

FEDERAL REGISTER

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Washington, Tuesday, March 12, 1946

The President

EXECUTIVE ORDER 9702

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE ALTON RAILROAD COMPANY AND OTHER CARRIERS, AND CERTAIN OF THEIR EMPLOYEES

WHEREAS a dispute exists between The Alton Railroad Company and other carriers, as set forth in the list attached hereto and made a part hereof, and certain of their employees represented by the Brotherhood of Locomotive Engineers and the Brotherhood of Railroad Trainmen, labor organizations; and

WHEREAS the dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS the dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U.S.C. 160), I hereby create a board of three members, to be appointed by me, to investigate said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by The Alton Railroad Company and the other carriers, or their employees in the condition out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,
March 8, 1946.

LIST

WESTERN REGION

Alton RR
Atchison, Topeka & Santa Fe Ry
Gulf, Colorado & Santa Fe Ry
Pan Handle & Santa Fe Ry

Baltimore & Ohio Chicago Terminal RR
Belt Railway Company of Chicago
Burlington-Rock Island RR
Camas Prairie RR
Chicago & Eastern Illinois RR
Chicago & Illinois Midland Ry
Chicago & North Western Ry
Chicago & Western Indiana RR
Chicago, Burlington & Quincy RR
Chicago Great Western Ry
Chicago, Milwaukee, St. Paul & Pacific RR
Chicago, Terre Haute & Southeastern Ry
Chicago, Rock Island & Pacific Ry
Chicago, St. Paul, Minneapolis & Omaha Ry
Colorado & Southern Ry
Denver & Rio Grande Western RR
Denver & Salt Lake Ry
Des Moines Union Ry
Duluth, Missabe & Iron Range Ry (Iron Range Div.)
Duluth, Missabe & Iron Range Ry (Missabe Div.)
Duluth, Winnipeg & Pacific Ry
East St. Louis Junction RR
Elgin, Joliet & Eastern Ry
Forth Worth & Denver City Ry
Wichita Valley Ry
Galveston, Houston & Henderson RR
Great Northern Ry
Green Bay & Western RR
Kewaunee, Green Bay & Western RR
Ahnapee and Western Ry
Gulf Coast Lines—Comprising
New Orleans, Texas & Mexico Ry
Beaumont, Sour Lake & Western Ry
Orange & Northwestern Ry
St. Louis, Brownsville & Mexico Ry
Iberia, St. Mary & Eastern Ry
New Iberia & Northern RR
Houston & Brazos Valley Ry
San Antonio, Uvalde & Gulf RR
Sugar Land Ry
Rio Grande City Ry
Asherton & Gulf Ry
San Antonio Southern Ry
San Benito & Rio Grande Valley RR
Asphalt Belt Ry
Houston North Shore Ry
International-Great Northern RR
Harbor Belt Line RR
Houston Belt & Terminal Ry
Illinois Central RR
Yazoo and Mississippi Valley RR
Vicksburg, Shreveport & Pacific Ry
Alabama and Vicksburg Ry
Gulf and Ship Island RR
Chicago and Illinois Western RR
Kansas City Southern Ry
Kansas City Terminal Ry
Los Angeles Junction Ry
Louisiana & Arkansas Ry
Manufacturers Ry
Midland Valley RR
Kansas, Oklahoma & Gulf Ry
Oklahoma City-Ada-Toka Ry
Minneapolis & St. Louis Ry

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NOTICE

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Book 1: Titles 1-10, including Presidential documents in full text.

Book 2: Titles 11-32.

Book 3: Titles 33-50, including a general index and ancillary tables.

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Missouri Pacific RR	
Missouri-Illinois RR	
Northern Pacific Ry (includes former Minnesota & International and Big Fork & International Falls Rys)	
Northern Pacific Terminal Co. of Oregon	
Northwestern Pacific RR	
Ogden Union Railway & Depot Co.	
Oregon, California & Eastern Ry	
Peoria & Pekin Union Ry	
Port Terminal R. R. Association	
Pueblo Union Depot & R. R. Co.	
St. Joseph Terminal RR	
St. Louis-San Francisco Ry	
St. Louis, San Francisco & Texas Ry	
St. Louis Southwestern Ry	
St. Louis Southwestern Ry Co. of Texas	
San Diego & Arizona Eastern Ry	
Southern Pacific Co. (Pacific Lines)—excluding former El Paso & Southwestern System	
Southern Pacific Company—former El Paso & Southwestern	
Southern Pacific Company—former Arizona Eastern	
South Omaha Terminal Ry	
Spokane, Portland & Seattle Ry	
Oregon Trunk Ry	
Oregon Electric Ry	
Terminal R. R. Association of St. Louis	
Texas and New Orleans RR	
Texas & Pacific Ry	
Abilene & Southern Ry	
Weatherford, Mineral Wells & Northwestern Ry	
Texas-New Mexico Ry	
Pecos Valley Southern Ry	
Texas Short Line Ry	
Texas Mexican Ry	

Texas Pacific-Missouri Pacific Terminal R. R. of New Orleans
 Union Pacific RR
 Union Railway Co. (Memphis)
 Union Terminal Company (Dallas)
 Wabash RR
 Western Pacific RR

