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Amended

PRICE SCHEDULE No. 3

(As amended, effective October 17, 1941)

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Zinc Scrap Materials and Secondary Slab Zinc



OFFICE FOR EMERGENCY MANAGEMENT
OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

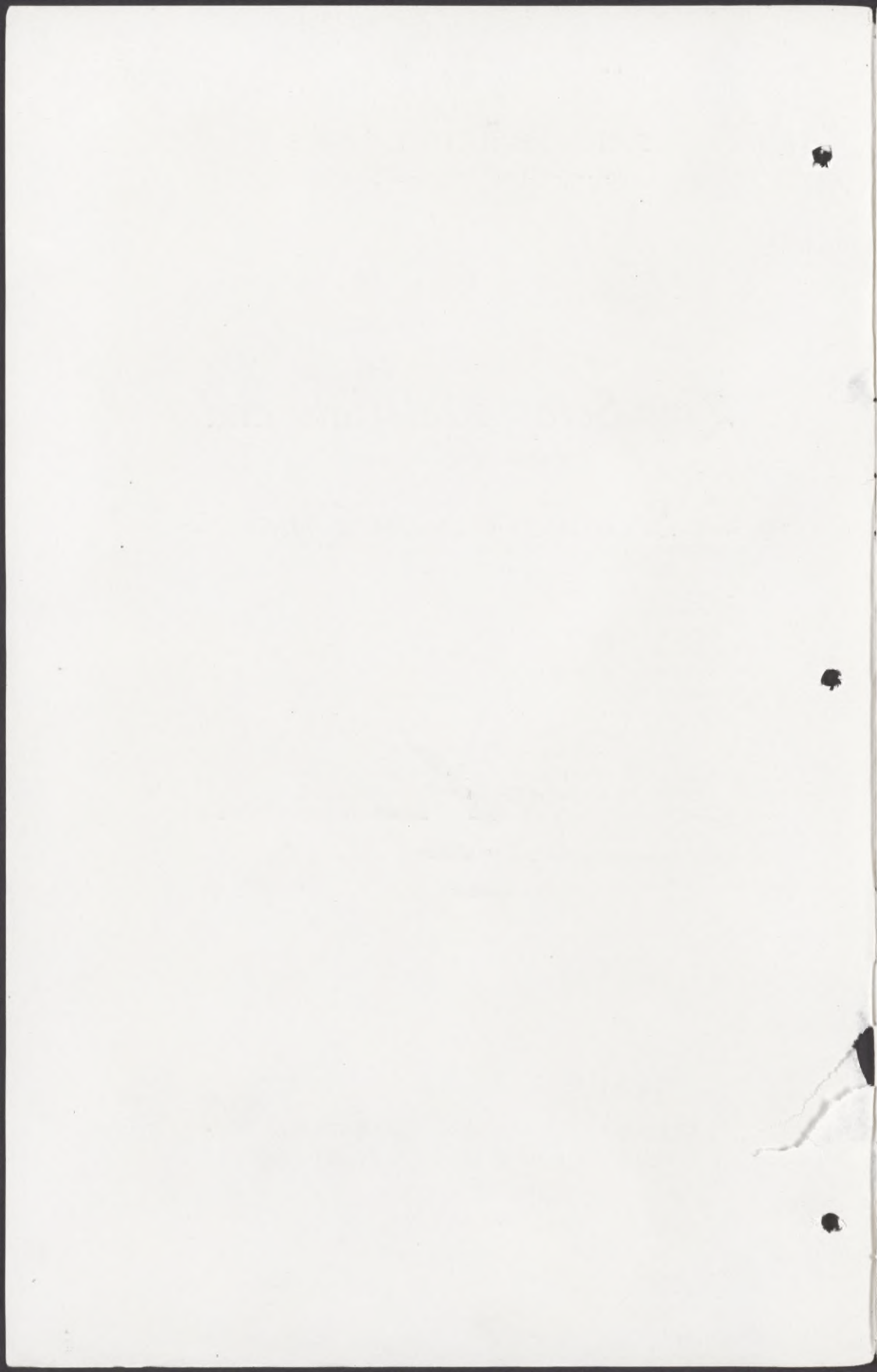


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Price Schedule No. 3¹

Zinc Scrap Materials and Secondary Slab Zinc

The Office of Price Administration is charged with the maintenance of price stability and the prevention of undue price rises and price dislocations.

