to miscel-
laneous receipts.

JOEL D. WOLFSCHN,
Acting Secretary of the interior.
AUGUST 12, 1952.
[F. R. Doc. 52-6028; Filed, Aug. 15, 1952; 8:46 a. m.]

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Chapter I—Coast Guard, Department of
the Treasury
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PART 154—WAIVERS OF NAVIGATION AND
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ALIENS SERVING AS LICENSED OFFICERS ON
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The purpose of this document is to
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officers on merchant vessels and the
qualifications for alien
officers.

It has been determined upon investiga-
tion that there is sufficient experienced
personnel in the merchant marine in-
dustry to meet the requirements of

1 Also codified as 33 CFR Part 19.
RULING

were met. In the Sixth Report and Order in these proceedings the Commis-
sion found that § 3.607(b) of the rules governing television stations which pro-
vides in part that "A channel assigned to a community listed in the Table of Assign-
ments shows there is no availability

in any unlisted community which is located within 15 miles of the listed
community." Assignment separations and station separations are prescribed
in accordance with these rules. In the Third Notice of Further Proposed Rule
Making the Commission did not propose the assignment of any channels to
Camden, New Jersey, thus Camden was
unlisted in the proposed Table of Assign-
ments. In the Sixth Report and Order, the Commission on the basis of the rec

ond in these proceedings assigned Chan-
nel 80 to Camden and reserved that channel exclusively for non-commercial
educational use with the result that Camden is listed in the Table of Assign-
ments which was adopted. Camden is within 15 miles of Philadelphia, Pennsyl-

via.

Petitioner requests that § 3.607(b) of the Commission's rules and regulations be modified by adding after the wording in the sentence thereof language to the following effect: "For the purpose of this section a community shall be deemed unlisted if no commercial television channel has been allocated thereto."

In support of its request petitioner states that the Commission's action assigning Channel 80 to Camden and reserving that channel exclusively for non-commercial educational use with the resultant fact that Camden is listed in the Table of Assignments was contrary to the view that the assignment of a single television channel to a community and the reservation of that channel exclusively for non-commercial educational use should not preclude the availability to that community of other television channels which would otherwise be available to it under § 3.607(b) and that this section of the rules should be revised to be consistent with this view. A revision in the nature, if not in the exact wording, of that requested by petitioner should thus be adopted.

In view of the foregoing, the above named petition is hereby granted, in substance and it is ordered that effective September 15, 1952 § 3.607(b) of the rules governing television stations is amended as follows:

§ 3.607 Availability of channels.

(b) A channel assigned to a community listed in the Table of Assignments is available upon application in any unlisted community which is located within 15 miles of the listed community. In addition, a channel assigned to a community listed in the Table of Assignments and not designated for use by non-commercial educational stations only, is available upon application in any other community within 15 miles thereof which, although listed in the Table, is not assigned for use except by non-commercial educational stations. Where channels are assigned to two or more communities listed in the Table of Assignments the provisions of this paragraph shall apply separately to each community so listed. The distance between communities shall be determined by the distance between the respective coordinates thereof as set forth in the publication of the United States Department of Commerce entitled "Air Line Distance Between Cities in the United States." If said publication does not contain the coordinates of either or both communities, the coordinates of the main post office in either or both of such communities shall be used. The method to be followed in making the measurements shall be set forth in § 3.511 of this subpart.

Adopted: August 6, 1952.

Released: August 7, 1952.

FEDERAL COMMUNICATIONS COMMISSION

(SEAL) WM. P. Massing,

Acting Secretary.

(F. R. Doc. 52-9036; Filed, Aug. 15, 1952; 8:46 a.m.)

TITLE 49—TRANSPORTATION

Chapter I— Interstate Commerce Commission

Subchapter A— General Rules and Regulations

PART 95— CAR SERVICE

[R. S. O. 886]

RAILROAD FREIGHT CARS TO BE STOPPED TO COMPLETE LOADING

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of August A. D. 1952.

It appearing, that upon representa-
tions of the Defense Transportation Admin-
istration there is a critical shortage of
railroad freight cars suitable for the transpor-
tation of lumber and/or lumber products; that shippers are appropri-
atively price such cars and shipping them almost empty to other points to complete load-
ing; that such practice is wasteful and
aggravates the car shortage, depleting the
supply of cars available for the final ship-
ner's loading.

(b) Special and general permits; ap-

plication for agent. Paragraph (a) of
this section shall be subject to any special or general permits issued by the Permit Agent named in this section.

(2) Charles W. Taylor, Director, Bu-

reau of Service, Interstate Commerce Commission, Washington 25, D. C., is hereby designated and appointed as Per-
mit Agent of the Interstate Commerce Commission with authority to issue spe-
cial and general permits to meet exceptional circumstances.

(c) Application. The provisions of this section shall apply to intrastate and for-

eign commerce as well as interstate com-

merce.

(d) Regulations suspended, announce-
ment required. The operation of all rules, regulations and practices, insofar as they conflict with the provisions of this section is hereby suspended and each railroad subject to this order, or its agent, shall publish, file, and post a supple-
ment to each of its tariffs affected hereby, in substantial accordance with the pro-
visions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of
this chapter) announcing such suspen-
sion.

(e) Effective date. This section shall become effective at 12:01 a.m., August 15, 1952.

(f) Expiration date. This section shall expire at 11:59 p.m., December 31, 1952 unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, that a copy of this order and direction be served upon the State railroad regulatory bodies of each State and upon the Association of
1. Cancel paragraph (b) of §324.48 Water-line property- prescribed and substitute the following for it:

(b) When the assets acquired include not only transportation property but also securities and other assets, a reasonable estimate, as nearly as determinable of the value inherent in such securities and other liabilities assumed shall be deducted from the total cash cost and the remainder shall be included in account 151, "Acquisition adjustment." The values assigned to the securities and other assets acquired shall be included in the accounts appropriate for such assets. The cost of intangible assets such as operating rights shall be retained in account 151, "Acquisition adjustment." (See account 223, "Amortization reserves-Intangible assets.") The par or recorded value of any securities issued and the cash value at date of contract of other liabilities assumed shall be included in determining the cost of the transportation property acquired with contra credit to the appropriate liability account. A necessary adjustment between par value and cash value of securities issued shall be included in the appropriate premium or discount accounts.

2. In paragraph (c) of §324.1-151 Acquisition adjustment change the designation to read paragraph (d); cancel the last sentence of the paragraph and substitute the parenthetical instruction: "(See §324.49.)" for that sentence.

3. Insert the following to be designated paragraph (c) of §324.1-151 Acquisition adjustment:

(c) This account shall also include the cost of operating rights and other intangible assets. (See account 223, "Amortization reserves-Intangible assets.")

4. Following §324.1-175 Other deferred assets change the center heading "Intangible assets" to read: "Organization."

5. In §324.1-180 Organization change the headnote of the section to read: "§324.1-180 Other deferred assets; compensations expenses," and cancel paragraph (e), substituting the following for it:

(e) Charges to income under a program to amortize organization expenses shall be credited to account 223, "Amortization reserves-Intangible assets."

6. In §324.1-223 Other reserves redesignate this section as §324.1-229 Other reserves and insert the following additional section ahead of it:

§324.1-223 Amortization reserves: intangible assets. (a) This account shall be credited with amounts charged to account 591, "Miscellaneous amortization charges to income," which will equitably distribute the cost of intangible assets over a definite period. When an intangible asset is sold or relinquished, or otherwise abandoned, the reserve shall be charged with the balance therein with respect to such asset and the remainder of the cost of the asset shall be charged to account 531.

(b) This account shall be maintained so that a separate reserve is stated for each item of intangible property.

7. In paragraph (e) of §324.7-453 Loss and damage; freight correct the reference to "account 223, Other reserves," to read: "229, Other reserves."

8. In paragraph (e) of §324.7-455 Injuries to persons correct the reference to "account 223, Other reserves," to read: "229, Other reserves."

FEDERAL REGISTER

TITL E 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—Management of Wildlife Conservation Areas

PART 33—CENTRAL REGION

LONG LAKE NATIONAL WILDLIFE REFUGE, NORTH DAKOTA; FISHING

Basis and purpose. On the basis of observations and reports of field representatives of the Fish and Wildlife Service, it has been determined that a relaxation of the existing restriction regarding the use of boats can be effected without interfering with the primary purpose for which the refuge was established. It has been further determined to be desirable to modify the periods during which fishing can be permitted, including a liberalization to permit winter fishing.

Since the following regulations generally are relaxations of existing restrictions regarding fishing within the refuge, publication prior to the effective date is not required. (60 Fed. Reg. 297; 5 U.S. C. 1001, et seq.)

Effective immediately upon publication in the Federal Register, §§33.96 and 33.98 are revised to read as follows:

§33.96 Fishing permitted. Noncommercial fishing is permitted during the daylight hours of the period May 1 to September 30 of each year, and from December 15 to February 28 of the following year, on those areas of the Long Lake National Wildlife Refuge which are designated by suitable posting by the officer in charge in accordance with the provisions of §§33.97 to 33.99, inclusive.

§33.98 Use of boats. The use of boats while fishing within certain areas of the refuge as designated by suitable posting by the officer in charge is permitted. The use of outboard motors of not exceeding 5-horsepower in conjunction with boats used only for fishing also is permitted.

Dated: August 11, 1952.
O. H. JOHNSON
Acting Director.
DEPARTMENT OF AGRICULTURE
Production and Marketing Administration

[Notice of Petition for Modification of Rate Order]

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), an order was issued on January 18, 1952 (17 A.D. 18), continuing through March 7, 1953, an authorization to assess the current rates and charges. The rates currently authorized are set forth in an order dated October 21, 1948 (7 A.D. 947).

On August 5, 1952, respondents filed a petition requesting authority to put into effect a new schedule of rates and charges, filed with the petition, which contains certain modifications of the currently authorized schedule.

The proposed new schedule of rates and charges is set forth below:

**Definitions**

**Article 1**

Calves are animals of the bovine species, weighing in drafts, the average weight of the animals in which is 450 pounds or under.

Cattle are animals of the bovine species, weighing in drafts, the average weight of the animals in which is over 450 pounds.

Bulls are uncastrated male animals of the bovine species, weighing in drafts, irrespective of weight, including lambs and goats.

A consignment, for the purpose of assessing selling charges, is all of the livestock of one species delivered in the name of one person to the market agency to be offered for sale during the trading hours of one day.

Purchase order, for the purpose of assessing buying charges, is all of the livestock of one species bought at one time but shipped or delivered to one person on one market day. A draft is all the animals in one consignment or purchase order weighed as a single sale or purchase classification.

A person is either an individual, a partnership, a corporation, or an association of any such acting as a unit.

**Article 2**

**Section A**

**Drafts:** On consignments where more than three drafts are necessary or requested 25 cents per draft in excess of three, maximum of $3.00 will be charged.

**Section B**

**Buying Charges**

The rates for buying livestock shall be the same as selling like species except as follows:

When a commission firm weighs up livestock destined for slaughter or consignment, then no buying commission shall be charged on that transaction, but a service charge of $0.00 per car shall be assessed against the buyer.

When livestock consigned to a commission firm for care and sale in a livestock show which is considered a commission firm for care and sold in regular livestock show auctions, the following revisions shall be made:

- **Exhibition livestock—All livestock entered in the livestock show which is considered a commission firm for care and sold in regular livestock show auction sales of Exhibition livestock:**
  - Calves or cattle: $1.50
  - Hogs: $0.65
  - Sheep: $0.50

**Consignments of 1 head:**
- Cattle: $0.65
- Sheep: $0.50

**Consignments of more than 1 head:**
- Hogs: $0.65
- Sheep: $0.50

**Article 3**

**Selling Charges**

The material issues and the findings and conclusions of the recommended decision are hereby approved and adopted as the findings and conclusions of this decision as if set forth in full herein, subject to the following revisions:

1. Delete all findings and conclusions relating to issue No. 3 as set forth in Column 1 and 2, 17 F.R. 6664, and substitute therefor the following:

   - The "butter-cheese" price formula employed as a basic price formula should be deleted; the cheese price formula proposed to replace the butter-cheese price formula should not be adopted at this time (issue No. 3).

   - D.C., within 15 days from the date of publication of this notice.

   - Done at Washington, D.C., this 13th day of August, 1952.

   - [SEAL]

   - AGNES B. CLARKE, Hearing Clerk.

   - [P. R. Doc. 52-9647; Filed, Aug. 15, 1952; 8:53 a.m.]

   - [7 CFR Part 907]
average condensed pay price, the butter-nonfat dry milk solids formula, and the butter-cheese formula. Class I and Class II prices for the month are determined according to this basic formula price the appropriate Class I and Class II price differentials subject to an adjustment based on changes in the supply-demand relationship. A proposal was made to fix a 9.625 times the average Cheddar cheese price (3.5 times 2.75 = 9.625). Reduced to its simplest form, this formula is 9.625 times the average Cheddar cheese price (3.5 times 2.75 = 9.625).

Since the production of cheese has been increasing in recent years and represents a major use of milk in the State of Wisconsin and the Milwaukee supply area, a formula based on Cheddar cheese would be appropriate as one of the basic price formulas under the Milwaukee order, and at a price level equal to production of the proposed formula indicates, however, that prior to its adoption as a basic price formula further consideration of its effects and the probable variations in cheese prices is desirable. In view of this it is concluded that the formula should not be incorporated into the order at this time.

Under current conditions as shown by the record, the butter-cheese formula does not reflect the value of milk utilized by cheese factories in the production area and therefore does not adequately serve its purpose. For this reason it is concluded that the latter formula should be deleted.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further 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; and

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further 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.

Order. (1) The said order, as amended, and as hereby further amended, regulates the handling of milk in the Milwaukee, Wisconsin, Marketing Area, and the minimum prices specified in the order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act; and (2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act.

It is hereby ordered, That all of this decision, except the attached marketing agreement and the order, shall become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

This decision filed at Washington, D. C., this 13th day of August 1952.

Charles P. Brennan, Secretary of Agriculture.
Order of the Secretary of Agriculture for a Referendum to Be Conducted Among the Producers Supplying Milk in the Milwaukee, Wisconsin, Marketing Area, and Designation of Agent to Conduct Such Referendum

Pursuant to section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (19)), it is hereby directed that a referendum be conducted among the producers (as defined in the order as amended, regulating the handling of milk in the Milwaukee, Wisconsin, marketing area) who, during the month of March 1952, were engaged in the production of milk for sale in the marketing area specified in the aforesaid order to determine whether such producers favor the issuance of the order (amending the aforesaid order) which is a part of the decision of the Secretary of Agriculture filed simultaneously herewith.