EASTERN REGION

Akron & Barberton Belt RR
 Akron, Canton & Youngstown RR
 Ann Arbor RR
 Baltimore & Ohio RR
 Curtis Bay RR
 Bessemer & Lake Erie RR
 Boston and Maine RR
 Brooklyn Eastern District Terminal
 Bush Terminal RR
 Canadian National—Lines in New England—(Atlantic & St. Lawrence RR and Lewiston & Auburn RR)
 United States & Canada RR
 Champlain & St. Lawrence RR
 St. Clair Tunnel Co.
 Central Vermont Ry
 Chicago, Indianapolis & Louisville Ry
 Chicago Union Station Co.
 Cincinnati Union Terminal Co.
 Delaware & Hudson RR. Corp.
 Delaware, Lackawanna & Western RR
 Detroit & Toledo Shore Line RR
 Detroit, Toledo & Ironton RR
 Detroit Terminal RR
 Erie RR
 Grand Trunk Western RR
 Huntington & Broad Top Mountain R. R. & Coal Co.
 Indianapolis Union Ry
 Jay Street Connecting RR
 Lake Terminal RR
 Lehigh & New England RR
 Lehigh Valley RR
 McKeesport Connecting RR
 Maine Central RR
 Portland Terminal Company
 Monongahela Ry
 Montour RR
 New York Central RR (Full Line Agreement)
 Buffalo and East
 West of Buffalo
 Ohio Central Division (including K&M District)
 Federal Valley
 Michigan Central RR
 Canada Division
 Cleveland, Cincinnati, Chicago & St. Louis Ry
 Peoria & Eastern Ry
 Louisville & Jefferson Bridge & RR
 Boston & Albany RR
 Indiana Harbor Belt RR
 Chicago River & Indiana RR
 Chicago Junction Ry
 Pittsburgh & Lake Erie RR
 Lake Erie & Eastern RR
 Cleveland Union Terminals
 New York, Chicago & St. Louis RR
 New York Dock Ry
 New York, New Haven & Hartford RR
 Pennsylvania RR
 Long Island RR
 Pennsylvania-Reading Seashore Lines
 Pere Marquette Ry
 Port Street Union Depot Company
 Pittsburgh & West Virginia Ry
 Pittsburgh, Chartiers & Youghiogheny Ry
 Reading Company
 River Terminal Ry
 Staten Island Rapid Transit Ry
 Union Depot Company (Columbus)
 Union Freight RR (Boston)
 Washington Terminal Company
 Wheeling & Lake Erie Ry
 Lorain & West Virginia Ry

SOUTHEASTERN REGION

Atlanta, Birmingham & Coast RR
 Atlantic Coast Line RR
 Atlanta & West Point RR
 Western Railway of Alabama
 Atlanta Joint Terminals

Central of Georgia Ry
 Charleston & Western Carolina Ry
 Chesapeake & Ohio Ry (including Hocking Division)
 Clinchfield RR
 Florida East Coast Ry
 Georgia RR
 Gulf, Mobile & Ohio RR
 Jacksonville Terminal Company
 Kentucky & Indiana Terminal RR
 Louisville & Nashville RR
 Nashville, Chattanooga & St. Louis Ry
 Norfolk & Portsmouth Belt Line RR
 Norfolk & Western Ry
 Richmond, Fredericksburg & Potomac RR (includes Potomac Yards)
 Seaboard Air Line Ry
 Southern Ry System (includes State University RR)
 Cincinnati, New Orleans & Texas Pacific Ry
 Alabama Great Southern (includes Woodstock & Blocton Ry, and Belt Ry of Chattanooga)
 New Orleans & Northeastern RR
 Georgia Southern & Florida Ry
 Harriman & Northeastern RR
 Cincinnati, Burnside & Cumberland River Ry
 New Orleans Terminal
 St. John's River Terminal
 Virginian Ry
 Winston-Salem Southbound Ry

OTHER CARRIERS

Alton & Southern RR
 Atlanta & St. Andrews Bay Ry
 Alabama State Docks
 Alabama, Tennessee & Northern RR
 Algiers, Winslow & Western Ry
 Apalachicola Northern RR
 Ashley, Drew & Northern Ry
 Atlantic & East Carolina Ry
 Atlantic & Yadkin Ry
 Baltimore & Annapolis RR
 Barre & Chelsea RR
 Beaver, Meade & Englewood RR
 Benwood & Wheeling Connecting Ry
 Berlin Mills Ry
 Birmingham Southern RR
 Boston Terminal Co.
 Butte, Anaconda & Pacific Ry
 Blue Ridge Ry
 Columbia, Newberry & Laurens RR
 Colorado & Wyoming Ry
 California State Belt RR
 California Western RR & Navigation Co.
 Campbell's Creek RR
 Canton RR
 Carolina & Northwestern Ry
 Chattanooga Traction Co.
 Chicago, Attica & Southern RR
 Chicago Short Line Ry
 Chicago, South Shore & South Bend RR
 Chicago, West Pullman & Southern RR
 Columbia Union Station
 Columbus & Greenville Ry
 Copper Range RR
 Cornwall RR
 Cumberland & Pennsylvania RR
 Cowlitz, Chehalis & Cascade Ry
 Cuyahoga Valley Ry
 Central Railroad Company of New Jersey
 Chicago, Aurora & Elgin RR
 Chicago, North Shore & Milwaukee RR
 Danville & Western Ry
 Des Moines & Central Iowa RR
 Delray Connecting RR
 Detroit & Mackinac Ry
 Duluth, South Shore & Atlantic Ry
 East St. Louis Junction RR
 East Broad Top Railroad and Coal Co.
 Escanaba & Lake Superior RR
 East Erie Commercial RR
 East Tennessee & Western North Carolina RR
 Fort Dodge, Des Moines & Southern Ry
 Fore River RR
 Fonda, Johnstown & Gloversville RR
 Frankfort & Cincinnati RR
 Gainesville Midland RR
 Georgia & Florida RR