The supply of both primary and secondary zinc is insufficient to satisfy the total defense and essential civilian demands. An increase in the price of primary slab zinc has been made in order to maintain and expand supply. It is necessary to revise the prices of zinc scrap materials and secondary slab zinc in order to maintain their proper relationship to the prices of primary slab zinc. After investigation and consideration it has been determined that the maximum prices set forth herein are fair and reasonable.

ACCORDINGLY, *under the authority vested in me by Executive Order No. 8734,*² IT IS HEREBY DIRECTED THAT:

1. *Maximum prices for zinc scrap materials.*—On and after October 17, 1941, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer zinc scrap materials, and no person shall buy, offer to buy, or accept delivery of zinc scrap materials, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as section 9.

2. *Maximum prices for secondary slab zinc.*—On and after October 17, 1941, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer secondary slab zinc, and no person shall buy, offer to buy, or accept delivery of secondary slab zinc, at prices higher than the maximum prices set forth in Appendix B hereof, incorporated herein as section 10.

3. *Less than maximum prices.*—Lower prices than those set forth in Appendices A and B of this Schedule may be charged, demanded, paid or offered.

¹ 6 F. R. 5334, No. 205, Oct. 21, 1941. Published as Title 32, ch. XI, Part 1303, Secs. 1301.1 to 1303.12, inclusive. Entirely amends Price Schedule No. 3, issued Mar. 31, 1941; 6 F. R. 1871, No. 70, April 10, 1941.

² See Supplement, p. 13.

4. *Evasion.*—The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery or transfer of zinc scrap materials, whether or not commingled with any foreign materials, or of secondary slab zinc, or in connection with a purchase, sale, delivery, or transfer of any other materials, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

5. *Records and reports.*—Every person making purchases or sales of zinc scrap materials or secondary slab zinc after October 17, 1941, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of—

(a) Each purchase or sale of zinc scrap materials, showing the date thereof, the name and address of the buyer or the seller, the price paid or received, the quantity, in pounds or tons, of each grade purchased or sold, and whether the quantity so sold or purchased was shipped, delivered, carried away, or received in a single shipment or shipments, as defined in Appendix A hereof, or otherwise;

(b) Each purchase or sale of secondary slab zinc, showing the date thereof, the name and address of the buyer or the seller, the price paid or received, the quantity, in pounds or tons, of each grade purchased or sold, and whether the quantity so sold or purchased was shipped, delivered, carried away, or received, in carload or less-than-carload lots; and

(c) The amount in pounds or tons of zinc scrap materials and, separately, the amount in pounds or tons of secondary slab zinc (1) on hand, and (2) on order, as of the close of each month.

6. *Enforcement.*—In the event of refusal or failure to abide by the price limitations, record requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will make every effort to assure (a) that the Congress and the public are fully informed thereof, (b) that the powers of Government, both State and Federal, are fully exerted in order to protect the public interest and the interests of those persons who comply with this Schedule, (c) that full advantage will be taken of the cooperation of the various political subdivisions of State, county, and local governments by calling to the attention of the proper authorities failures to comply with this Schedule which may be regarded as grounds for the revocation of licenses and permits, and (d) that the procurement services of the Government are requested to refrain from selling to or purchasing from those persons

who fail to comply with this Schedule. Persons who have evidence of the offer, receipt, demand, or payment of prices higher than the maximum prices, or of any evasion or effort to evade the provisions hereof, or of speculation, or manipulation of prices of zinc scrap materials and secondary slab zinc, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.

7. *Modification of the Price Schedule.*—Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof or exception therefrom.

8. *Definitions.*—When used in this Schedule the term—.

(a) "Person" means an individual, partnership, association, corporation or other business entity;

(b) "Zinc scrap materials" means the kinds and grades of zinc scrap materials set forth in Appendix A of this Schedule; and

(c) "Secondary slab zinc" means the kinds and grades of secondary slab zinc set forth in Appendix B of this Schedule.

Issued this 17th day of October, 1941.

LEON HENDERSON,
Administrator.

Section 9

Appendix A

Maximum Prices for Zinc Scrap Materials

(a) MAXIMUM PRICES.