H. H. Erdmann is hereby designated agent of the Secretary to conduct such referendum in accordance with the prescribed procedure for the determination of producer approval of milk marketing orders as published in the Federal Register on August 10, 1950 (15 F. R. 5177).

[7 CFR Part 924]

Handling of Milk in Detroit, Mich., Marketing Area

Notice of Recommended Decision and Opportunity to File Written Exceptions with Respect to Proposed Amendments to Tentative Marketing Agreement and to Order, as Amended

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the rules and regulations thereunder, notice is hereby given that on June 13, 1952 (17 F. R. 5524) and an order on such amendments was issued (17 F. R. 5634). The findings and conclusions with respect to the issues dealt with herein were specifically deferred pending further study and consideration.

The following findings and conclusions on the record are hereby made upon the basis of the record of the hearing:

1. A reduction or, alternatively, an expansion in the extent of the marketing area;
2. Revision of the determination of milk to be priced under the order, with respect to the designation of health authorities, handler qualifications, and the level of sales at which handler exemption should be determined;
3. Provision for a separate classification for milk utilized as fluid cream and the assignment of a minimum base price to the lowest class instead of to Class I;
4. Changes in the pricing provisions which would (a) alter the basic formula by (i) increasing of local plants, (ii) deleting all basic formula prices except the local plants, and (iii) substituting a cheese pricing formula for the butter-cheese pricing formula, (b) alter Class I pricing by using the basic formula prices for the previous month, (ii) providing for seasonal variation in the Class I price differential, and (iii) modifying the supply-demand adjustment; (c) alter Class II pricing by (i) eliminating the butter-fat differential and alternative (ii) providing transportation credits on milk moved for manufacture, (d) establish appropriate prices for milk in the proposed new classifications; and (e) revise the butter-fat differentials and location adjustments.
5. The substitution of individual handler pooling for marketwide pooling and modification of various features of the base rating plan for distributing revenue to the producers and handlers.
6. Modification of administrative provisions of the order relating to administrative assessments, marketing service payments, and reporting dates.

Findings and conclusions. The following findings and conclusions on the issues decided herein are hereby made upon the basis of the record of the hearing:

1. Marketing area. The marketing area should remain unchanged. A group of 9 handlers who operate primarily in Ann Arbor, Ypsilanti and the adjacent territory proposed eliminating from the marketing area the townships of Ann Arbor, Superior, and Ypsilanti in Washtenaw County and Canton, Van Buren and Dumerle townships in Wayne County. The latter three townships are east of Ann Arbor and Ypsilanti and between these cities and Detroit. The proposal was stated specifically for the purpose of eliminating these territories from the marketing area, the reasons for the proposal were not discussed, and further provided that the market area include only an adjacent and contiguous territory within which the population centers all lie within the area of the marketing area. This would have eliminated Ann Arbor and Ypsilanti and also would have eliminated the townships in the northeastern portion of the marketing area and the city of Port Huron. As an alternative to this proposed reduction to the marketing area, these handlers proposed adding the townships located west of the present marketing area.

These proposals and the testimony of the proponents do not conform to the economic standards of the marketing area should be determined. The marketing area specified in the Detroit order includes the metropolises of Detroit and the immediately adjacent cities, the comparatively much smaller and sizeable nearby cities of Ann Arbor, Ypsilanti, Pontiac, and Port Huron, and those of the townships lying between these cities and the central metropolitan area in which milk distribution is significant. Within this area the marketing of milk is of a sufficiently uniform and interrelated character to make a single system of pricing and pooling effective and desirable.

On the supply side these homogeneous elements include the Michigan Milk Producers Association, the large population territory within which the management area has been established, the relatively small population of milk eating farmers within which a membership accounting for 85 percent of all producers supplying milk to the marketing area, and a common milked milk distribution. A milk marketing area need not be composed of contiguous territory and the marketing area described in several of the Federal orders are composed of two or more physically separate entities such as municipalities and public institutions.

Even if the Detroit marketing area were to be defined to include all territory within the boundaries of the incorporated municipalities now included in the marketing area, the reasons for including these territories required that the marketing area be virtually the same as those which prompted the inclu-
sion of these cities in the contiguous area defined in the order.

With regard to the proponents' alternative proposal for the marketing area, no detailed testimony was offered on the nature of milk supplies and distribution in the additional townships. There is, therefore, no basis for judging whether milk marketing conditions in such townships are such as to make it necessary or desirable to include them in the marketing areas of the order. The handler definition should be modified to include Wayne County Health Department approval.

The Wayne County Health Department enforces the provisions of local health ordinances for those communities in the county which do not have a health officer. The model Michigan milk ordinance serves as the basis for interpretation of the state-of-the-art health ordinances by the Health Department. Inasmuch as the area in which the proponents distribute milk does not come under the jurisdiction of any of the Health Departments specified in the order, Wayne County Health Department approval should also be permitted. Such a provision would tend to assure the market of a more adequate supply of pure and wholesome milk.

Proposals were put forward to modify the qualifications for maintaining status as a handler. The order now provides that a person who operates a country plant (one from which no milk is distributed on routes in the marketing area) must own or operate more than the milk received from dairy farms at each plant to a city plant in November and December to remain a handler. The three proposals to modify this qualification ranged from a requirement that the country plant supply the market with 50 percent of its receipts during the 4-month period, October-January, to a requirement that a country plant supply the market with 50 percent of its receipts during the 4-month period, October-January, to a re-

status. No plant engaged primarily in merely to participate in the pool on a the minimum qualifications as handlers. The order now provides for a handler who is located within the marketing area and dispose of not more than 4,000 pounds of milk per day for any month in which the total Class I disposition of such handlers does not exceed 1 1/4 percent of the total Class I disposition of all handlers. This would mean that the individual handler would not know if he were subject to the order for a given month until the total Class I sales for the month were determined.

If the group of handlers with sales of 4,000 pounds or less represented over 1/4 percent of the total Class I sales, the group would be reduced to 1/4 percent by eliminating from the exempt list those handlers who distribute under the order. Individual handlers would not plan a consistent marketing program because of this monthly uncertainty of not knowing until the following month if they had been subject to the order the preceding month.

(2) Classification. Skim milk and butterfat utilized in fluid cream and cream products containing in excess of 6 percent butterfat should not be classified separately from that used in other Class II products.

Testimony disclosed that fluid cream prices under the order are entirely different from milk from unregulated sources which is available to handlers and has also been sold directly at wholesale and retail in the marketing area. For this reason, it was not shown that the marketing of fluid milk is sufficiently different from the marketability of milk from unregulated sources which is available to handlers and may be sold directly at wholesale and retail in the marketing area.

There was no showing that the marketing of fluid milk is sufficiently different from the marketability of milk from unregulated sources which is available to handlers and may be sold directly at wholesale and retail in the marketing area.

Varying prices in handlers' month-end inventories are currently included in Class I under the order. Since they are not specifically defined in Class I, Handlers proposed that these inventory variations be assigned and priced as Class II as a matter of proper inventory accounting practice and to reduce the valuation of any increase in inventory.

The compelling objection to this proposal is that many handlers have no producer milk left in Class II after allocating their butterfat requirements. The creamery is unlikely in the late fall season of shortest supplies and on the part of handlers who produce the creamery with milk from a producers' cooperative association. The creamery is calculated to just cover their Class II requirements. The impossibility of treating all handlers alike if inventory variations were assigned to Class II and the fact that the prices resulting from increases and decreases in inventories tend to balance out over a period of time, make it desirable to continue to classify them as Class I utilization.

(4) Class prices. The order should be amended to provide for adoption of a revised cheese formula, an increase of the number of local plants to 6, use of the basic formula prices for the previous month to determine Class I prices, revision of the supply-demand formula, a Class II price equal to the local plant prices, the same butterfat differentials to handlers on Class I and Class II sales, as that now applicable to producers, and an elimination of the location adjustment rate schedule applicable to Class I and producer prices.

(a) Basic formula prices. The Class I price should continue to be based on a price representing the highest value for milk for manufacturing as determined by four alternative basic formulas: prices paid dairy farmers at 13 Mid-west dairy manufacturing plants, prices paid dairy farmers at 9 Michigan dairy manufacturing plants, a butter-powder formula price, and a revised cheese formula.

The Michigan Dairy Branch, it seems desirable that a formula. Although producers and handlers stated at the hearing that they had insufficient time to analyze the revised cheese formula as introduced and explained at the hearing by the Dairy Branch, it seems desirable to include the revised cheese formula in the order. It would more directly reflect the value of milk used in cheese making than the present butter-powder formula.

Although the dairy branch's proposal was to eliminate the average price of the 18 Midwest dairy manufacturing plants as one of the basic formulas, there was no specific testimony directed towards such an elimination. It should be retained in order that the basic formula will continue to represent the most possible coverage of nationally determined values of manufacturing milk.

The number of local Michigan dairy manufacturing plants should be raised to 9. In order to increase the number of local plants to the same number as the national average, it must be determined that the selection of the final five should represent the selection of the additional plants, namely:

(1) Cooperative plants should not be included as they would not usually represent the entire return to farmers.

(2) Plants operated by a handler under the order should not be included.
PROPOSED RULE MAKING

(3) The plants selected should represent a wide variety of manufactured products.

(4) Plants selected should be representative of the entire milkshed. The following additional factors should be considered: 

(a) Class I price. The Class I price should be determined by adding the Class I differential to the basic formula price of the previous month. Using the basic formula price for the previous month instead of for the current month will enable handlers to know this major element of their cost of Class I milk at the beginning of each month.

(b) Class I price. The Class I price should be determined by adding the Class I differential to the basic formula price of the previous month. Using the basic formula price for the previous month instead of for the current month will enable handlers to know this major element of their cost of Class I milk at the beginning of each month.

The current relationship between market supply and market demand in the supply-demand adjustment should be based on the most recent two-month period, the first and second months preceding the month for which a price is being computed. Both producers and handlers are of the opinion that the one-month lag between the period used for computing the supply-demand utilization and the month in which the adjustment becomes effective in the present order is unnecessary and is not the most accurate means of estimating current and prospective supply and demand conditions. The advantages of more nearly current computation of the adjustment were generally felt to outweigh the fact that the amount of the adjustment in any given month cannot be known until the middle of that month. It is therefore concluded that the current relationship between market supply and market demand should be based on the ratio of total production to gross Class I sales in the first and second months preceding the month for which a price is being computed. Assurance to producers that prices will be changed promptly in response to any change in the relationship between market supply and demand for milk should encourage them to continue to supply milk to the market.

It was suggested that bulk sales of Class I milk outside the market area be excluded from the supply-demand adjustment. Historically, such sales have been small in this market so that their inclusion or exclusion would have had little effect in adjusting prices. Ideally, the adjustment should reflect all sales which represent regular outlets for the milk supplied to the market. The difficulty of defining and computing those sales which could be considered as irregular, together with the comparatively small volumes involved, leads to the conclusion that bulk sales of Class I milk outside the market area should be excluded from the supply-demand adjustment. Similarly, a proposal to exclude inventory variations from the computation of the supply-demand adjustment should be denied. These variations may be sizable in the case of an individual handler but they are of an essentially random character and offsetting experience would tend to leave only insignificant variations in the market data.

The base schedule of the adjustment should be revised to reflect more recent experience including that obtained while operating under the order. The base period should reflect the seasonal pattern both of production and of sales. Adjustment for this period and the months of May, June, and July which became a part of the order on June 30, 1952, on the basis of testimony taken in the hearing upon which this decision is based.

(d) Handler butterfat differentials. The handler butterfat differentials applicable to Class I and Class II prices should be determined as the producer butterfat differential. Inasmuch as the sales of low testing milk products are increasing and the sales of high butterfat content products are decreasing, it seems desirable to transfer more of the Class I butterfat differential from the fat to the skim. With respect to Class II, the butterfat differential now contained in the order is not greatly different from the producer butterfat differential and the latter appears to be an adequate measure of the relative values of fat and skim in Class II used.

(e) Location adjustments. The present schedule in the order should be extended at an additional 1 cent per hundredweight of milk disposed of within a mile zone to a limit of 26 cents, which applies to any location beyond 137 miles. The cooperative which proposed to extend the schedule of location adjustments recognized that a larger haul in view of the expanding boundaries of the milkshed, necessitates a higher transportation cost on the part of handlers. Therefore it appears that the zones with respect to freight rates should be extended in order to insure the marketing area of an adequate future supply of milk.

A proposal which would enable handlers who receive milk from producers at a plant more than 26 miles from the Detroit City Hall to receive a credit with respect to such milk disposed of as Class I should be denied. Competition among marketing area handlers both for sales and for supply has increased since the promulgation hearing and this development supports the position that the price for Class I milk should be the same for all handlers located within the defined marketing area.

The schedule of producer location adjustments should continue to be the same as handler location adjustments. Therefore the revised schedule discussed above...
should also be adopted as the schedule of prices for the balance of the year.

The handlers' request for a transportation credit on Class II milk moved from point of delivery by producers to a manufacturing plant should be denied. The Class II milk marketed in the Detroit area is perishable and the transportation costs are designed to cover the cost of delivering the milk to the manufacturing plant. The handler who transports Class II milk from his point of receipt to a manufacturing plant should also be paid the uniform price on that milk. The provision denying such credit to those handlers who transport Class II milk from the point of receipt to a manufacturing plant should be modified by permitting new bases at any time. The latter choice should be allowed on previously established bases carried into the new base-forming period.