High Point, Randalman, Ashboro & Southern RR
 Hudson & Manhattan RR
 Illinois Northern Ry
 Illinois Terminal RR
 Jacksonville, Gainesville & Gulf Ry
 Interstate RR
 Kelley's Creek & Northwestern RR
 Kansas City Connecting RR
 Kansas City, Kaw Valley RR
 Litchfield & Madison Ry
 Lake Superior & Ishpeming RR
 Lakeside & Marblehead RR
 LaSalle & Bureau County RR
 Lehigh & Hudson River Ry
 Lake Champlain & Moriah RR
 Lackawanna & Wyoming Valley RR
 Live Oak, Perry & Gulf RR
 Longview, Portland & Northern Ry
 Louisiana & North West RR
 Manufacturers' Junction (Chicago) Ry
 Memphis Union Station
 Monongahela Connecting RR
 Minneapolis Eastern Ry
 Minneapolis, Northfield & Southern Ry
 Monessen & Southwestern Ry
 Macon, Dublin & Savannah RR
 Manistee & Northeastern Ry
 Maryland & Pennsylvania RR
 McCloud River RR
 Meridian & Bigbee River Ry
 Midland Terminal Ry
 Mississippi Central RR
 Missouri & Arkansas Ry
 Montpelier & Wells River RR
 Mount Hood RR
 Nashville Terminals
 New York, Susquehanna & Western RR
 New York Dock Ry
 Niagara Junction Ry
 Northampton & Bath RR
 Norfolk & Portsmouth Belt Line RR
 New Orleans & Lower Coast RR
 New Orleans Public Belt RR
 New York, Ontario & Western Ry
 Newburg & South Shore Ry
 Norfolk Southern Ry
 Northeast Oklahoma RR
 Orange, Pacific & Eastern
 Orange Southern
 Oregon & Northwestern RR
 Patapasco & Back Rivers RR
 Philadelphia, Bethlehem & New England RR
 Pittsburgh, Lisbon & Western RR
 Port Utilities Commission of South Carolina
 Pullman RR
 Petaluma & Santa Rosa RR
 Piedmont Northern Ry
 Port Angeles & Western RR
 Pacific Electric Ry
 Portland Electric Power Co.
 Pacific Coast RR
 Pittsburgh & Shawmut RR
 Pittsburgh, Shawmut & Northern RR
 Paris & Mt. Pleasant RR
 Quanah, Acme & Pacific Ry
 Roscoe, Snyder & Pacific Ry
 Raritan River RR
 Rutland RR
 Rapid City, Black Hills & Western RR
 San Francisco & Napa Valley RR
 Savannah Union Station
 Southern Pacific Co. of Mexico
 Sand Springs Ry
 Spokane Union Station
 Sacramento Northern Ry
 Savannah & Atlanta Ry
 Sierra RR
 South Buffalo Ry
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 Tennessee RR
 Tidewater Southern Ry

Toledo Terminal RR
 Tennessee, Alabama & Georgia Ry
 Terminal Railway Alabama State Docks
 Union Freight Railroad Boston
 Union Belt of Detroit
 Union Terminal Railroad of St. Joseph
 Utah RR
 Union Railroad Company (Pittsburgh)
 Wichita Falls & Southern RR
 Williamiana & Grande Ronde Ry
 Waterloo, Cedar Falls & Northern RR
 Western Maryland Ry
 Wichita Terminal Association
 Yadkin RR
 Yosemite Valley Ry
 Yakima Valley Transportation Co.
 Youngstown & Northern RR
 Youngstown & Southern Ry

[F. R. Doc. 46-3838; Filed, Mar. 8, 1946; 4.53 p. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit)

[Supp. Announcement 10]

PART 295—DISPOSAL OF SURPLUS AGRICULTURAL COMMODITIES FOR EXPORT

SUPPLEMENTAL ANNOUNCEMENT TO TERMS AND CONDITIONS OF COTTON SALES FOR EXPORT PROGRAM

As stated in the public announcement of February 28, 1946, Commodity Credit Corporation has amended its Cotton Sales for Export Program to change the method of computing the price of cotton sold from its stocks under the program. Accordingly, § 295.4, as amended, of the "Terms and Conditions of Cotton Sales for Export Program" is deleted and the following is substituted:

§ 295.4 *Purchase price.* The purchase price per pound to be paid by an exporter for cotton covered by a Purchase Order or Purchase Request which is accepted by the Corporation shall be the price bid in the Purchase Order or Purchase Request, less the amount of the applicable export differential. The export differential applicable to any cotton purchased from the Corporation hereunder shall be the export differential announced by Commodity Credit Corporation and in effect at the time the Corporation receives notice of the export sale against which such cotton is being purchased. If the Purchase Order or Purchase Request is received by the Corporation more than 90 days after the date the Corporation receives notice of the export sale against which such cotton is being purchased, the purchase price shall be increased by 5 points for each month or fraction thereof between the end of such 90-day period and the date the Purchase Order or Purchase Request is received by the corporation. Purchase Orders and Purchase Requests shall be submitted and construed in accordance with instructions issued by the New Orleans Office of the Cotton Branch, Production and Marketing Administration, United States Department of Agriculture.

This amendment is effective March 1, 1946, as to Purchase Orders and Purchase

Requests submitted against export sales of which the Corporation receives notice on or after March 1, 1946 (except export sales of which the Corporation receives notice on March 1, 1946, pursuant to § 295.22). With respect to all other export sales, the Corporation hereby elects not to accept Purchase Orders and Purchase Requests submitted against such sales after March 15, 1946. After March 15, the Corporation will sell cotton against such sales on a bid basis, in accordance with the provisions of this amendment, or pay the export differential against such sales as provided in § 295.7.