		Maximum price, (cents per pound, f. o. b. point of shipments)
Grade of zinc scrap material:		
New zinc clippings and trimmings	-----	7.25
Engravers' and lithographers' plates	-----	7.25
Old zinc scrap	-----	5.75
Unweated zinc dross	-----	5.80
Die-cast slab	-----	5.80
New die-cast scrap	-----	4.95
Radiator grilles, old and new	-----	4.95
Old die-cast scrap	-----	4.50

The maximum prices established herein are the maximum prices to be paid for the zinc scrap materials enumerated above after the free iron and other foreign materials are removed.

(b) QUANTITY PREMIUMS.

To the maximum prices set forth above, a premium of one-half ($\frac{1}{2}\phi$) cent per pound may be added:

(1) On single shipments of 10,000 pounds or more of any one of the following grades, or of combinations thereof:

New zinc clippings and trimmings.
Engravers' and lithographers' plates.
Old zinc scrap; and

(2) On single shipments of 20,000 pounds or more of any one of the following grades, or of combinations thereof:

New die-cast scrap.
Radiator grilles, old and new.
Old die-cast scrap.

For the purposes of this Schedule the term "single shipment" means all deliveries made to a buyer within a period of 48 consecutive hours, excluding Sundays and legal holidays.

(c) TERMS OF SALE.

The maximum prices set forth above are f. o. b. point of shipment. Zinc scrap may, however, be sold, offered for sale, delivered, or

transferred at a price delivered buyer's customary receiving point. In such cases, whenever the total delivered price exceeds the maximum f. o. b. point of shipment price fixed by this Schedule, in all price quotations (1) the transportation charge must be shown as a separate item, (2) the price f. o. b. point of shipment obtained by subtracting the transportation charge from the total delivered price must not exceed the maximum f. o. b. point of shipment price set forth in this Schedule, and (3) when delivery is made in the seller's conveyance, the transportation charge shall not exceed the lowest available commercial transportation rate for effecting the delivery.

Section 10

Appendix B

Maximum Prices for Secondary Slab Zinc

(a) SOLD, OR SHIPPED, DELIVERED, OR CARRIED AWAY, IN CARLOAD LOTS.

<i>Grade</i>	<i>Maximum price (per pound, delivered buyer's customary rail receiving point)</i>
Prime Western and poorer grades-----	8.25 cents plus carload freight from E. St. Louis to buyer's customary rail receiving point.
Brass Special-----	8.35 cents plus carload freight from E. St. Louis to buyer's customary rail receiving point.
Intermediate and higher grades-----	8.50 cents plus carload freight from E. St. Louis to buyer's customary rail receiving point.

(b) SOLD AND SHIPPED, DELIVERED, OR CARRIED AWAY, IN LESS THAN CARLOAD LOTS.

<i>Grade</i>	<i>Maximum price (per pound, f. o. b. seller's plant or warehouse)</i>
Prime Western and poorer grades-----	9.00 cents plus carload freight from E. St. Louis to seller's plant or warehouse.
Brass Special-----	9.10 cents plus carload freight from E. St. Louis to seller's plant or warehouse.
Intermediate and higher grades-----	9.25 cents plus carload freight from E. St. Louis to seller's plant or warehouse.

The above grades of secondary slab zinc are to be determined in accordance with the specifications of the American Society for Testing Materials.

The minimum quantity making up a carload lot for the purposes of this Schedule will be the minimum quantity required to obtain railroad carload lot rates from the point of shipment to the point of destination.

Press Release

October 18, 1941—PM 1392

Issuance of Amended Price Schedule No. 3, Effective October 17, 1941

Zinc scrap and secondary slab zinc prices are adjusted upward, all scrap prices are placed on a shipping point basis, and premiums are established for scrap shipments in quantity in an amendment to Price Schedule No. 3, announced today by Leon Henderson, Administrator, Office of Price Administration.

Increases in the scrap and secondary metal ceilings reflect the advance from 7.25 to 8.25 cents a pound in the price of primary zinc allowed last week by OPA to maintain and stimulate production of this vital defense metal, Mr. Henderson explained.

The Administrator pointed out that, with the current revision, all OPA price schedules for nonferrous scrap metals use the f. o. b. shipping point basis. All purchasers of scrap, wherever located, thus are afforded an equal opportunity to compete for supplies. This was not always possible when ceiling prices were on a "delivered" basis, because of the difference in transportation costs.