A second proposed modification of the base plan would allow producers to have their base extended in the event that their production was temporarily below their base. The handlers' request for a transporta-

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Proposed Rule Making

4. In § 924.31 (b) delete "26th day" and substitute therefor "22nd day".
5. In § 924.65 delete "10th day" and substitute therefor "12th day".
6. In § 924.69 delete "15th day" and substitute therefor "17th day".
7. In §§ 924.64, 924.66, and 924.97 delete "13th day" and substitute therefor "14th day".
8. In § 924.96 delete "13th day" and substitute therefor "14th day".
9. In § 924.56 delete "and (d)" and insert the word "and" between ">(b)" and ">(e)".
10. Delete § 924.50 (c) and substitute therefor the following:

(b) The price per hundredweight resulting from the following formula:

1. Multiply by 8.33 the average of the daily prices per pound of cheese at Wisconsin Primary Markets ("Cheddar"") f. o. b. Wisconsin assemblying points, cars or truckloads) as reported by the U. S. D. A. during the month;
2. Add 0.902 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the U. S. D. A. during the month;
3. Subtract 34.3 cents.
11. Add the following plants to the list contained in § 924.50 (d):

12. In § 924.51 (a) insert the phrase "for the preceding month" between the phrase "basic formula price" and the phrase "plus $1.35.".
13. Delete § 924.51 (b) and substitute therefor the following:

(b) The percentage which total receipts of producer milk by all handlers during the next two preceding months is of total Class I utilization of all handlers during such period shall be computed each month by the market administrator and for the month in which the computation is made the Class I price shall be decreased 15 cents if such percentage is 5.0 percentage points or more above the average of the percentages for the corresponding months in the following schedule and increased 15 cents if such percentage is 5.0 percentage points or more below the average of the percentages for the corresponding months in such schedule and the Class I price shall be decreased or increased an additional 15 cents for each full 5 percentage points by which such excess or deficiency over or under the average of the percentages for the preceding months in such schedule.
14. Delete § 924.52 and substitute therefor the following:

§ 924.52 Class II milk price.
(a) The minimum price per hundredweight to be paid by each handler (c. o. b. his plant as described in § 924.6 for milk of 3.5 percent butterfat content received from producers or from a cooperative association during the month, which is classified as Class II utilization, shall be the price per hundredweight as described in § 924.6 (b) and (c). Price for the months of May, June and July, there shall be credited to each handler with respect to butterfat used in the manufacture of butter and skim milk used in the manufacture of non-fat dry milk solids in the handler's plant, or transferred to and so used in a plant not operated by a handler after first allocating such butterfat and skim milk to any uses in such plant other than for the manufacture of butter and non-fat dry milk solids, (1) an amount per pound of butterfat equal to the excess of the Class II price determined under this paragraph over a formula price hereinafter described, such excess to be multiplied by 0.18, and (2) an amount per hundredweight of skim milk equal to such excess multiplied by 0.36.
(b) The formula price per hundredweight of milk, referred to above shall be computed by multiplying the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by U. S. D. A. during the month by 5.2; adding 8.2 times the simple average of the weighted average carlot prices per pound of non-fat dry milk solids, spray and roller processed respectively, for human consumption, f. o. b. manufacturing plants in the Chicago area, as published for the period from the 28th day of the immediately preceding month through the 25th day of the current month by the U. S. D. A.; and subtracting 67 cents.
15. Delete paragraphs (a) and (b) of § 924.53 and substitute therefor the following:

(a) Class I milk. The producer butterfat differential applicable to milk delivered in the previous month.
(b) Class II milk. The producer butterfat differential applicable to milk delivered in the current month.
16. In § 924.60 (c) delete from the tabulation appearing at the end of the section the reference to zone 8 and add the following:

<table>
<thead>
<tr>
<th>Zone No.</th>
<th>Shortest road distance from Detroit</th>
<th>Rate per hundredweight</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>More than 375 miles</td>
<td>1.82</td>
</tr>
<tr>
<td>10</td>
<td>More than 375 miles but not more than 377 miles</td>
<td>1.80</td>
</tr>
<tr>
<td>9</td>
<td>More than 377 miles but not more than 379 miles</td>
<td>1.78</td>
</tr>
<tr>
<td>8</td>
<td>More than 379 miles but not more than 381 miles</td>
<td>1.76</td>
</tr>
<tr>
<td>7</td>
<td>More than 381 miles but not more than 383 miles</td>
<td>1.74</td>
</tr>
<tr>
<td>6</td>
<td>More than 383 miles but not more than 385 miles</td>
<td>1.72</td>
</tr>
<tr>
<td>5</td>
<td>More than 385 miles but not more than 387 miles</td>
<td>1.70</td>
</tr>
<tr>
<td>4</td>
<td>More than 387 miles but not more than 389 miles</td>
<td>1.68</td>
</tr>
<tr>
<td>3</td>
<td>More than 389 miles but not more than 391 miles</td>
<td>1.66</td>
</tr>
<tr>
<td>2</td>
<td>More than 391 miles but not more than 393 miles</td>
<td>1.64</td>
</tr>
<tr>
<td>1</td>
<td>More than 393 miles but not more than 395 miles</td>
<td>1.62</td>
</tr>
</tbody>
</table>

NOTE: The producer butterfat differential is the difference between the price for Class I milk and the price for Class II milk, for each additional 15 cents per pound of milk above or below the basic formula price.
A suggestion was made to remove Shelby County, Illinois, from the presently utilized in Class IV milk marketing area. Recently a plant located in this county which had been a "pool plant" became an unregulated plant. However, the record does not indicate that the facilities that were intended to continue to be available for the disposal of reserve quantities of milk from pool plants. This county should be retained for the present as part of the surplus milk manufacturing area. 

The record shows that the first proposal intended to produce a price level which was to be a figure which when multiplied by the Wisconsin Cheese Exchange quotation for Cheddars will approximate the price per pound of butterfat paid to farmers by cheese factories. Considerable evidence was submitted for the record which related this formula price to the average price paid farmers by Wisconsin cheese factories as reported by the Department and by the Wisconsin State Department of Agriculture. In essence this formula is designed to measure the value of milk used for cheese from the standpoint of competitive prices as differentiated from the "cost and yield" method. Reduced to its simplest form this formula is 9.625 times the average Cheddar cheese price (3.5 times 2.75 times 9.625).

The second cheese formula is designed to measure the value of milk used in the manufacture of Cheddar cheese by the use of cost and yield method. Evidence submitted by the cooperative proposing this formula included cost data from its own plant to substantiate a $0.494 per cwt. manufacturing. At the same time proponents testified that they were not proposing to substitute their formula to lower the Class IV price if the present Class IV formula could continue as the basis for pricing milk utilized in cheese manufacture. Their formula was offered for consideration in the event it were decided that milk used for cheese should be classified and priced separately from butterfat and other Class IV milk products. The proponents of this formula offered no criticism of pricing milk used for cheese at the butter-nonfat dry milk solids formula price other than that market fluctuations in prices between butter and cheese cause returns from a cheese operation to fluctuate widely in some months when the milk is so priced.

Since the production of cheese has been increasing in recent years and represents a major use of milk in the Chicago supply area, a formula based on Cheddar cheese would be appropriate as one of the basic price formulas under the Chicago order. Under current conditions the butter-cheese formula does not fully reflect the value of milk utilized by cheese factories in the production area. Proponents of the first cheese formula discussed above have focused attention upon the throwing up of cheese manufacture as a factor in the determination of the price level for manufacturing milk to which Chicago milk prices are related. As a basic price formula there is suggested one which would employ a factor to relate market prices for cheese to prices paid to dairy farmers by representative cheese factories based upon the average relationship between
the two price series over a considerable period of time. Statistical examination indicates that important short-run relationships of price with output for milk prices for milk manufactured into cheese may not be reflected by the suggested formula to the degree desired in establishing a basic formula price by this method. It is concluded that prior to the adoption of the formula as one of the alternates for computing the basic formula price it be further reviewed in hearing when the opportunity is presented. For these reasons the cheese price formula should not be incorporated in the order at this time.

The pricing of milk under the order which is utilized in the manufacture of cheese by either of the suggested formulas presents certain problems, among which is the pricing of milk used for cheeses not of the Cheddar type. At present all cheese other than cottage cheese is classified as Class IV milk and is priced at the butter-nonfat dry milk solids formula price. While the present record indicates a convincing need for a formula price pertaining to Cheddar cheese, it is concluded that the method of pricing other cheeses of the speciality type which represent a large proportion of the quantity of cheese made from Order 41 milk should be given more consideration at a subsequent hearing before any change in the pricing of milk going into cheese is made.

3. Delete the third, fourth, fifth, and sixth paragraphs beginning in Column 1, 17 F. R. p. 52-7633, and substitute therefor the following:

(10) The average wholesale price of cheese (Cheddars) at Wisconsin primary markets should not be utilized at this time in connection with price formulas included in the order.

It was testified that price quotations are reported four days a week (excluding Fridays) for "Wisconsin primary markets" by the Wisconsin Cheese Exchange. The Wisconsin Cheese Exchange at Plymouth, Wisconsin, is the only cheese exchange that reports four days a week. The volume of cheese sold on the Wisconsin Exchange is small in relation to the total volumes of cheese sold on Wisconsin primary markets. Moreover, there have been numerous occasions when no sales of cheese were made through the Wisconsin Cheese Exchange and at times such conditions have existed for a considerable period. It has been necessary therefore in connection with price formulas in the order to use prices for weeks when no sales were reported which were derived from either bids or offers rather than actual sales. It appears that for the purposes of price formulas employing cheese prices the price of cheese at Wisconsin primary markets would be more satisfactory than the Exchange price. However, since the cheese formula has been adopted and the butter-cheese formula currently in the order is deleted in the attached amending order, there is no need for a revised cheese price quotation.

**Rulings on exceptions.** Exceptions relating to the findings, conclusions and amendment action decided in this decision, each of these exceptions was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings, conclusions, and amendment action decided upon herein are at variance with the exceptions, such exceptions are overruled.

**General findings.**

(a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further 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;

(b) The order, as amended and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and is applicable only to persons in the respective classes of individual and commercial activity specified in the said marketing agreement upon which a hearing has been held.

**Determination of representative period.** The month of February 1952 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such marketing order as amended. Amended hereeto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Chicago, Illinois, Marketing Area," and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Chicago, Illinois, Marketing Area," which have been added upon as the detailed and appropriate means of effectuating the foregoing conclusions.

**These documents shall not become effective unless and until the requirements of 1900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.**

If the order, as amended and as hereby further amended, is not found satisfactory, the adoption of the order as amended and as hereby further amended to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C. this 13th day of August 1952.

[591] CHARLES F. BRANNAN, Secretary of Agriculture.

Order 1 Amending the Order, as Amended, Regulating the Handling of Milk in the Chicago, Illinois, Marketing Area

§ 941.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations set forth herein. The findings and determinations set forth herein are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations determined pursuant to section 2 of the act. The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the tentative marketing agreement and in the order, as amended, and as hereby proposed to be further 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; and

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, as hereby further 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; and

*This order shall not become effective unless and until the requirements of 1900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.*
(3) The said order, as amended, and as hereby further amended, require 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 which hearings have been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Chicago, Illinois, marketing area, from a regulated plant to any plant located outside the following area, in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Add the following as § 941.17:

§ 941.17 Commercial food processor.

"Commercial food processor" means any person engaged in processing food other than milk or cream in fluid form or ice cream.

2. Delete in the introductory language of § 941.40 the phrase "paragraph (b) of this section" and substitute therefor the reference "§ 941.41 (b)".

3. Delete § 941.41 (b) and substitute therefor the following:

(b) Any milk moved as milk or skim milk in fluid form, or as bulk condensed or concentrated milk containing not less than 2 percent nor more than 12 percent butterfat, from a regulated plant to any plant located outside the surplus milk manufacturing area referred to in this subpart as the "surplus milk manufacturing area", shall be classified as Class I milk, any milk so moved as cream in fluid form, frozen cream, other cream frozen, plastic cream, powdered cream, or any cream product in fluid form, including any bulk condensed, concentrated or evaporated milk product containing more than 12 percent butterfat, shall be classified as Class II milk, and any milk so moved as cream in fluid form shall be classified as Class III milk: Provided, That if such unregulated plant receives milk, skim milk or cream from sources other than a regulated plant(s) and if satisfactory proof is furnished to the market administrator that any such milk, skim milk, or cream was in excess of the total amount used in Class I milk or Class II milk items, respectively (as defined in § 941.41) at the latter plant, such excess shall be classified according to its utilization.

4. Delete § 941.40 (d) and substitute therefor the following:

(d) Any milk moved as milk or skim milk in fluid form from a regulated plant to any unregulated plant located within the surplus milk manufacturing area which did not manufacture any of the products named in paragraph (c) of this section during the delivery period shall be classified as Class I milk, and any milk so moved as cream in fluid form shall be classified as Class II milk: Provided, That if such unregulated plant receives milk, skim milk or cream from sources other than a regulated plant(s) and if satisfactory proof is furnished to the market administrator that any such milk, skim milk, or cream was in excess of the total amount used in Class I milk or Class II milk items, respectively (as defined in § 941.41) at the latter plant, such excess shall be classified according to its utilization.

5. Delete § 941.41 (c) (1) and substitute therefor the following:

(1) Condensed milk (sweetened or unsweetened) from commercial food processors located within the surplus milk manufacturing area, sweetened condensed milk in hermetically sealed cans, evaporated milk containing not less than 50 percent of the butterfat from such cans, and condensed skim milk (the products specified in this subparagraph are referred to in this subpart as "commercial food processor Keto"

6. Delete from the introductory language of § 941.42 (c) the phrase "the highest of the prices resulting from the respective formulas set forth in subparagraphs (1) and (2) of this paragraph" and substitute therefor the following: "the higher of the prices resulting from the formulas set forth in subparagraph (1) of this paragraph."

a. Delete § 941.42 (c) (2).

b. Delete in § 941.41 the reference "§ 971.70" and substitute therefor the reference "§ 941.70."

7. Replace the period at the end of § 941.61 with a colon and add the following proviso: "Provided, That if no source is indicated by the handler which may be verified by the market administrator that the milk or milk products shall be deemed to be 'overrun' and subject to the provisions of § 941.63 rather than to the conditions of this section,"

9. Delete the third proviso of § 941.66 (c).

10. Delete § 941.67 and substitute therefor the following:

§ 941.67 Suspension of pool plants.

(1) Any plant described in § 941.66 (b) shall be suspended provisionally as a pool plant, such suspension to be effective during each of the delivery periods of March through July inclusive of the marketing year immediately preceding the suspension.