Dated this 8th day of March 1946.

[SEAL] COMMODITY CREDIT
CORPORATION,
By J. B. HUTSON,
President.

Attest:
SARA E. SWANICK,
Assistant Secretary.

[F. R. Doc. 46-3874; Filed, Mar. 8, 1946;
5:06 p. m.]

TITLE 7—AGRICULTURE

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 75-2, Amdt. 35]

PART 1410—LIVESTOCK AND MEATS

BEEF REQUIRED TO BE SET ASIDE

War Food Order No. 75.2, as amended (10 F.R. 12841, 13039, 13437, 15061; 11 F.R. 225, 2218) is hereby further amended to read as follows:

§ 1410.18 *Beef required to be set aside*—(a) *Definitions*. (1) "Governmental agency" means the Army, Navy, Marine Corps, or Coast Guard of the United States (excluding for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations), United States Department of Agriculture (including but not restricted to any corporate agency thereof), the War Shipping Administration, and the Veterans Administration.

(2) "Federally inspected slaughterer" means any slaughterer whose establishment is operated under Federal inspection.

(3) "Federal inspection" means inspection under the provisions of the act of March 4, 1907 (34 Stat. 1260), as amended, 21 U.S.C. 71, and as extended by Public Law 602, 77th Congress, approved June 10, 1942 (56 Stat. 351), and the rules and regulations promulgated thereunder.

(4) "Certified slaughterer" means any slaughterer of livestock who has been certified by the Secretary of Agriculture under the provisions of War Food Order No. 139, as amended (10 F.R. 9993).

(5) "Certified slaughtering plant" means any establishment or facility for the slaughter of livestock which has been certified by the Secretary of Agriculture

under the provisions of War Food Order No. 139, as amended (10 F.R. 9993).

(6) "Set aside beef" means beef of the type and grade required to be set aside, reserved, and held under this order.

(7) "Authorized purchaser" means:

(i) Any person who is under contract to sell or deliver set aside beef, or products prepared in whole or part therefrom, to a governmental agency;

(ii) Any person who has delivered set aside beef, or products prepared in whole or part therefrom, to a governmental agency, and has not replaced the set aside beef so delivered, or contained in the products so delivered, by a purchase of set aside beef under this order;

(iii) Any person who is authorized by the Assistant Administrator to purchase set aside beef.

(8) "Ship supplier" means any person designated and approved as such by the War Shipping Administration.

(9) "Conversion weight" means the dressed weight equivalent of beef, determined as prescribed in paragraph (f) hereof.

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

(11) "Assistant Administrator" means the Assistant Administrator, for regulatory and marketing service work, Production and Marketing Administration, United States Department of Agriculture.

(12) Any term not specifically defined herein shall have the meaning set forth for such term in War Food Order No. 75, as amended (10 F.R. 4649).

(b) *Federally inspected slaughterers: quantity, type; grade*. No Federally inspected slaughterer and no slaughterer whose cattle are slaughtered in an establishment operated under Federal inspection shall deliver meat for civilian consumption unless he shall:

(1) Set aside, reserve, and hold for delivery as directed in paragraph (d) hereof, the following percentages of the conversion weight of each week's production of beef of the types and grades indicated below:

Type and grade	Set-aside percentage
"U. S. Choice" steers and heifers	30
"U. S. Good" steers and heifers	30
"U. S. Good" cows	30
"U. S. Commercial" steers, heifers and cows	30
"U. S. Utility" steers, heifers and cows (grade C)	40
Cutter and canner steers, heifers and cows (grade D)	50

(2) Bone, in accordance with Army specifications for frozen boneless beef, not less than 80 percent of all "U. S. Choice" beef and 80 percent of each type of "U. S. Good" beef required to be set aside, reserved, and held under paragraph (b) (1) of this section; *Provided, however*, That the Order Administrator may wholly or partially exempt any slaughterer from this requirement upon a proper showing that said slaughterer does not have adequate facilities for boning, or does not have, or is unable to obtain, sufficient personnel to bone said beef, or is unable to comply with this requirement for any reason which ap-

pears to the Order Administrator to warrant such exemption.

(c) *Certified slaughterers: quantity; type; grade*. No certified slaughterer and no owner or operator of a certified slaughtering plant shall deliver meat for civilian consumption unless he shall set aside, reserve, and hold for delivery as directed in paragraph (d) of this section, the following percentages of the conversion weight of each week's production of beef of the types and grades indicated below:

Type and grade	Set-aside percentages
"U. S. Commercial" steers, heifers and cows	30
"U. S. Utility" steers, heifers and cows (Grade C)	40
Cutter and canner steers, heifers, and cows (Grade D)	50

(d) *Delivery to Governmental agencies, authorized purchasers, and ship suppliers*. No slaughterer subject to the provisions of this order shall deliver meat for civilian consumption unless he shall deliver to Governmental agencies, authorized purchasers, and ship suppliers, before the close of each calendar week, beef of each of the types and grades specified in paragraphs (b) and (c) of this section in a quantity not less than the quantity of beef of such type and grade required to be set aside, reserved and held by such slaughterer during the previous week.

(e) *Federal inspection required*. All beef required to be set aside, reserved, and held under this order shall be inspected in accordance with the provisions of the act of March 4, 1907 (34 Stat. 1260), as amended, 21 U. S. C. 71, and as extended by Public Law 602, 77th Congress, approved June 10, 1942 (56 Stat. 351), and the rules and regulations promulgated thereunder.