As revised, the schedule sets up maximum prices for the various grades of scrap as follows:

	<i>Cents per pound (f. o. b. point of shipment)</i>
New zinc clippings and trimmings.....	7.25
Engravers' and lithographers' plates.....	7.25
Old zinc scrap.....	5.75
Unswayed zinc dross.....	5.80
Die cast slab.....	5.80
New die cast scrap.....	4.95
Radiator grilles, old and new.....	4.95
Old die cast scrap.....	4.50

To these maximums, the schedule provides, may be added a premium of one-half cent a pound on any shipment at one time of 10,000 pounds or more of new zinc clippings and trimmings, engravers' and lithographers' plates, and old zinc scrap, or any combination of the three. A similar one-half cent premium is permitted for any shipment at one time of 20,000 pounds or more of new or old die cast scrap and radiator grilles, in any combination thereof.

No premiums for quantity shipments are provided for galvanizers' dross or die cast slab.

The new quantity premiums, Mr. Henderson stated, are designed to make it easier for large scrap dealers to handle zinc material and to perform the essential functions of sorting, cleaning, grading, and assembling in quantity lots.

Exact comparison of the old and new scrap prices is not feasible, the Administrator said, because of the change-over to a shipping point basis in the case of three grades and because of the new quantity premiums. Mr. Henderson explained that the new schedule embodies some readjustments in the relationships between the prices of the various grades which were arrived at after careful study by the OPA staff.

Maximum prices of the several grades of secondary slab zinc are advanced a flat 1 cent a pound by the amendment. The base delivered price is established at 8.25 cents a pound for Prime Western or poorer grade, plus carload freight from East St. Louis to the buyer's customary rail receiving point.

Supplement

ESTABLISHMENT OF THE OFFICE OF PRICE ADMINISTRATION

Price Schedule No. 3 was issued originally by the Price Stabilization Division of the Advisory Commission to the Council of National Defense.

On April 11, 1941, the President issued Executive Order No. 8734,¹ establishing the Office of Price Administration and Civilian Supply, which combined the Price, Consumer, and, in part, Agricultural Divisions of the National Defense Advisory Commission. On April 15, 1941, Leon Henderson, Administrator of the Office of Price Administration and Civilian Supply, issued an order ratifying action taken by the Price Stabilization Division prior to the Executive Order of April 11, 1941. This order provided as follows:

1. All price schedules, instructions, announcements, forms, and notices heretofore issued, promulgated, or adopted, and all committees formed, by the Advisers on Price Stabilization and Consumer Protection, members of the Advisory Commission to the Council of National Defense, or by the Price Stabilization and Consumer Divisions of the Advisory Commission to the Council of National Defense are hereby ratified, adopted, and continued in effect, until modified, terminated, or superseded, as price schedules, instructions, announcements, forms, notices, and committees, of the Office of Price Administration and Civilian Supply and the Administrator thereof.

2. This ruling is issued under, and in execution of the purposes of, Executive Order No. 8734, issued by the President on April 11, 1941.

Issued this 15th day of April 1941.²

LEON HENDERSON,
Administrator.

On August 28, 1941, the President issued Executive Order No. 8875³ which transferred the Division of Civilian Supply from the Office of Price Administration and Civilian Supply to the Office of Production Management. The title of the Office of Price Administration and Civilian Supply was changed to the Office of Price Administration. On August 30, 1941, Leon Henderson issued a press release stating that all action taken by the Office of Price Administration and Civilian Supply

¹ 6FR1917, No. 73, Apr. 15, 1941.

² 6FR1965, No. 74, Apr. 16, 1941.

³ 6FR4483, No. 179, Aug. 30, 1941.

remained in full force and effect regardless of the change of name to Office of Price Administration. The text of the release is as follows:

"All price schedules issued by the Office of Price Administration and Civilian Supply remain in full force and effect regardless of the change of name announced in the President's Executive Order of Thursday," Leon Henderson, Administrator of the Office of Price Administration, announced today.

"The Executive Order," Mr. Henderson said, "merely provides that the title of the Office of Price Administration and Civilian Supply be changed to Office of Price Administration. It does not affect in any way the powers of the agency in regard to price control. Consequently all price ceiling schedules issued and all other action taken by this agency under the prior name remain fully effective under our new name."⁴

⁴ Press Release, Aug. 30, 1941, PM 1059.

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