(2) Such plant gives notice to the market administrator in writing that during each of the delivery periods of September, October and November, it is willing to ship an amount of milk in fluid form to any regulated plant(s) together with such amount of milk, skim milk and cream as it disposes of as Class I milk or Class II milk within the surplus milk manufacturing area (including shipments to any such plant(s)). In said delivery period shall include not less than 50 percent of the butterfat or not less than 50 percent of the pounds of milk received from producers during the delivery period to which said offer applies: Provided, That:

(i) Said notice shall contain at least the following information: The specific days on which the milk will be available; the amount of milk available on each of such days with the butterfat content thereof, and if such plant intends to offer its entire supply of milk for a particular day, the offer shall so state; and the price to be charged for the milk offered and the terms of sale;

(ii) Only those amounts of milk offered for sale on days that are at least 3 days after the date on which said notice is postmarked shall be included in computing the total amount offered for the delivery period;

(iii) Only such amount of butterfat or product pounds which is sold on any day within the surplus milk manufacturing area as Class I milk or Class II milk as is in excess of the amount offered for sale on that day by said notice shall be considered in computing the amount actually sold on such day, but the entire amount of butterfat or product pounds so sold shall be considered if such sale occurs on a day on which no offer is made;

(iv) Only such amount of milk offered by said notice on any day shall be credited to the offer as is not in excess of the amount of milk received from producers on said day.

11. Upon receipt of said notice the market administrator shall make the offer and terms thereof public by transmitting the same to all handlers not later than the next business day after receiving the notice.
Order of the Secretary Directing That a Referendum Be Conducted Among the Producers Supplying Milk in the Chicago, Illinois, Marketing Area, and Designation of an Agent to Conduct Such Referendum

Pursuant to section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (19)), it is hereby directed that a referendum be conducted among the producers (as defined in the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area) who, during the month of February 1952 were engaged in the production of milk for sale in the marketing area specified in the aforesaid order to determine whether such producers favor the issuance of the order which is a part of the decision of the Secretary of Agriculture filed simultaneously herewith.

Jesse L. Cook is hereby designated agent of the Secretary to conduct such referendum in accordance with the provisions of the order for the purpose of determining producer approval of milk marketing orders as published in the Federal Register on August 10, 1950 (15 F. R. 5177).

[F. R. Doc. 52-9065; Filed, Aug. 15, 1952, 3:09 a. m.]

[7 CFR Part 973]

[Docket No. AO 178-A1]

HANDLING OF MILK IN MINNEAPOLIS-ST. PAUL, MINN., MARKETING AREA

ACTION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND TO ORDER AMENDING SAME, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practices and procedure, as amended, governing the formation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Minneapolis, Minnesota, on July 16, 1952, pursuant to notice thereof which was issued by the market administrator (7 F. R. 6201) upon proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area.

The material issues on the record related to (1) increasing the level of the Class I differential, (2) increasing the marketing order's share of production, and (3) whether the facts presented on the record warrant the omission of a specified differential between the two markets.

Findings and conclusions. The following findings and conclusions on these issues are based upon the evidence introduced at the hearing and the record pertaining thereto:

(1) The Class I differentials should be revised upward.

This market is faced with a severe shortage of milk during the next few months unless steps are taken to increase the level of Class I prices relative to those in effect in the Chicago market.

In that area of Wisconsin immediately adjacent to the Minneapolis-St. Paul market there are several plants which are regulated by the Chicago marketing order. These plants are located in the same marketing area as the Minneapolis-St. Paul plants for the Grade A milk produced in the area. As a result of recent amendments to the Chicago order, Minneapolis and St. Paul plants are at a severe disadvantage and handlers have for several months paid substantially less in order to retain their present supply.

In addition to the Chicago plants, there are in the marketing area, both in Wisconsin and Minnesota, plants whose principal outlets are the deficit producing areas of the South and Southwest. For some time these plants have paid higher prices than the uniform prices announced by the market administrator for competing plants subject to the Minneapolis-St. Paul marketing order.

At the time the order was last amended, the Class I differential averaged 8.5 cents less than the Class I differential provided in the Chicago order. Since then the differentials in the Minneapolis-St. Paul order have fallen far below the levels prevailing in the Chicago order. As a result of a recent amendment to the latter order, the Class I differentials were increased to a point where they now average 24 cents higher than the differentials in the Minneapolis-St. Paul market. In addition the Chicago order provides that the Class I price shall be adjusted each month as the relationship of sales to receipts varies from the established norm. For the month of July 1952 the Class I price was increased an additional 15 cents because of this adjustment. An analysis of supply and demand conditions in the Chicago market indicates that for the next several months the adjustment will average very close to the 15 cents reflected for the month of July. It appears therefore that the average difference in the differentials in the two markets for the next several months will average approximately 39 cents.

An offsetting factor which must be considered in a comparison of differentials between the two markets is the fact that the "butter-powder" formula, which is one of the alternatives used to determine the Class I price, in the Chicago order has been reduced several times since the latest amendment to the Minneapolis-St. Paul order. During the 30-month period, January 1950 to June 1952, the "butter-powder" formula in the Minneapolis-St. Paul order was the effective formula during 8 months. Had the butter-powder formula of the Chicago order been in effect it would have determined the Class I price in only 8 of these months and the Class I price would have averaged 6.1 cents lower for the period.

A proposal was made to change the "butter-powder" formula, which is also the Class II price formula, to the formula in Chicago. For reasons discussed below it has been determined that no change should be made in this formula at the present time. In the belief that the proper relationship between Chicago and Minneapolis-St. Paul prices, it appears necessary to
increase the differentials in the Minneapolis-St. Paul order substantially, especially during the months of July through November, in each of which it has been necessary for the past few years to import emergency supplies to meet the needs of the market. Accordingly the differentials should be increased to 70 cents during the months of January through April, to 60 cents during the months of May and June, and to $1.10 during the months of July through November, and to 80 cents during the month of December.

The proposal producers advocated that the differentials be adjusted each month by the amount that the "supply-demand" ratio in the Chicago order affects the Chicago price. As noted above it appears that the "supply-demand" factor in the Chicago order will result in an average increase of 15 cents in the Chicago price during the next several months. Therefore the differential has been adjusted by this amount, but it has been applied seasonally to encourage a greater production of milk during the months of July through November.

It would appear desirable to establish a supply and demand factor for the Minneapolis-St. Paul market, based on conditions in that market rather than on conditions in the Chicago market. However, the record fails to provide data on which an adequate analysis of the market supply and demand relationship can be determined. It is expected that adjustment will correct the present maladjustment between the two markets, the adoption of the proposed differentials should suffice. It is contemplated that a hearing on a complete revision of the provisions of the Minneapolis-St. Paul order will be conducted in the immediate future. It is expected that sufficient data will be developed and entered in the record of the hearing, to provide a basis for establishing a pattern of differentials which will adjust themselves to changing competitive conditions while developing and maintaining the sufficient supply of milk for the market.

(2) No change should be made in the Class II price at the present time. The record of the hearing does not provide sufficient basis for changing the present formula. The only reason advanced in support of the change was the fact that the proposal was identical to the present formula. The only reason advanced in support of the change was the fact that the proposal was identical to the present formula. Therefore, the record fails to provide sufficient basis for changing the present formula.

Accordingly it must be concluded that any revision of the Class II should be postponed until the forthcoming hearing at which time all of the factors bearing on its proper pricing can be thoroughly explored.

(3) The due and timely execution of the function of the Secretary of Agriculture, which unadvisedly and unavoidably requires the omission of a recommended decision by the Assistant Administrator, Production and Marketing Administration, and exceptions thereto.

Immediate action must be taken if an amendment is to meet effectively the urgent supply and demand problem. In the proposed order and relieve the disorderly marketing conditions which threaten the stability of the market. With respect to such problem, the critical situation will be aggravated on and after September 1, 1952. The delay necessarily involved in the preparation, filing, and publication of a recommended decision and exceptions thereto would defeat the purpose of the act.

Every point covered in the briefs filed by interested parties was carefully considered along with the record evidence in making the findings and reaching the conclusions set forth. To the extent that the findings and conclusions proposed in the briefs are inconsistent with the findings and conclusions contained herein, the request to make such findings or to reach such conclusions is denied on the bases of the facts found and stated in connection with the conclusions in this decision.

General findings and conclusions
(a) The proposed marketing agreement and the order amending the order, as amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act; (b) The parity prices for milk determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order amending the order, as 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; and (c) The proposed order amending the order, as amended, will regulate the handling of milk in the same manner as and will be 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.

Determination of representative period. The month of May 1952 is hereby determined to be the representative period for the purpose of ascertaining whether the market in the Minneapolis-St. Paul, Minnesota, marketing area in the manner set forth in the amended order will be affected by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such marketing order, as amended.

Annexed hereto and made a part hereof are two documents entitled "Marketing Agreement Regulating the Handling of Milk in the Minneapolis-St. Paul, Minnesota, Marketing Area," and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Minneapolis-St. Paul, Minnesota, Marketing Area" which have been decided upon as the appropriate and detailed means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision except the attached marketing agreement, be published in the Federal Register. The regulatory provisions of said marketing agreement are identical to those contained in the attached order amending the order referred to which will be published with this decision.

This decision filed at Washington, D. C., this 13th day of August 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary.

Order Amending the Order, as Amended, Regulating the Handling of Milk in the Minneapolis-St. Paul, Minnesota, Marketing Area

§ 973.0 Findings and determinations. The findings and determinations herein contained are supplementary to and in addition to the findings and determinations made in connection with the issuance of this order, and all previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to Public Act No. 19, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Agreement Act of 1937, as amended hereafter referred to as the "act", and the rules of practice and procedure governing the formulation of marketing agreements and orders (7 CFR, pts. 900 and 906), a public hearing was held at Minneapolis, Minnesota, on July 16, 1952, upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The said order, as hereby amended, and all of the terms and conditions of said order as hereby amended, will tend to effectuate the declared policy of the act.

This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and orders have been met.
(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market demand for such milk and the minimum prices specified in the order, 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; and

(3) The said order, 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.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

Delete § 973.50 (a) and substitute therefor the following:

(a) For Class 7 milk. The price shall be the basic price determined pursuant to § 973.51 plus 70 cents during the delivery periods of January to April, inclusive; plus 60 cents during May and June; plus $1.10 during the delivery periods of July to November, inclusive; and plus 80 cents during December.

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 1 ]

[Docket No. 10310]

CLASS B FM BROADCAST STATIONS

REVISED TENTATIVE ALLOCATION PLAN

In the matter of amendment of the Revised Tentative Allocation Plan for Class B FM Broadcast Stations, Docket No. 10310.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. It is proposed to amend the Revised Tentative Allocation Plan for Class B FM Broadcast Stations as follows:

General area: Delete Add

Cullman, Ala. 254

3. The purpose of the proposed amendment is to provide a Class B channel in Cullman, Alabama, thereby facilitating consideration of a pending application requesting a Class B assignment there.

4. Authority for the adoption of the proposed amendment is contained in sections 4 (i), 301, 303 (e), (d), (f), and (r), and 307 (b) of the Communications Act of 1934 as amended.

5. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before September 15, 1952, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs.

6. Fifteen copies of each brief or written statement should be filed as required by § 1.764 of the Commission's rules and regulations as an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: August 5, 1952.

Released: August 7, 1952.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] Wm. P. Marsing,

 Acting Secretary.

[47 CFR Part 2 ]

[Docket No. 10329]

FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS

DESIGNATION OF CERTAIN FREQUENCIES AS SHIP TELEGRAPH CALLING FREQUENCIES

In the matter of amendment of Part 2 of the Commission's rules and regulations concerning the designation of certain frequencies in the bands 2085.5-2093.5 kc as ship telegraph calling frequencies; Docket No. 10329.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. Atlantic City Radio Regulation number 269 stipulates that, in Region 2 below 4000 kc, the frequency band 2085.5-2093.5 kc is reserved exclusively for ship telegraph calling. Atlantic City Radio Regulation number 751 states, in part, that ship telegraph calling purposes in the band 2085.5-2093.5 kc should not be adopted or should not be approved.

3. Accordingly, preparation for the introduction of the ship telegraph calling bands above 4000 kc in accordance with the Atlantic City (1947) Table of Frequency Allocations and the Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva, 1951), it is proposed to amend § 2.104 (a) of the Commission's rules and regulations so that, as of June 3, 1953, the frequencies shown below may be authorized for ship telegraph stations calling purposes in the band 2085.5-2093.5 kc.

4. The proposed amendment to the rules is issued under the authority of sections 303 (e), (f), (g), and (r), and 307 (b) of the Communications Act of 1934, as amended, the Final Acts of the International Telecommunication and Radio Conferences, Atlantic City (1947) and the Agreement concluded at the Extraordinary Administrative Radio Conference (Geneva, 1951).

5. Any interested person who is of the opinion that the proposed amendment should not be adopted may file with the Commission on or before September 15, 1952, a written statement or brief setting forth his comments. Persons not supporting the amendment may also file comments by the same date. Replies to such comments may be filed within ten days from the last date for filing of original comments. The Commission will consider all comments and briefs presented before taking final action with respect to the proposed amendment.

6. Fifteen copies of each brief or written statement should be filed as required by § 1.764 of the Commission's rules and regulations.

Adopted: August 6, 1952.

Released: August 7, 1952.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] Wm. P. Marsing,

 Acting Secretary.

In the matter of amendment of § 3.606 Table of assignments, Rules Governing Television Broadcast Stations; Docket No. 10306.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. In the band 2065-2105 kc amend the entries in columns 7 through 11 to read as follows:

<table>
<thead>
<tr>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
</tr>
</thead>
<tbody>
<tr>
<td>2065-2105</td>
<td>(NG1, NG8)</td>
<td>Maritime mobile.</td>
<td>Ship.</td>
<td>Ship (telemetry).</td>
</tr>
</tbody>
</table>

b. Add the following footnote at the bottom of the page:

A90 The following frequencies may be authorized for use by ship telegraph stations for calling purposes:

| 2090.5 | 2091 | 2092.5 |
| 2092 | 2093 |

[47 CFR Part 3 ]

[Docket No. 10306]

TELEVISION BROADCAST STATIONS

TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606 Table of assignments, Rules Governing Television Broadcast Stations; Docket No. 10306.