(f) *Conversion weight*. (1) The conversion weight of all deliveries of beef, and the conversion weight of carcasses and of cuts and trimmings derived therefrom, and of beef products produced therefrom, shall be determined by multiplying the weight thereof by the appropriate conversion factor set forth below:

Type and description of product	Conversion factor (multiplier)
Dressed carcasses and cuts, not boned fresh (chilled) or frozen	1.00
Boned beef and trimmings, fresh (chilled) or frozen	1.41
Cured other than dried—not boned	.95
Cured other than dried—boned	1.34
Dried (including smoked)	2.20
Boneless beef derived from cutter and canner grade steers, heifers, cows, stags, and bulls (grade D beef)	1.45
Canned beef and gravy (for delivery to the Army)	2.00
Canned beef and gravy (for delivery to Commodity Credit Corporation)	1.60

The term "boned" describes cuts from which 50 percent or more of the bone, by weight, has been removed by the process of boning, and the term "not boned" describes cuts from which none or less than 50 percent of the bone, by weight, has been removed, and primal cuts which contain no bone.

(2) The conversion weight of beef of any type used in the preparation of sau-

sage or in the preparation of canned meat, or any other beef product not specified above, shall be computed by determining, on the basis of the manufacturing formula, the net weight of the beef in such processing, and multiplying such net weight by the applicable conversion factor set forth above for such type of beef. The net weight of beef which is cooked and used in the preparation of canned meat not specified above shall be the weight thereof before cooking.

(3) The Assistant Administrator may, upon written application, revise any conversion weight factor where it is shown that such factor is working an undue hardship in the preparation of certain products.

(g) *Credits allowed on deliveries.* Subject to paragraph (h) of this section, any set aside beef delivered to a governmental agency, authorized purchaser, or ship supplier may be credited against the set aside requirements of this order for beef of the type and grade so delivered.

(h) *Certificates.* No set-aside beef shall be delivered to any authorized purchaser, and no credit shall be allowed for any such delivery unless, within 10 days after delivery, the slaughterer obtains a certificate signed by the authorized purchaser, acknowledging receipt of the beef and containing the following: The name and address of both parties and the date of delivery; the contract number of the contract between the authorized purchaser and the governmental agency; and a statement by the authorized purchaser that the set-aside beef so delivered, or an equivalent amount of set-aside beef, will be or has been used in the fulfillment of such contract. The slaughterer shall endorse on such certificate the conversion weight of such beef, together with a description permitting conversion in accordance with paragraph (f) of this section. The slaughterer and the authorized purchaser shall each retain an original of such certificate for at least two years and shall submit the same to the Assistant Administrator upon request. All statements contained in or accompanying such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(i) *Storage; packaging.* All beef set aside, reserved and held under this order shall be stored in such manner as to maintain the quality thereof, and shall be prepared and packaged in accordance with the requirements of the governmental agency purchasing the beef.

(j) *Authorized purchasers required to redeliver.* Each authorized purchaser who receives set aside beef under the provisions of this order shall deliver all such beef, or an equivalent amount of the same type and grade of set aside beef, to a governmental agency or ship supplier.

(k) *Allocation.* The Assistant Administrator may, by general order or written notice to individual slaughterers, order the allocation of beef set aside under this order to or among spe-

cific governmental agencies, authorized purchasers or ship suppliers. In the absence of such allocation, slaughterers may, subject to paragraph (h) of this section, sell beef so set aside to any such person or agency.

(l) *Existing contracts.* The provisions of this order shall not be construed as reducing the amount of meat which any slaughterer is required to offer or to deliver under any existing contract with a governmental agency, as defined herein, or with the United States Maritime Commission.

(m) *Reports.* Every slaughterer subject to this order shall report to the Assistant Administrator concerning his production of and transactions in beef. Such reports shall be made at such times and upon such forms as the Assistant Administrator may require, and shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(n) *Audits and inspections.* The Assistant Administrator shall be entitled to make such audits and inspections of the books, records and other writings, promises, supplies of livestock or stocks of meat of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(o) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Assistant Administrator. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Assistant Administrator. After said review, the Assistant Administrator may take such action as he deems appropriate, which action shall be final.

(p) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using livestock, meat, meat products, or animal fats. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(q) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 75-2, Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, 5 South Wabash Avenue, Chicago 3, Illinois.

(r) *Territorial scope.* This order shall apply within the 48 states and the District of Columbia.

(s) *Effective date.* This amendment shall become effective at 12:01 a. m., e. s. t., March 10, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-2, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 75, 10 F.R. 4649)

Issued this 8th day of March 1946.

[SEAL] G. T. PEYTON,
Acting Assistant Administrator.

[F. R. Doc. 46-3866; Filed, Mar. 8, 1946;
5:05 p. m.]

[WFO 75-3, Amdt. 29]

PART 1410—LIVESTOCK AND MEATS

PORK PRODUCTS REQUIRED TO BE SET ASIDE

War Food Order No. 75-3, as amended (10 F.R. 6499, 7789, 8949, 9422, 9992, 10165, 11225, 13679, 14685; 11 F.R. 1559, 1881), is hereby further amended to read as follows:

§ 1410.20 *Pork and pork products required to be set aside—(a) Definitions.*

(1) "Governmental agency" means the Army, Navy, Marine Corps, or Coast Guard of the United States (excluding for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations), the United States Department of Agriculture (including any corporate agency thereof), the War Shipping Administration or any approved ship supplier designated as such by War Shipping Administration, and the Veterans' Administration.

(2) "Federally inspected slaughterer" means any slaughterer whose establishment is operated under Federal inspection.