1. Notice is hereby given of proposed rule making in the above-entitled matter.
The Commission will consider all such
listed nor would the proposed assign­
assignment of a television channel in a com­
commission's rules in that it proposes an assign­
complies with § 3.609 of the Commis­
June 17, 1952, and now made part of this
follows:
1. The purpose of the proposed
amendment is to provide a television channel assignment in the community
named in paragraph 2 above so other­
book stations and coast sta­
assignment to ship telephone stations
frequency 8260 kc. In addition, it is proposed to amend Part 8 of the rules so as to make unavailable for assignment to coast sta­
to make available an additional fre­
ship telegraph stations and coast sta­
released nor would the proposed assign­
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to make available an additional fre­
trol stations and do not pertain to any
frequencies will also be transferred to
munications now conducted on the latter
kc. It is understood that certain com­
by civil aviation, including listening
Telecommunications Conference, Atlan­
on a world wide basis, to the aeronautical
by the International
organization (ICAO) has selected March
or similar merchandise entered for con­
material forming the article and then
the article thereby serving as a hem and
and NV^sya Lot 8, Ny2 Lot 10, and Lot 16,
T. 17 N., R. 4 W.:
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
ALASKA
NOTICE OF FILING OF PLAN OF SURVEY
AUGUST 1, 1952.
Notice is given that the plat of original
survey of the following described lands,
 acted March 27, 1952, will be officially
in the Land Office, Anchorage, Alaska,
before a.m., on the 35th day after the date of this notice:
Seward Peninsula
Secs. 22, 23, 24, 25, 26, 27, 34, 35, 36.
The area described contains 3,978.86
acres.
Lot 1, Sec. 25, S1/2 Lot 23 and Lot 24, Sec. 26, Lot 7, N1/4
and N3/4 Lot 8, N1/4 Lot 10, and Lot 16,
Sec. 27, and Lot 1, Sec. 24, are withdrawn
for recreational purposes under Public
Land Order No. 735 of July 26, 1951.
The lands are located on the western
end of Fish Lake, approximately 10 miles
west of Wasilla, Alaska, and are accessible
by automobile over a road which
terminates at the eastern end of the lake
and thence by boat. The land may also
be reached by seaplane direct, or by
land based aircraft on a nearby field,
then by boat over the lake. There are
presently no public facilities in the area.
Water for domestic use may be obtained
from the lake or by sinking wells. Sew­
age disposal may be made by cess­pools or septic tanks.
At the hour and date specified above
the said lands shall be subject to valid
existing rights and the provisions of
existing withdrawals, become subject to
application, petition, location, or selec­
tion as follows:
(a) Ninety-one day period for preference­right filings. For a period of 91
days, commencing at the hour and on the
day specified above, the public lands,
affected by this notice shall be subject
only to (1) application under the homo­
stead or the small tract act of June 1,
1930 (52 Stat. 609, 43 U. S. C., 662a), as
amended, home or headquarters site
under the act of May 26, 1934 (48 Stat.
690, 48 U. S. C., 461), by qualified veterans
of World War II and other qualified
persons entitled to preference under the
act of Sept. 7, 1944 (58 Stat. 747, 43 U. S. C.,
279–284), as amended, subject to the
requirements of applicable law, and (2)
applications under any applicable pub­
lic land law, based on prior existing valid
estate rights, and preference rights
conferred by existing laws or equitable
claims subject to allowance and con­
firmation. Applications under subdivi­
sion (1) of this paragraph shall be
subject to applications and claims of the
classes described in subdivision (2) of
this paragraph. All applications filed
under the paragraph either at or before
10:00 a.m., on the 35th day after the

NOTICES
DEPARTMENT OF THE TREASURY
Bureau of Customs
[471.46]
TARIFF CLASSIFICATION
REPLIQUE ARTICLES
AUGUST 13, 1952.
A replique article is one ornamented with a pattern cut at the end of the basic
material forming the article and then
turned over and stitched to the body of
the article thereby serving as a hem and
also producing a highly decorative effect.
The Bureau, by letter to the collector of
frequency changes which have an impact on
the use of the frequencies 3105 and
3023.5 kc.
6. Pursuant to coordinated United
States policy, the Commission proposes
to make the frequency 3023.5 kc avail­
able for assignment in accordance with
finalization of this proposed rule making.
The ground watch on this frequency
must be implemented by March 15, 1953,
and the present use of 3105 kc can be
discontinued and the frequency can be
occupied by the new user on that date.
Until March 15, 1953 air­
mobile (OR) service by the International
Organization (ICAO) has selected March
3023.5 kc.
5. Pursuant to the Extraordinary
Administrative Radio Conference, Atlantic
City, 1947.
7. Use of the frequency 3105 kilocycles
clearance, and to the aeronautical mobile
service by the International
Telecommunications Conference, Atlantic
City, 1947.
10. The authority for the proposed
amendment is contained in section 303
(c), (f), and (r) of the Communications
Act of 1934, as amended, the Final Acts
of the International Telecommunications
and Radio Conferences, Atlantic
City (1947) and the Agreement concluded
at the Extraordinary Administrative Radio
Conference (Geneva, 1951).
11. Any interested person may file with
the Commission, on or before September 15, 1952, a written statement or
brief in support of, or in opposition to, the
proposed amendment. Comments or briefs
in reply to the original comments or
briefs may be filed within 15 days from
the last day for filing the described
documents.
12. In accordance with the provisions
of §1.764 of the Commission’s rules, an
original and fourteen copies of all state­
ments, briefs, or comments shall be fur­
nished the Commission.
Adopted: August 6, 1952.
Released: August 6, 1952.
FEDERAL COMMUNICATIONS
COMMISSION,
[seal]
Wm. P. Masing,
Acting Secretary.

PROPOSED RULE MAKING
1. Section 9.321 (e) is proposed to be
amended to read as follows:
(e) 3023.5 kilocycles (or 3105 kc until
March 15, 1953): Available to all
air carrier aircraft only where service on the
appropriate very high frequency is not
available or where service is suspended
due to equipment failure.
2. Section 9.331 (a) is proposed to be
amended to read as follows:
(a) 3023.5 kilocycles (or 3105 kc until
March 15, 1953): Aircraft calling and
working frequency for use by private air­
craft.
3. Section 9.412 (b) is proposed to be
amended to read as follows:
(b) The licensee of an air­
drome control station shall without discrimination provide service for any and all aircraft.
Such licensee shall maintain a continuous
listening watch during its hours of operation on the aircraft calling and
working frequencies 3023.5 kc (and 3105
kc until March 15, 1953) and 122.5 Mc.,
and on the emergency frequency 121.5
Mc.: Provided, however, That upon application the Commission may
exempt any station from the emergency
frequency watch requirement when a
showing is made that such service is not
required in the preservation of life and
property in the air. Upon further notice
a listening watch may be required
on the frequencies 122.7 or 122.9
megacycles.

DEPARTMENT OF THE TREASURY
Bureau of Customs
[471.46]

Frank Dow,
Commissioner of Customs.
[F. R. Doc. 52-9076; Filed, Aug. 15, 1952; 8:47 a,m.]
date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a.m. on the said 35th day shall be considered in the order of filing.

9. Date for non-preference-right filings. Commencing at 10:00 a.m. on the 126th day after the date of this notice, any lands remaining unappropriated shall be subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a.m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43. Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish such proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statement in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 293.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homestead laws shall be governed by the regulations contained in Parts 64, 65 and 106 of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 247 of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office.

[Signature]

Manager

Geological Survey

[Survey Order 216]

REGIONAL OIL AND GAS SUPERVISORS AND REGIONAL MINING SUPERVISORS

AUTHORIZATION TO ACT ON APPLICATIONS FOR SUSPENSION OF OPERATIONS AND PRODUCTION

SECTION 1. Suspension of operations and production. Pursuant to the authority contained in Order No. 2699 of August 11, 1952, of the Secretary of the Interior, the regional oil and gas supervisors and the regional mining supervisors of the Geological Survey are hereby authorized to act on applications for suspension of operations or production or both, filed pursuant to 43 CFR 191.26, 191.27, and to terminate suspensions of this kind which have been or may be granted.

SEC. 2. Appeals. Any person aggrieved by the action of a regional oil and gas supervisor or a regional mining supervisor may appeal to the Director of the Geological Survey, and from his decision to the Secretary of the Interior pursuant to the provisions of 30 CFR 221.66.

Dated: August 11, 1952.

W. E. Whather,
Directo, Geological Survey.

Approved: August 11, 1952.

J. D. Wolfsohn,
Acting Secretary of the Interior.

Office of the Secretary

[Order 2583, Amdt. 3]

BUREAU OF LAND MANAGEMENT

DELEGATION OF AUTHORITY IN CONNECTION WITH LANDS AND RESOURCES

AUGUST 11, 1952.

Order No. 2583 is amended as follows:

PART 2—AUTHORITY IN SPECIFIED MATTERS

MINERALS

1. Section 2.41 is amended to read:

SEC. 2.41 Mineral leasing; relief and suspensions. With the concurrence of the Director, Geological Survey, the waiver, suspension, or reduction of the rental or minimum royalty or the reduction of the royalty on an entire lessee-hold, or on any deposit, tract, or portion thereof segregated for royalty purposes, may be granted.

J. D. Wolfsohn,
Acting Secretary of the Interior.

[Order 2625, Amdt. 1]

COMMISSIONER OF THE BUREAU OF RECLAMATION

DELEGATION OF AUTHORITY WITH RESPECT TO ACQUISITION OF LANDS AND WATER RIGHTS

AUGUST 12, 1952.

Subsection (a) (2) of section 1 of Order No. 2625 (16 F. R. 3111) is amended to read as follows:

SECTION 1. Acquisition of lands and water rights. (a) * * *

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES AT FIXED PRICES

AUGUST 1952 DOMESTIC AND EXPORT PRICE LIST

Pursuant to the Pricing Policy of Commodity Credit Corporation issued March 22, 1950 (15 F. R. 1933), and subject to the conditions stated therein, the following commodities are available for sale in the quantities and at the prices stated:
### Commodity and approximate quantity available (subject to prior sale)

- **Nicaraguan dry milk solids, in corded lots only, 1952 production—15,000,000 pounds.**
- **Cowpeas, bulk, bleachable yellow summer, yellow, 100,000,000 pounds.**
- **Dry edible beans.**

#### Domestic sales price

<table>
<thead>
<tr>
<th>Commodity</th>
<th>Domestic sales price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spray process, United States Extra Grade—1952 production—8 cents per pound. Prices apply &quot;in store&quot; at location of stock in any State. (&quot;In store&quot; means at the point of production, plus paid-in freight, as applicable. Available Portland F.M.A. Commodity office.</td>
<td></td>
</tr>
<tr>
<td>Market price of 17 cents per pound, whichever is higher, f.o.b. tank cars at point of storage locations.</td>
<td></td>
</tr>
<tr>
<td>Market price on date of sale. (See note on Ceiling Price Certification at the end of this price list.) On artichokes, areas other than those shown below, adjust prices upward or downward by an amount equal to the price support program differential per bushel. There is no price support differential for this commodity. The price list applies. For other grades of artichokes, adjust by market differentials. Prices listed before all items are at the point of production, plus paid-in freight, as applicable.</td>
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</tr>
<tr>
<td>No. 1 Grade 1949 crop: 32 cents per 100 pounds, basis f.o.b. Denver area.</td>
<td></td>
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<tr>
<td>No. 1 Grade 1949 crop: 37.30 per 100 pounds, basis f.o.b. California area.</td>
<td></td>
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<td>No. 1 Grade 1951 crop: 29.12 per 100 pounds, basis f.o.b. California area; available Portland F.M.A. Commodity office.</td>
<td></td>
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<tr>
<td>No. 1 Grade 1954 crop: 28.00 per 100 pounds, basis f.o.b. California area.</td>
<td></td>
</tr>
<tr>
<td>No. 1 Grade 1951 crop: 28.06 per 100 pounds, basis f.o.b. Idaho and California areas; available Portland F.M.A. Commodity office.</td>
<td></td>
</tr>
<tr>
<td>No. 1 Grade 1950 and 1951 crop: 25.00 per 100 pounds f.o.b. Michigan area.</td>
<td></td>
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#### Ceiling Price Certification

Any purchase from CCC of raw linseed oil, must be able and will be required to certify that the price paid to CCC does not exceed the highest ceiling price any of his usual suppliers for the commodity in the quantity and at the place and season that delivery is made.

### Export price list

- **Organic and certified.**

#### Commodity and approximate quantity available (subject to prior sale)

<table>
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**Federal Register**

**FEDERAL REGISTER**

**BARLEY, BULK, 8,300,000 BUSHELS, REGIONS I AND IV—BOSTON, MASSACHUSETTS AND RICHMOND, VIRGINIA**

**ORGANIZATION STATEMENT**

Pursuant to section 3 (a) (1) of the Administrative Procedure Act (60 Stat. 238; 5 U.S. C. 1002), sections 30 and 33 of Article III—Organization of the Organization Statement, as published in the Federal Register, dated January 21, 1952 (17 F. R. 675), are hereby amended.

1. In section 30 Basic field organization, delete the sentence in parentheticals at the end of the section and add the following: "The geographic boundaries of the 14 Regional Offices remain unchanged. As indicated in section 33 below, certain district offices are being consolidated with Regional Offices, and some with other district offices, which will absorb the territory serviced by those former district offices; branch offices will replace those district offices eliminated by the consolidation, except in cities where district offices were located in the same cities as the regional offices."

2. Section 33 is amended to read as follows:

**SEC. 33. LOCATIONS OF FIELD OFFICES.** The locations of the areas and the services provided by Regional and District offices of the Office of Price Stabilization, are as follows:

**REGION I—BOSTON, MASSACHUSETTS**

The Boston Regional Office will service the entire State of Massachusetts; this area was formerly serviced by the Boston and Springfield, Massachusetts, District Offices.

**District Offices: District Offices will continue to be located at: Boston, Massachusetts; servicing the entire State of Connecticut; Portland, Maine; servicing the entire State of Maine; Manchester, New Hampshire; servicing the entire State of New Hampshire; Providence, Rhode Island; servicing the entire State of Rhode Island; and Montpelier, Vermont; servicing the entire State of Vermont.**

**REGION II—NEW YORK, NEW YORK**

The New York Regional Office will service that part of the State of New York comprising the counties of Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, Westchester, and Wyoming, New York; servicing the entire State of New York; except the counties of Atlantic, Camden, Cape May, Cumberland, and Salem; this area was formerly serviced by the New York and Trenton, New Jersey, District Offices; a branch office will be located at Camden, New Jersey; and Sydney, New York, servicing that part of the State of New York comprising the counties of Albany, Allegheny, Broome, Cayuga, Cortland, Delaware, Essex, Fulton, Greek, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara, Oneida, Onondaga, Ontario, Oneida, Otsego, Rensselaer, Schoharie, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Tioga, Tompkins, Warren, Washington, Wayne, Wyoming, and Yates; this area was formerly serviced by the Syracuse, Albany, New York, Buffalo, and Rochester, New York, District Offices; branch offices will be located in Albany, Buffalo, and Rochester, New York.