(3) "Federal inspection" means inspection under the provisions of the act of March 4, 1907 (34 Stat. 1260), as amended, 21 U. S. C. 71, and as extended by Public Law 602, 77th Cong., approved June 10, 1942 (56 Stat. 351), and the rules and regulations promulgated thereunder.

(4) "Certified slaughterer" means any slaughterer of livestock who has been certified by the Secretary of Agriculture under the provisions of War Food Order No. 139, as amended (10 F.R. 9993).

(5) "Certified slaughtering plant" means any establishment or facility for the slaughter of livestock which has been certified by the Secretary of Agriculture under the provisions of War Food Order No. 139, as amended (10 F.R. 9993).

(6) "Set aside pork" means pork or pork products (including lard) of the

type and grade required to be set aside, reserved, and held under this order.

(7) "Authorized purchaser" means:

(i) Any person who is under contract to sell or deliver set aside pork, or products prepared in whole or part therefrom, to a governmental agency;

(ii) Any person who has delivered set aside pork, or products prepared in whole or part therefrom, to a governmental agency, and has not replaced the set aside pork so delivered, or contained in the products so delivered, by a purchase of set aside pork under this order;

(iii) Any person who is authorized by the Assistant Administrator to purchase set aside pork;

(iv) Any person who is under contract to sell or deliver set aside pork, or products prepared in whole or part therefrom, to an authorized purchaser as defined in paragraph (a) (7) (i) and (a) (7) (ii) of this section.

(8) "Dressed carcass" means a hog carcass dressed in accordance with normal trade custom, with the leaf fat and kidney out, the jowls on, the hams faced, and the head off.

(9) "Conversion weight" means the dressed weight equivalent of pork, determined as prescribed in paragraph (d) of this section.

(10) "Live weight", with reference to each week's slaughter of hogs, means the total live weight of all hogs purchased for slaughter each week, determined from scale tickets issued at the time of purchase, less the weight of hogs condemned during the same week converted to a live weight basis.

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

(12) "Assistant Administrator" means the Assistant Administrator for regulatory and marketing service work, Production and Marketing Administration, United States Department of Agriculture.

(13) Any term not defined herein shall have the meaning set forth for such term in War Food Order No. 75 (10 F. R. 4649).

(b) *Set aside requirements; slaughterers affected.* This order shall apply to the following slaughterers. *Provided, however,* That until further order of the Assistant Administrator, the requirements of this paragraph shall not be applicable with respect to slaughtering operations conducted in the States of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia:

All federally inspected slaughterers;
Every slaughterer whose hogs are slaughtered in an establishment operated under Federal inspection;

All certified slaughterers;
Every owner or operator of a certified slaughtering plant.

No slaughterer subject to the provisions of this order shall deliver meat for civilian consumption unless he shall:

(1) Set asides, reserve and hold for delivery as directed in subparagraph (2) of this section a quantity of lard, the total weight of which shall be not less than 5.0 percent of the total live weight of

each week's slaughter of hogs, and a quantity of pork and pork products, other than lard, the total weight of which shall be not less than 13.0 percent of the total live weight of each week's slaughter of hogs;

(2) Deliver to governmental agencies and authorized purchasers, before the close of each calendar week, pork and pork products of the types specified in paragraph (1) of this section hereof in an amount not less than the amount of such types of pork and pork products required to be set aside, reserved and held during the previous week.

(c) *Federal inspection required.* All pork and pork products required to be set aside, reserved and held under this order shall be inspected under the provisions of the act of March 4, 1907 (34 Stat. 1260), as amended, 21 U.S.C. 71, and as extended by Public Law 602, 77th Cong., approved June 10, 1942 (56 Stat. 351), and the rules and regulations promulgated thereunder.

(d) *Conversion weight.* (1) The conversion weight of all deliveries of pork and the conversion weight of carcasses and of cuts and trimmings derived therefrom and of pork products procured therefrom, shall be determined by multiplying the weight thereof by the appropriate conversion factor set forth below:

TYPE AND DESCRIPTION OF PRODUCT

	Conversion factors (multiplier)	
	Not boned	Boned
Cuts:		
Fresh (chilled).....	1.00	1.15
Pork sides.....	1.00	-----
Wiltshire sides (cured).....	1.10	-----
Pork loins.....	1.00	-----
Pork loins (semi-boneless).....	-----	1.33
Fatted, skinless hams and shoulders.....	-----	1.33
Boned, fatted, skinless hams, smoked.....	-----	1.45
Fatted, skinless picnic.....	-----	1.45
Overseas hams, 96 hours' smoke.....	1.25	-----
Army hams, 48 hours' smoke.....	1.15	-----
Standard domestic smoked hams.....	1.10	-----
Other cured.....	1.00	1.10
Other smoked.....	1.10	1.20
Other cooked.....	1.20	1.45
Trimnings: Fresh (chilled) or frozen.....	-----	1.00

CANNED MEATS

	Conversion factor (multiplier)
Chopped ham.....	1.28
Luncheon meat.....	1.35
Corned pork.....	2.22
Tushonka.....	1.80
Pork sausage.....	1.00
Issue bacon.....	1.18
Sliced bacon.....	1.25
Dehydrated pork (10% maximum moisture content).....	4.75

The term "boned" describes cuts from which 50 percent or more of the bone, by weight, has been removed by the process of boning, and the term "not boned" describes cuts from which none or less than 50 percent of the bone, by weight, has been removed, and primal cuts which contain no bone.