**REGION III—PHILADELPHIA, PENNSYLVANIA**

The Philadelphia Regional Office will service that part of the State of Pennsylvania comprising the counties of Berks, Bradford, Bucks, Carbon, Chester, Cumberland, Dauphin, Delaware, Juniata, Lancaster, Lebanon, Lehigh, Luzerne, Montgomery, Northumberland, Potter, Philadelphia, Pike, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York, that part of the State of New Jersey comprising the counties of Atlantic, Cape May, Cumberland, Gloucester, and Salem; this area was formerly serviced by the Philadelphia, Pennsylvania, and Camden, New Jersey, District Offices; a branch office will be located at Camden, New Jersey.

**District Offices: District offices will continue to be located at: Wilmington, Delaware, servicing the entire State of Delaware; and Pittsburgh, Pennsylvania, servicing that part of the State of Pennsylvania comprising the counties of Allegheny, Armstrong, Beaver, Butler, Clearfield, Crawford, Erie, Forest, Jefferson, Juniata, Lawrence, Mercer, McKean, Monroe, Montour, Mifflin, Montour, Montgomery, Northumberland, Perry, Philadelphia, Pike, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York, and that part of the State of New York comprising the counties of Allegany, Armstrong, Beaver, Bedford, Broome, Cattaraugus, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara, Oneida, Onondaga, Oswego, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Tioga, Tompkins, Warren, Washington, Wayne, Wyoming, and Yates; this area was formerly serviced by the Syracuse, Albany, New York, Buffalo, and Rochester, New York, District Offices; branch offices will be located in Albany, Buffalo, and Rochester, New York.**

**REGION IV—RICHMOND, VIRGINIA**

The Richmond Regional Office will service the entire State of Virginia; this area was formerly serviced by the Richmond and Norfolk, Virginia, District Offices.

**District Offices: District Offices will continue to be located at: Richmond, Virginia, servicing the District of Columbia, Maryland, Virginia, and District of the District Office; a branch office will be located at Norfolk, Virginia.**

**REGION V—ATLANTA, GEORGIA**

The Atlanta Regional Office will service the entire State of Georgia; this area was formerly serviced by the Atlanta and Savannah, Georgia, District Offices.

**District Offices: District Offices will continue to be located at: Atlanta, Georgia; and Savannah, Georgia.**

**REGION VI—CINCINNATI, OHIO**

The Cincinnati Regional Office will service the entire State of Ohio; this area was formerly serviced by the Cincinnati, Dayton, Columbus, and Springfield, Ohio, District Offices.

**District Offices: District offices will continue to be located at: Cincinnati, Dayton, Columbus, and Springfield, Ohio.**

**REGION VII—CHICAGO, ILLINOIS**

The Chicago Regional Office will service the entire State of Illinois; this area was formerly serviced by the Chicago, Springfield, and Peoria, Illinois, District Offices.

**District Offices: District offices will continue to be located at: Chicago, Springfield, and Peoria, Illinois.**

**REGION VIII—MINNEAPOLIS, MINNESOTA**

The Minneapolis Regional Office will service the entire State of Minnesota; this area was formerly serviced by the Minneapolis, and Rochester, Minnesota, District Offices.

**District Offices: District offices will continue to be located at: Minneapolis, and Rochester, Minnesota.**

**REGION IX—SAN FRANCISCO, CALIFORNIA**

The San Francisco Regional Office will service the entire State of California; this area was formerly serviced by the San Francisco, Oakland, and Sacramento, California, District Offices.

**District Offices: District offices will continue to be located at: San Francisco, Oakland, and Sacramento, California.**

**REGION X—PORTLAND, OREGON**

The Portland Regional Office will service the entire State of Oregon; this area was formerly serviced by the Portland, Oregon, District Office.

**District Offices: District offices will continue to be located at: Portland, Oregon.**

**REGION XI—SEATTLE, WASHINGTON**

The Seattle Regional Office will service the entire State of Washington; this area was formerly serviced by the Seattle, Tacoma, and Olympia, Washington, District Offices.

**District Offices: District offices will continue to be located at: Seattle, Tacoma, and Olympia, Washington.**

**REGION XII—BOISE, IDAHO**

The Boise Regional Office will service the entire State of Idaho; this area was formerly serviced by the Boise, Idaho, District Office.

**District Offices: District offices will continue to be located at: Boise, Idaho.**

**REGION XIII—PORTLAND, MARYLAND**

The Portland Regional Office will service the entire State of Maine; this area was formerly serviced by the Portland, Portland, Maine, District Office.

**District Offices: District offices will continue to be located at: Portland, Maine.**

**REGION XIV—TORONTO, CANADA**

The Toronto Regional Office will service the entire Province of Ontario; this area was formerly serviced by the Toronto, Ontario, District Office.

**District Offices: District offices will continue to be located at: Toronto, Ontario.**

**REGION XV—SYDNEY, AUSTRALIA**

The Sydney Regional Office will service the entire State of New South Wales; this area was formerly serviced by the Sydney, Sydney, New South Wales, District Office.

**District Offices: District offices will continue to be located at: Sydney, Sydney, New South Wales.**
NOTICES

REGION XIII—MINNEAPOLIS, MINNESOTA

The Minneapolis Regional Office will service the entire State of Minnesota and that part of the State of Wisconsin comprising the counties of Polk, Burnett, Barron, Chippewa, Pepin, and La Crosse, which are serviced by the St. Paul and Duluth, Minnesota, District Offices; branch offices will be located at St. Paul and Duluth, Minnesota, District Offices; branch offices will be located at St. Paul, Minnesota.

District Offices: District offices will continue to be located at—

Helena, Montana, servicing the entire State of Montana; Fargo, North Dakota, servicing the entire State of North Dakota; and Sioux Falls, South Dakota, servicing the entire State of South Dakota.

REGION X—KANSAS CITY, MISSOURI

The Kansas City Regional Office will service that part of the State of Missouri comprising the counties of Andrew, Ashland, Barry, Barton, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Camden, Carroll, Cass, Cedar, Christian, Clay, Clinton, Cole, Cooper, Dade, Dallas, Davie, DeKalb, Douglas, Gentry, Greene, Grundy, Harrison, Henry, Hickory, Holt, Howard, Howell, Jackson, Jasper, Johnson, Jefferson, Lafayette, Lawrence, Livingston, McDonald, Mercer, Miller, Montague, Morgan, Newton, Nodaway, Oregon, Craig, Gentry, Platte, Putnam, Ray, St. Clair, saline, Stone, Sullivan, Taney, Texas, Vernon, Webster, Wicke, and Wright counties. This area was formerly serviced by the Kansas City Regional Office.

District Offices: District offices will continue to be located at—

Den Moines, Iowa, servicing the entire State of Iowa; Wichita, Kansas, servicing the entire State of Kansas, except the counties of Johnson and Wyandotte; St. Louis, Missouri, servicing that part of the State of Missouri comprising the counties of Adair, Audrain, Bollinger, Butler, Cape Girardeau, Carter, Chariton, Clark, Crawford, Dent, Dunklin, Franklin, Gasconade, Iron, Phelps, Pike, Platte, Randolph, Ray, Ripley, Ripley, St. Charles, Ste. Genevieve, St. Francois, St. Louis, Schuyler, Scotland, Scott, Shannon, Shoals, Warren, Washington, Wayne, and the City of St. Louis, and that part of the State of Illinois comprising the counties of Madison and St. Clair; and Omaha, Nebraska, servicing the entire State of Nebraska.

REGION XI—DALLAS, TEXAS


District Offices: District offices will continue to be located at—

Little Rock, Arkansas, servicing the entire State of Arkansas; New Orleans, Louisiana, servicing the entire State of Louisiana; Oklahoma City, Oklahoma, servicing the entire State of Oklahoma; and Tulsa, Oklahoma, District Offices; a branch office will be located at Shreveport, Louisiana.

REGION XII—SAN FRANCISCO, CALIFORNIA

The San Francisco Regional Office will service that part of the State of California comprising the counties of Alameda, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, Fresno, Glenn, Humboldt, Kings, Lake, Madera, Marin, Mariposa, Mendocino, Merced, Monterey, Napa, Sacramento, San Benito, San Francisco, San Joaquin, Santa Barbara, Santa Cruz, San Diego, Santa Clara, Santa Cruz, Shasta, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, Yuba, and the counties of Nevada, Piner, and El Dorado which lie west of the crest of the Sierra Nevada Mountains; and Reno, Nevada, servicing the entire State of Nevada and that part of the State of California comprising the counties of Alpine, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Cruz, and Ventura, this area was formerly serviced by the Los Angeles and San Diego, California, District Offices; a branch office will be located at San Diego, California.

REGION XIII—SEATTLE, WASHINGTON

The Seattle Regional Office will service the entire State of Washington, except the counties of Clark, Cowlitz, Kittitas, Skamania, and Wahkiakum, and that part of the State of Idaho comprising the counties of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Percé, and Shoshone; this area was formerly serviced by the Seattle and Spokane, Washington, District Offices; a branch office will be located in Spokane, Washington.

District Offices: District offices will continue to be located at—

Boise, Idaho, servicing the entire State of Idaho, except the counties of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Percé, and Shoshone; this area was formerly serviced by the Boise, Idaho, District Offices; a branch office will be located in Spokane, Washington.

REGION XIV—WASHINGTON, D.C.

The jurisdiction of the Territorial Regional Office remains unchanged. District (Territorial and Commonwealth) Offices will continue to be located at Juneau, Alaska, servicing the entire territory of Alaska; Agana, Guam, servicing the entire territory of Guam; Honolulu, Hawaii, servicing the entire territory of Hawaii; San Juan, Puerto Rico, servicing the entire Commonwealth of Puerto Rico; and St. Thomas, Virgin Islands, servicing the entire territory of the Virgin Islands.

ELLI S A. ANN L

Director of Price Stabilization.

AUGUST 13, 1952.

[FR. Doc. 52-9190; Filed, Aug. 15, 1952; 12:09 p.m.]

[Region XII, Reprmation of Authority No. 41, Amends 1]

DIRECTORS OF DISTRICT OFFICES

REGION XII, SAN FRANCISCO, CALIF.

REDEEMPTION OF AUTHORITY TO ACT UNDER CPR 134

By virtue of the authority vested in the Director of the Regional Office of Price Stabilization pursuant to Delegation of Authority 61, Revision 1 (17 F. R. 6642), Re-delegation of Authority No. 41, heretofore issued by me on April 29, 1952 (17 F. R. 3894), is amended to read as follows:

Authority is hereby redelegated to the Directors of the Office of the Price Stabilization, Region XII, to set under sections 4 (a), 8 (c), 8 (d), 7 (9) (b), 10 (14) (f), 16 (b), and 21 of CPR 134.
REGION V, REGION VIII, AND REGION XII
LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Overriding Regulation 24, were filed with the Division of the Federal Register on August 7, 1952.

REGION V
Jacksonville Order G1-13, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:36 p.m.
Jacksonville Order G1-14, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:38 p.m.
Jacksonville Order G1A-13, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:39 p.m.
Jacksonville Order G1A-14, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:40 p.m.
Jacksonville Order G4-13, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:42 p.m.
Jacksonville Order G4-14, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 3:43 p.m.

REGION VIII
Fargo Order G1-13, Amendment 1, covering retail prices for certain dry grocery items sold in the Fargo Area, filed 3:40 p.m.
Fargo Order G1-14, covering retail prices for certain dry grocery items sold in the Fargo Area, filed 3:41 p.m.
Fargo Order G2-14, covering retail prices for certain dry grocery items sold in the Fargo Area, filed 3:42 p.m.
Fargo Order G4-13, Amendment 1, covering retail prices for certain dry grocery items sold in the Fargo Area, filed 3:43 p.m.
Fargo Order G4-14, covering retail prices for certain dry grocery items sold in the Fargo Area, filed 3:44 p.m.

REGION XII
Fresco Order G1-11, Amendment 3, changing certain prices for certain food items in the Fresno Area, filed 3:43 p.m.
Fresco Order G2-11, Amendment 3, changing certain prices for certain food items in the Fresno Area, filed 3:44 p.m.
Fresco Order G4-11, Amendment 3, changing certain prices for certain food items in the Fresno Area, filed 3:45 p.m.
Fresco Order G4A-11, Amendment 3, changing certain prices for certain food items in the Fresno Area, filed 3:46 p.m.

Copies of any of these orders may be obtained from the OPS Office in the designated city.

JOSEPH L. DWYER, Recording Secretary.

FEDERAL REGISTER
REGION XII

Fresco Order G1-11, Amendment 3, changing certain prices for certain food items in the Fresno Area, filed 3:43 p.m.
Fresco Order G2-11, Amendment 3, changing certain prices for certain food items in the Fresno Area, filed 3:44 p.m.
Fresco Order G4-11, Amendment 3, changing certain prices for certain food items in the Fresno Area, filed 3:45 p.m.
Fresco Order G4A-11, Amendment 3, changing certain prices for certain food items in the Fresno Area, filed 3:46 p.m.

Copies of any of these orders may be obtained from the OPS Office in the designated city.

JOSEPH L. DWYER, Recording Secretary.

FEDERAL REGISTER
[Ceiling Price Regulation 83, Section 2, Special Order 11, Amdt. 10]

GENERAL MOTORS CORP.
BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES

Statement of considerations. Special Order 11 established a schedule of prices and charges pursuant to section 2 of Ceiling Price Regulation 83 for sellers of new passenger automobiles and factory installed extra equipment manufactured by the General Motors Corporation. Subsequent to the issuance of Special Order 11 the General Motors Corporation has introduced a new item of factory installed extra, special or optional equipment on its Chevrolet new passenger automobiles and wholesale ceiling prices have been approved for this new item. Special Order 11 is, therefore, amended to include a charge for the new item of factory installed extra, special or optional equipment.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to section 2 of Ceiling Price Regulation 83, this amendment to Special Order 11 is hereby issued.

The following order under General Overriding Regulation 24, was filed with the Division of the Federal Register on August 12, 1952.

REGION V
Jacksonville Order G1-14, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 10:52 a.m.
Jacksonville Order G2-14, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 10:53 a.m.
Jacksonville Order G3-14, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 10:54 a.m.
Jacksonville Order G4-14, Amendment 1, establishing dollars-and-cents ceiling prices for certain grocery items in the Jacksonville Area, filed 10:55 a.m.

REGION XII
Fresco Order G1-12, revocation of ceiling prices for certain dry grocery items sold in the Fresno Area, filed 10:52 a.m.
Fresco Order G2-12, revocation of ceiling prices for certain dry grocery items sold in the Fresno Area, filed 10:52 a.m.
Fresco Order G4-12, revocation of ceiling prices for certain dry grocery items sold in the Fresno Area, filed 10:52 a.m.
Fresco Order G4A-12, revocation of ceiling prices for certain dry grocery items sold in the Fresno Area, filed 10:52 a.m.

Copies of any of these orders may be obtained from the OPS Office in the designated city.

JOSEPH L. DWYER, Recording Secretary.

FEDERAL REGISTER
[Ceiling Price Regulation 83, Section 2, Special Order 16, Amdt. 7]

KAISER-FAZER CORP.
BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES

Statement of considerations. Special Order 16 established a schedule of prices and charges pursuant to section 2 of Ceiling Price Regulation 83 for sellers of new passenger automobiles and factory installed extra equipment manufactured by the Kaiser-Frazer Corporation. Subsequent to the issuance of Special Order 16 the Kaiser-Frazer Corporation has introduced a new accessory group of factory installed extra, special or optional equipment.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to section 2 of Ceiling Price Regulation 83, this amendment to Special Order 16 is hereby issued.

This amendment shall take effect as of July 25, 1952.

JOHN H. TOLAN, JR.
Director of Regional Office No. XII.

AUGUST 11, 1952.
[F. R. Doc. 52-8981; Filed, Aug. 11, 1952; 4:50 p.m.]
ing Price Regulation 83, this amendment to Special Order 16 is hereby issued.

1. The following charge for factory installed extra, special or optional equipment is added to the list of extra, special or optional equipment contained in paragraph 2 of Special Order 16:

HENRY J. AUTOMOBILES

Accessory Group No. 27 (all Henry J) (includes Accessory Group No. 9, oil filter, rear window vents, radio and antenna (6 tube), heater and defroster—fresh air, and air ducts; right) ___________ $276.18

Effective date. This Amendment 7 to Special Order 16 shall become effective August 13, 1952.

ELLIS ARNALL,
Director of Price Stabilization.
August 13, 1952.

[F. R. Doc. 52-9065; Filed, Aug. 13, 1952; 12:18 p. m.]

FEDERAL COMMUNICATIONS COMMISSION

[DOCKET NO. 8624, 16277]

AMERICAN-REPUBLICAN, INC., AND WATR, INC.

ORDER SCHEDULING HEARING


At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of August 1952;

The Commission having under consideration the above-entitled applications which were designated for hearing on July 11, 1952; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., on Monday, September 22, 1952, at Washington, D. C.

Released: August 8, 1952.

[F. R. Doc. 52-9037; Filed, Aug. 15, 1952; 8:46 a. m.]

[Docket No. 9049, 9233]

KMYR BROADCASTING COMPANY, AND METROPOLITAN TELEVISION COMPANY

ORDER SCHEDULING HEARING


At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of August 1952;

The Commission having under consideration the above-entitled applications which were designated for hearing on July 11, 1952; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., October 1, 1952, in Washington, D. C.

Released: August 8, 1952.

[F. R. Doc. 52-9039; Filed, Aug. 15, 1952; 8:46 a. m.]

[Docket Nos. 9136, 9137, 10243]

PIONEER BROADCASTERS, INC., ET AL.

ORDER SCHEDULING HEARING


At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of August 1952;

The Commission having under consideration the above-entitled applications which were designated for hearing on July 11, 1952; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., October 1, 1952, in Washington, D. C.

Released: August 8, 1952.

[F. R. Doc. 52-9038; Filed, Aug. 15, 1952; 8:46 a. m.]

[Docket Nos. 10118, 10119, 10150, 10121]

PENNSYLVANIA BROADCASTING COMPANY, ET AL.

ORDER CONTINUING HEARING


The Commission having under consideration a petition filed on July 22, 1952, on behalf of Press-Union Publishing Company (Docket No. 10121), requesting that the hearing in the above-entitled proceeding, which is now scheduled to be held in Atlantic City, New Jersey, on August 11, 1952, be continued for a period of approximately six weeks; and

It appearing, that no opposition has been filed to a grant of the said petition by any of the parties to the above-entitled proceeding;

It is ordered, This 29th day of July 1952, that the above petition be, and it hereby is, granted, and that the hearing in the above-entitled proceeding is hereby continued until 10:00 o'clock a. m., on Monday, September 22, 1952, at Atlantic City, New Jersey.

FEDERAL COMMUNICATIONS COMMISSION

[SEAL] T. J. EGGERS,
Secretary.

[F. R. Doc. 52-9033; Filed, Aug. 15, 1952; 8:46 a. m.]

[Docket No. 10181]

McLENNAN BROADCASTING COMPANY

ORDER CONTINUING HEARING

In re application of McLennan Broadcasting Co., Waco, Texas, for construction permit for new standard broadcast station, Docket No. 10181, File No. BP-8031.
The Commission having under consideration a petition filed July 25, 1952, by McLellan Broadcasting Co., requesting a continuance until August 26, 1952, of the hearing on the above-entitled application presently scheduled for August 4, 1952; and

It appearing, that counsel for Red River Valley Broadcasting Corporation, licensee of Station KRRV, Sherman, Texas, the only party to file an appearance in this proceeding, and counsel for the Chief, Broadcast Bureau, have agreed to a grant of this petition; and

It further appearing, that good cause for the requested continuance has been shown;

It is ordered, This 31st day of July 1952, that the hearing be and it is hereby continued to August 26, 1952, at 10 o'clock a.m., in Washington, D.C.

FEDERAL COMMUNICATIONS COMMISSION

[SEAL] T. J. SLOANE
Secretary.

[F. R. Doc. 52-9040; Filed, Aug. 15, 1952; 8:48 a.m.]

[DOCKET NO. 10190]

WMRO, INC. (WMRO)
ORDER CONTINUING HEARING

In re applications of WMRO, Incorporated (WMRO) Aurora, Illinois, for renewal of license of station WMRO, File No. BR-905, Docket No. 10190.
The Commission having under consideration a petition filed August 5, 1952, by WMRO, Incorporated (WMRO), Aurora, Illinois, for an indefinite continuance of the hearing now scheduled in Washington, D.C. on August 11, 1952; and

It appearing that on July 17, 1952, on the basis of a petition and supplemental petition filed by petitioner on July 15 and 16, 1952, a grant of the continuance was granted in part on the basis of petitioner's statement that it was in the interest of preparing for filing a petition for reconsideration and that additional time for that purpose was necessary; that petitioner alleges it has been unable to complete preparation of such a petition but will do so on or before August 11, 1952; and that a grant of said petition for reconsideration would obviate the necessity for a hearing; that petitioner is the only party to this proceeding and that counsel for the Broadcast Bureau does not oppose a grant of this request for indefinite continuance, and has consented to immediate consideration of this petition so that the provisions of § 1.749 of our rules have been met, that no party or the public interest would be adversely affected by a grant of this petition;

Therefore, it is ordered, This 5th day of August 1952, that the petition of WMRO, Incorporated (WMRO), Aurora, Illinois, for indefinite continuance is granted and the hearing on the above-entitled matter now scheduled for August 11, 1952 is continued without date, subject to further order of the Commission.

FEDERAL COMMUNICATIONS COMMISSION

[SEAL] WM. F. MANNING
Acting Secretary.

[F. R. Doc. 52-9053; Filed, Aug. 15, 1952; 8:48 a.m.]

[DOCKET NO. 10246, 10247]

OREGON TELEVISION, INC. AND COLUMBIA EMPIRE TELECASTERS, INC.
ORDER SCHEDULING HEARING


At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 5th day of August 1952:
The Commission having under consideration the above-entitled applications which were designated for hearing on July 11, 1952; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a.m., October 1, 1952, in Washington, D.C.

Released: August 8, 1952.

FEDERAL COMMUNICATIONS COMMISSION

[SEAL] WM. F. MANNING
Acting Secretary.

[F. R. Doc. 52-9041; Filed, Aug. 15, 1952; 8:40 a.m.]

FEDERAL POWER COMMISSION

[DOCKET NO. E-6449]

WASHINGTON DC POWER AND LIGHT CO.
NOTICE OF APPLICATION

August 13, 1952.

Take notice that on August 8, 1952, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Wisconsin Power and Light Company (hereinafter called "Wisconsin"), a corporation organized under the laws of the State of Wisconsin and engaged in the business of supplying electric energy in said State, with its principal business office at Madison, Wisconsin, seeking an order authorizing the merger or consolidation of Wisconsin's facilities with those of Nekoosa-Edwards Light and Power Company (hereinafter called "Nekoosa"). The facilities to be merged are all the electric operating facilities of Nekoosa, being electric distribution facilities only, located in Wood County, Wisconsin. Such facilities are presently being used to serve the public in the municipalities of Nekoosa and Port Edwards, and adjoining rural areas. The consideration to be paid for the facilities by Wisconsin is stated in the application to be $300,000, subject to certain adjustments; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make a protest with reference to said application should, on or before the 1st day of December 1952, file with the Federal Power Commission, Washington D.C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

LEON M. Pugh,
Secretary.

[F. R. Doc. 52-9051; Filed, Aug. 15, 1952; 8:50 a.m.]

PACIFIC POWER & LIGHT CO.
NOTICE OF APPLICATION

August 13, 1952.

Take notice that on August 11, 1952, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Pacific Power & Light Company, a corporation organized under the laws of the State of Oregon and doing business in the States of Oregon and Washington, with its principal business office at Portland, Oregon,
NOTICES

The interest rate to be borne by the Bonds of its First Mortgage Bonds, ____ per annum, shall be determined by such competitive bidding; all as more fully appears in the application.

An interested party desiring to be heard, or to make any protest with reference to said application, should, on or before the 1st day of September 1952, file with the Federal Power Commission, Washington, D.C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[Seal]
Leon M. Fugazy
Secretary.

[F. R. Doc. 52-9052; Filed, Aug. 15, 1952; 8:50 a. m.]

[Docket No. G-1948]
IOWA-IllINOIS GAS AND ELECTRIC CO.
ORDER DENYING REQUEST FOR SHORTENED PROCEDURE AND FIXING DATE OF HEARING
AUGUST 12, 1952.

On February 28, 1952, Iowa-Illinois Gas and Electric Company (Applicant), an Illinois Corporation, with its principal place of business in Davenport, Iowa, filed an application for an order disclaiming jurisdiction or, in the alternative, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the continued operation of 23 miles of 4-inch duplicate transmission pipeline serving its Ottumwa district in Iowa, and 17 miles of 10-inch duplicate transmission pipeline serving its Davenport district in Iowa, should it be ultimately determined that the said facilities and operation thereof are subject to the Commission's jurisdiction.

The request for the shortened procedure has been given, including publication in the Federal Register on March 20, 1952 (17 F. R. 58).

Applicant has requested that its application be heard under the shortened procedure provided by §132 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)) for noncontested proceedings.

The Commission finds: Good cause has not been shown for granting Applicant's request, that its application in Docket No. G-1899 be heard under the shortened procedure as provided by the Commission's rules of practice and procedure, and said request should be denied as hereinafter ordered.

The Commission orders:
(A) Iowa-Illinois Gas and Electric Company's request that its application in Docket No. G-1899 be heard under the shortened procedure provided by §132 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)) be and the same is hereby denied.
(B) Pursuant to authority contained in and by virtue of the jurisdiction conferred by the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing be held commencing on September 9, 1952, at 10:00 a. m. e. d. s. t., in the Hearing Room of the Federal Power Commission, 1900 Pennsylvania Avenue NW., Washington, D.C., concerning the matters involved and the issues presented by the application.

By the Commission.
[Seal]
Leon M. Fugazy, Secretary.

[F. R. Doc. 52-9045; Filed, Aug. 15, 1952; 8:50 a. m.]

GENERAL SERVICES ADMINISTRATION
SECRETARY OF DEFENSE
DELEGATION OF AUTHORITY WITH RESPECT TO APPLICATION OF NEWTON COUNTY GAS CO. FOR PROCUREMENT OF NATURAL GAS SERVICE
1. Pursuant to the provisions of sections 201 (a) (4) and 203 (d) and (e) of the Federal Property and Administrative Services Act of 1949, 31 Stat. 777, as amended, authority to represent the interests of the executive agencies of the Federal Government in the matter of Application of Newton County Gas Company for Procurement of Natural Gas Service, before the Federal Power Commission, Docket No. G-1978, is hereby delegated to the Secretary of Defense.
2. The Secretary of Defense is hereby authorized to delegate any of the authority contained herein to any officer, official or employee of the Department of Defense.
3. The authority conferred herein shall be exercised in accordance with the policies, procedures and controls prescribed by the General Services Administration and shall further be exercised in cooperation with the responsible officers, officials and employees of such Administration.
4. This delegation of authority shall be effective as of July 16, 1952.

Dated August 11, 1952.
Jesse Larson,
Administrative.

[F. R. Doc. 52-9067; Filed, Aug. 15, 1952; 8:56 a. m.]

OFFICE OF DEFENSE MOBILIZATION
[Defense Manpower Policy No. 4, Notification 56]
PLACEMENT OF PROCUREMENT IN THE MILFORD, MASS., AREA
NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION
The Surplus Manpower Committee, appointed under Defense Manpower Policy No. 4, has reported to the Director of Defense Mobilization its findings and recommendation in the matter of placement of procurement in the Milford area. The recommendation has been reviewed within the Office of Defense Mobilization to determine its relationship to other polices affecting procurement for which

Findings and Recommendation of the Surplus Manpower Committee Concerning the Massachusetts Area Under Defense Manpower Policy No. 4.