(2) The conversion weight of pork of any type used in the preparation of sausage, or in the preparation of canned meat, or any other meat product not specified above, shall be computed by determining, on the basis of the manufacturing formula, the net weight of the

pork used in such processing, and multiplying such net weight by the applicable conversion factor set forth above for such type of pork. The net weight of pork which is cooked and used in the preparation of canned meat not specified above shall be the weight thereof before cooking.

(e) *Credits allowed on deliveries.* Subject to the provisions of paragraph (f) of this section, any set aside pork delivered to a governmental agency or authorized purchaser may be credited against the set aside requirements of this order for pork or pork products of the type and grade so delivered.

(f) *Certificates.* No set aside pork shall be delivered to any authorized purchaser, and no credit shall be allowed for any such delivery unless, within 10 days after delivery, the slaughterer obtains a certificate signed by the authorized purchaser, acknowledging receipt of the pork and containing the following: The name and address of both parties and the date of delivery; the contract number of the contract between the authorized purchaser and the governmental agency; and a statement by the authorized purchaser that the set aside pork so delivered, or an equivalent amount of set aside pork, will be or has been used in the fulfillment of such contract. The slaughterer shall endorse on such certificate the conversion weight of such pork, together with a description permitting conversion in accordance with paragraph (d) of this section. The slaughterer and the authorized purchaser shall each retain an original of such certificate for at least two years, and shall submit the same to the Assistant Administrator upon request. All statements contained in or accompanying such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(g) *Specifications; storage; packaging.* All pork and pork products required to be set aside, reserved, and held under this order shall be stored in such a manner as to maintain the quality thereof and shall be prepared and packaged in accordance with specifications of the governmental agencies to whom delivered. Such specifications may be obtained by application addressed to the Order Administrator.

(h) *Authorized purchasers required to redeliver.* Each authorized purchaser who receives set aside pork under the provisions of this order shall deliver all such pork or an equivalent amount of the same kind and type of set aside pork to a governmental agency or authorized purchaser.

(i) *Allocations.* The Assistant Administrator may, by general order or written notice to individual slaughterers, order the allocation of pork set aside under this order to or among specific governmental agencies or authorized purchasers. In making such allocations, the Assistant Administrator or the Order Administrator may specify the stage of processing (fresh, frozen, cured, smoked, or canned), and the weight

ranges of all set aside pork so allocated. Such specifications shall be in addition to the specifications mentioned in paragraph (g) of this section. In the absence of such allocation, slaughterers may, subject to paragraph (f) of this section, sell pork so set aside to any such person or agency.

(j) *Existing contracts.* The provisions of this order shall not be construed as reducing the amount of meat which any slaughterer is required to offer or to deliver under any existing contract with a governmental agency, as defined herein, or with the United States Maritime Commission.

(k) *Records and reports.* (1) Every slaughterer subject to the provisions of this order, as specified in paragraph (b) of this section, shall report to the Assistant Administrator concerning his production of and transactions in pork and pork products, including lard. Such reports shall be made at such times and upon such forms as the Assistant Administrator may require, and shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every slaughterer subject to the provisions of this order, as specified in paragraph (b) of this section, shall keep such records with respect to inter- or intra-plant transactions as may be required by the Order Administrator.

(l) *Audits and inspections.* The Assistant Administrator shall be entitled to make such audit or inspection of the books, records, and other writings, premises, supplies of livestock or stocks of meat of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(m) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Assistant Administrator. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by a request addressed to the Order Administrator, obtain a review of such action by the Assistant Administrator. After said review, the Assistant Administrator may take such action as he deems appropriate, which action shall be final.

(n) *Violations.* Any person who violates any provision of this order may in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using livestock, meat, meat products, or animal fats. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(o) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 75-3, Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, 5 South Wabash Avenue, Chicago 3, Illinois.

(p) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(q) *Effective date.* This order shall become effective at 12:01 a. m., e. s. t., March 10, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-3, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E. O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 75, 10 F.R. 4649)

Issued this 8th day of March 1946.

[SEAL] G. T. PEYTON,
Acting Assistant Administrator.

[F. R. Doc. 46-3867; Filed, Mar. 8, 1946;
5:05 p. m.]

[WFO 75-4, Amdt. 7]

PART 1410—LIVESTOCK AND MEATS

CERTIFIED SLAUGHTERERS REQUIRED TO SET ASIDE; FEDERAL INSPECTION

War Food Order No. 75-4, as amended (10 F.R. 12843, 13041, 13438; 11 F.R. 2219), is hereby further amended as follows:

1. By deleting paragraph (a) (9) and substituting in lieu thereof the following:

(9) "Ship supplier" means any person designated and approved as such by the War Shipping Administration.

2. By adding immediately after paragraph (a) (13) the following new paragraphs:

(14) "Certified slaughterer" means any slaughterer of livestock who has been certified by the Secretary of Agriculture under the provisions of War Food Order No. 139, as amended (10 F.R. 9993).

(15) "Certified slaughtering plant" means any establishment or facility for the slaughtering of livestock which has been certified by the Secretary of Agriculture under the provisions of War Food Order No. 139 (10 F.R. 9993).

3. By deleting paragraph (b) and substituting in lieu thereof the following:

(b) *Slaughterers affected; quantity, type, grade.* The provisions of this order shall apply to the following persons:

All Federally inspected slaughterers;
All certified slaughterers;

Every owner or operator of a certified slaughtering plant.