Under date of July 22, 1952, the Defense Manpower Administration of the Department of Labor relative to the manpower situation in the Milford area, and by the Secretary of Labor, has granted the Massachusetts Committee relative to facilities in the Milford area, the Committee makes the following findings and recommendation:

Findings

The Committee finds:

1. That the Milford area, as defined by the Defense Manpower Administration, is an area of current labor surplus, including a surplus of manpower possessing skills necessary to the fulfillment of Government contracts.
2. That there exist in the Milford area a comparatively small number of suitable facilities for the performance of additional Government contracts.
3. That in order to accomplish the objectives of Defense Manpower Policy No. 4, the public interest dictates the need for the negotiation of available Government contracts at reasonable prices in the Milford area provided that a substantial portion of the work involved in the execution of the contracts will be performed in the Milford area, and provided further that the Government contractors in the said area will be afforded the opportunity to meet prices obtainable in any labor market area classified by the Department of Labor as Group I, II, or III.
4. That no price differential for the Milford area is considered necessary in order to effectuate the objectives of Defense Manpower Policy No. 4, provided that the operations under the notification recommended herein will be reviewed within a reasonable period of time to determine whether the establishment of an appropriate maximum price is necessary to effectuate Defense Manpower Policy No. 4 for the Milford area.

Recommendation

The Committee recommends that the Director of Defense Mobilization conclude that it is in the public interest to give preference to the Milford area in the placement of contracts in accordance with the Committee's findings, and that the Director so notify the Secretary of Defense and the Administrator of the General Services Administration.


Approved:

John B. Steelman,
Acting Director,

FEDERAL REGISTER

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2906]

ARLINGTON GAS LIGHT CO., ET AL.

NOTICE OF FILING REGARDING ISSUANCE OF PROMISSORY NOTES

August 12, 1952.


Notice is hereby given that the above-named public-utility subsidiary companies of New England Electric System, a registered holding company, hereinafter individually referred to as "Arlington", "Beverly", "Central Mass.", "Gloucester Gas", "Lawrence", "Malden Gas", "Northern Berkshire", "Salem Gas", "Suburban" and "Wachusett" and collectively referred to as the "borrowing companies", have filed applications pursuant to the Public Utility Holding Company Act of 1935, and have designated section 6(b) of the act and Rules U-23, U-42 (b) and U-30 (a) (2) thereunder as applicable to the proposed transactions, which are summarized as follows:

1. The borrowing companies propose to issue to The National City Bank of New York before September 5, 1952, unsecured promissory notes in an aggregate amount of $4,540,000. Said notes will be payable in ten equal installments beginning on September 1, 1952, through September 1, 1962, at the rate of 3 3/4 percent per annum, plus any tax thereon. The proceeds of the proposed notes will be applied solely to the payment of short-term indebtedness incurred or to be incurred by the borrowing companies for costs of conversion to the use of natural gas.

The applications further state that incidental services in connection with the proposed note issues will be performed, at cost, by New England Power Service Company, an affiliated service company, such cost being estimated not to exceed $500 for each of the borrowing companies, or an aggregate of $5,000. The applications further state that the Massachusetts Department of Public Utilities has jurisdiction over the proposed transactions and that no other state commission has jurisdiction over the proposed transactions.

The borrowing companies request that the Commission in writing that the notice of the proposed transactions be extended, with respect to the proposed transactions and that no other state commission have jurisdiction over the proposed transactions.
NOTES

A statement of the transactions therein proposed.

By the Commission.

[SEAL]

OYVAL L. DeBois,
Secretary.

[F. R. Doc. 52-9044; Filed, Aug. 16, 1952; 8:52 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27901]

ONIONS (WITHOUT TOPS) FROM RACINE, WIS., TO POINTS IN MISSISSIPPI VALLEY TERRITORY

APPLICATION FOR RELIEF

AUGUST 13, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: W. P. Bartel, Agent, I. C. C. No. 413, Supp. 48.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 52-9054; Filed, Aug. 15, 1952; 8:54 a. m.]

NOTICES

Arkansas Power & Light Co.

Notice of Filing Pursuant to Rule Regarding Issuance of First Mortgage Bonds

August 12, 1952.

Notice is hereby given that Arkansas Power & Light Company ("Arkansas"), a utility subsidiary of Middle South Utilities, Inc., a registered holding company, has filed an application pursuant to the Public Utility Holding Company Act of 1935, and has designated section 6 (b) thereof and Rule U-50 of the rules and regulations promulgated thereunder as applicable to the proposed transactions which may be summarized as follows:

Arkansas proposes to issue and sell pursuant to the competitive bidding requirements of Rule U-50, $15,000,000 principal amount of First Mortgage Bonds, ten percent series, due 1962, to be issued under and secured by the company's Mortgage and Deed of Trust dated as of October 1, 1944, as hereinafter supplemented, and as to be further supplemented by a Sixth Supplemental Indenture to be dated as of September 1, 1952. The proceeds of the proposed sale of bonds will be used to finance, in part, Arkansas' construction program for the years 1952 and 1953 which is estimated to require the expenditure of approximately $56,000,000, of which approximately $38,000,000 had been expended by June 30, 1952.

Notice is further given that any interested person may, not later than August 22, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 423 Second Street NW, Washington 25, D. C.

At any time after said date, the applications, as filed or as amended, may be granted as provided in Rule U-20 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 and U-100 thereof.

By the Commission.

[SEAL]

OYVAL L. DeBois,
Secretary.

[F. R. Doc. 52-9045; Filed, Aug. 15, 1952; 8:52 a. m.]

[File No. 70-2010]

Arkansas Power & Light Co.

Notice of Filing Pursuant to Rule Regarding Issuance of First Mortgage Bonds

August 12, 1952.

Notice is hereby given that Arkansas Power & Light Company ("Arkansas"), a utility subsidiary of Middle South Utilities, Inc., a registered holding company, has filed an application pursuant to the Public Utility Holding Company Act of 1935, and has designated section 6 (b) thereof and Rule U-50 of the rules and regulations promulgated thereunder as applicable to the proposed transactions which may be summarized as follows:

Arkansas proposes to issue and sell pursuant to the competitive bidding requirements of Rule U-50, $15,000,000 principal amount of First Mortgage Bonds, ten percent series, due 1962, to be issued under and secured by the company's Mortgage and Deed of Trust dated as of October 1, 1944, as hereinafter supplemented, and as to be further supplemented by a Sixth Supplemental Indenture to be dated as of September 1, 1952. The proceeds of the proposed sale of bonds will be used to finance, in part, Arkansas' construction program for the years 1952 and 1953 which is estimated to require the expenditure of approximately $56,000,000, of which approximately $38,000,000 had been expended by June 30, 1952.

Notice is further given that any interested person may, not later than August 22, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 423 Second Street NW, Washington 25, D. C.

At any time after said date, the applications, as filed or as amended, may be granted as provided in Rule U-20 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 and U-100 thereof.

By the Commission.

[SEAL]

OYVAL L. DeBois,
Secretary.

[F. R. Doc. 52-9045; Filed, Aug. 15, 1952; 8:52 a. m.]

INTERSSTATE COMMERCE COMMISSION

[4th Sec. Application 27900]

Carbon Dioxide from Memphis, Tenn., to Louisville, Ky.

APPLICATION FOR RELIEF

AUGUST 13, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: J. G. Kerr, Agent, for the Southern Railway Company and the Cincinnati, New Orleans and Texas Pacific Railway Company.

Commodities involved: Carbon dioxide, solidified (dry ice), carloads.

From: Memphis, Tenn.

To: Louisville, Ky.

Grounds for relief: Competition with rail carriers and circuitous routes.


Any interested person desiring relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 52-9055; Filed, Aug. 15, 1952; 8:54 a. m.]

[4th Sec. Application 27902]

Alumina, Calcined or Hydrated, from Baton Rouge and North Baton Rouge, La., to Points in Official and Illinois Territories

APPLICATION FOR RELIEF

AUGUST 13, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: W. P. Emerson, Jr., Agent, for carriers parties to his tariffs I. C. C. Nos. 378 and 413.

Commodities involved: Alumina, calcined or hydrated, carloads.

From: Baton Rouge and North Baton Rouge, La.

To: Points in official and Illinois territories.

Grounds for relief: Competition with rail carriers, circuitous routes, and operation through higher-rated territory.


Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 52-9054; Filed, Aug. 15, 1952; 8:53 a. m.]

[4th Sec. Application 27901]

Onions (Without Tops) from Racine, Wis., to Points in Mississippi Valley Territory

APPLICATION FOR RELIEF

AUGUST 13, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent, for carriers parties to his tariff I. C. C. No. 699.

Commodities involved: Onions (without tops), carloads.

From: Racine, Wis.

To: Points in Mississippi Valley territory.

Grounds for relief: Competition with rail carriers and circuitous routes.


Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 52-9054; Filed, Aug. 15, 1952; 8:53 a. m.]
**APPLICATION FOR RELIEF**

**August 13, 1952.**

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The St. Louis-San Francisco Railway Company, for itself and on behalf of the Louisville and Nashville Railroad Company.

Commodities involved: Bituminous coal, carloads.

From: Mines in Alabama, on the St. Louis-San Francisco Railway.

To: Boykin, Ala.

Grounds for relief: Rail and water competition and additional origins.


Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]  W. P. BARTEL, Secretary.

[F. R. Doc. 52-9056; Filed, Aug. 15, 1952; 8:55 a.m.]

**DEPARTMENT OF JUSTICE**

**Office of Alien Property**

**[Vesting Order 18980]**

**ERNST BRUNO KELLER**

In re: Stock owned by the personal representatives, heirs, next of kin, legatees and distributees of Ernst Bruno Keller, deceased. F-28-31054-D-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U.S.C. App. and Sup. 1-46); Public Law 181, 82d Cong., 65 Stat. 461; Executive Order 9103, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR 1944 Supp.) and Executive Order 9899 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Ernst Bruno Keller, deceased, who are reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, and are residents on or prior to January 1, 1947, were nationals of a designated enemy country (Germany);

2. That the property described as follows: Seventy-five (75) shares of $100.00 par value preferred capital stock of Po-haconc Hosery Mills, Inc., 744 Broad Street, Newark, N.J., evidenced by a certificate numbered F-106, registered in the name of Ernst Bruno Keller, deceased, the aforesaid nationals of a designated enemy country (Germany); and

3. That the property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Ernst Bruno Keller, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

**[4th Sec. Application 27805]**

**MOTOR-RAIL-MOTOR RATES BETWEEN CHICAGO, ILL., AND KANSAS CITY, MO.**

**APPLICATION FOR RELIEF**

**August 13, 1952.**

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Midwest Motor Freight Bureau, Agent, I. C. C. No. 39, Supp. 6.

Commodities involved: All commodities.

Between: Chicago, Ill., and Kansas City, Mo.

Grounds for relief: Competition with motor carriers.

Schedules containing proposed rates: Midwest Motor Freight Bureau, Agent, I. C. C. No. 39, Supp. 6.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]  W. P. BARTEL, Secretary.

[F. R. Doc. 52-9057; Filed, Aug. 15, 1952; 8:55 a.m.]
NOTICES

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deemed necessary in the national interest.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9192, as amended.

Executed at Washington, D. C., on August 13, 1952.

For the Attorney General.

[SEAL] Rowlans F. Kirks, Acting Director, Office of Alien Property.

[F. R. Doc. 52-9072; Filed, Aug. 15, 1952; 8:58 a. m.]

[Vesting Order 18981]

FREDERICK AND FRIEDA SCHLOTTMAN

In re: Debt owing to Frederick Schlottman and Frieda Schlottman. F-28-17666.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 161, 62d Cong., 65 Stat. 451; Executive Order 9567, as amended by Executive Order 9989 (3 CFR 1948 Supp.), and Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Frederick Schlottman and Frieda Schlottman, each of whose last known address is: (1) Berlin-Johannisthal, Groene Avenue 3, Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were, nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation, evidenced by a bank money order, issued by American Trust Company, Civic Center Office, San Francisco, California, drawn to the order of Attorney General, U. S. A., numbered 31389, dated June 14, 1950, and in the amount of $152.10, presently in the custody of the Attorney General of the United States, together with any and all accretions to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under such bank money order, including particularly but not limited to the right to possession and presentation for collection and payment of the said bank money order, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or which is evidence of ownership or control by, Frederick Schlottman and Frieda Schlottman, the aforesaid nationals of a designated enemy country (Germany); and it is hereby determined:

3. That the national interest of the United States requires that the persons identified in subparagraph 1 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest, there is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

August 13, 1952.

For the Attorney General.

[SEAL] Rowlans F. Kirks, Acting Director, Office of Alien Property.

[F. R. Doc. 52-9073; Filed, Aug. 15, 1952; 8:58 a. m.]

[Vesting Order 18982]

HEINZ WENZEL


Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 161, 62d Cong., 65 Stat. 451; Executive Order 9567, as amended by Executive Order 9989 (3 CFR 1948 Supp.); Executive Order 9760 (3 CFR 1947 Supp.); Executive Order 9989 (3 CFR 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Heinz Wenzel, whose last known address is: (1) Weinzierl, Riverside, Texas, evidenced by a promissory note executed February 21, 1935, by John F. Weinzierl and payable to Heinz Wenzel, said note in the amount of $1,401.60, due six months after date, and presently in the custody of Baker, Botts, Andrews & Paris, Esperson Building, Houston 2, Texas, and extended on March 6, 1939, and February 7, 1956, together with any and all accretions to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under said promissory note, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or which is evidence of ownership or control by, Heinz Wenzel, the aforesaid national of a designated enemy country (Germany); and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest, there is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9192, as amended.

Executed at Washington, D. C., on August 13, 1952.

For the Attorney General.

[SEAL] Rowlans F. Kirks, Acting Director, Office of Alien Property.

[F. R. Doc. 52-9074; Filed, Aug. 15, 1952; 8:59 a. m.]

MARI A MARASCO

NOTE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Maria Marasco, a/k/a Mariantonia Gallo, Rogliano, Cosenza, Italy; Claim No. 42164; $1,719.88 in the Treasury of the United States.


Executed at Washington, D. C., on August 8, 1952.

For the Attorney General.

[SEAL] Rowlans F. Kirks, Acting Director, Office of Alien Property.

[F. R. Doc. 52-9075; Filed, Aug. 15, 1952; 8:59 a. m.]