No slaughterer subject to the provisions of this order shall deliver meat for civilian consumption unless he shall:

(1) Set aside, reserve and hold for delivery as directed in paragraph (b) (2) hereof, 40 percent of the conversion weight of each week's production of veal graded "U. S. Utility", obtained from calves whose carcasses weigh, with the hide off, from 60 to 275 pounds, both inclusive;

(2) Deliver to governmental agencies authorized purchasers and ship suppliers, before the close of each calendar week, veal of each of the grades specified in paragraph (b) (1) in an amount not less than the quantity of veal of such grade required to be set aside, reserved and held during the previous week"

4. By deleting the words, "Contract school", "marine hospital" and "maritime academy" which appear in paragraphs (c), (g) and (h)

5. By adding immediately after paragraph (p) the following new paragraph:

(q) *Federal inspection required.* All veal required to be set aside, reserved, and held under this order shall be inspected in accordance with the provisions of the act of March 4, 1907, (34 Stat. 1260), as amended; 21 U.S.C. 71, and as extended by Public Law 602, 77th Congress, approved June 10, 1942, (56 Stat. 351), and the rules and regulations promulgated thereunder.

This amendment shall become effective at 12:01 a. m., e. s. t., March 10, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date under War Food Order No. 75-4, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 75, 10 F.R. 4649)

Issued this 8th day of March 1946.

[SEAL] G. T. PEYTON,
Acting Assistant Administrator.

[F. R. Doc. 46-3865; Filed Mar. 8, 1946;
5:05 p. m.]

[WFO 75-6 Amdt. 4]

PART 1410—LIVESTOCK AND MEATS

CERTIFIED SLAUGHTERERS REQUIRED TO SET ASIDE; FEDERAL INSPECTION

War Food Order No. 75-6, as amended (10 F.R. 12844, 13041, 13438; 11 F.R. 2219), is further amended as follows:

1. By deleting paragraph (a) (8) and substituting in lieu thereof the following:

(8) "Ship supplier" means any person designated and approved as such by the War Shipping Administration.

2. By adding immediately after paragraph (a) (12) the following new paragraphs:

(13) "Certified slaughterer" means any slaughterer of livestock who has been

certified by the Secretary of Agriculture under the provisions of War Food Order No. 139, as amended (10 F.R. 9993).

(14) "Certified slaughtering plant" means any establishment or facility for the slaughter of livestock which has been certified by the Secretary of Agriculture under the provisions of War Food Order No. 139 (10 F.R. 9993).

3. By deleting paragraph (b) and substituting in lieu thereof the following:

(b) *Slaughterers affected; quantity; type; grade.* The provisions of this order shall apply to the following persons:

All Federally inspected slaughterers;
All certified slaughterers;
Every owner or operator of a certified slaughtering plant.

No slaughterer subject to the provisions of this order shall deliver meat for civilian consumption unless he shall:

(1) Set aside, reserve, and hold for delivery as directed in paragraph (b) (2) of this section, the following percentages of the conversion weight of each week's production of mutton of the indicated grades:

Grade:	Set-aside percentage
"U. S. Choice"-----	20
"U. S. Good"-----	20
"U. S. Commercial"-----	20
"U. S. Utility"-----	20

(2) Deliver to governmental agencies, authorized purchasers and ship suppliers, before the close of each calendar week, mutton of each of the grades specified in paragraph (b) (1) in an amount not less than the amount of mutton of such grade required to be set aside, reserved, and held during the previous week.

4. By deleting the words "contract school," "marine hospital," and "maritime academy" which appear in paragraphs (c), (g), and (h).

5. By adding immediately after paragraph (p) the following new paragraph:

(q) *Federal inspection required.* All lamb or mutton required to be set aside, reserved, and held under this order shall be inspected in accordance with the provisions of the act of March 4, 1907 (34 Stat. 1260), as amended, 21 U.S.C. 71 and as extended by Public Law 602 77th Congress, approved June 10, 1942 (56 Stat. 351), and the rules and regulations promulgated thereunder.

This amendment shall become effective at 12:01 a. m., e. s. t., March 10, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-6, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 75, 10 F.R. 4649)

Issued this 8th day of March 1946.

[SEAL] G. T. PEYTON,
Acting Assistant Administrator.

[F. R. Doc. 46-3864; Filed, Mar. 8, 1946;
5:05 p. m.]

No. 49—2

[WFO 144, Amdt. 2]

PART 1468—GRAIN

WHEAT AND FLOUR

War Food Order No. 144 (11 F.R. 1761) is amended to read as follows:

§ 1468.13 *Distribution and use of wheat and flour—(a) Definitions.* (1) "Wheat" means any grain which, before the removal of dockage, consists of 50 percent or more of wheat and not more than 10 percent of other grains for which standards have been established under the provisions of the United States Grain Standards Act (7 U. S. C. 71-87), and which, after the removal of dockage, contains not more than 50 percent of broken kernels of grain of any size. "Wheat" shall include whole wheat, ground wheat, cracked wheat, or wheat in any other form, but shall not include wheat mill feeds, emmer, spelt, einkorn, Polish wheat, or poulard wheat.

(2) "Flour" means (i) flour from wheat, (ii) farina, or (iii) semolina, as defined in subparagraphs (6), (13), and (15) of section 16 (a) of Revised Maximum Price Regulation No. 296 of the Office of Price Administration, as amended, or as it may be amended or revised from time to time.

(3) "Mixed feed" means any feed manufactured for sale for the feeding of livestock or poultry.

(4) "Excess wheat" means all wheat in the inventory of a merchandiser or country shipper, over and above that quantity needed to make deliveries on (i) orders from merchandisers supported by merchandisers' certificates issued under paragraph (e) hereof, (ii) export sales approved as provided in paragraph (m) hereof, and (iii) orders from millers, mixed feed manufacturers, or food manufacturers who furnish supply certificates as required by paragraph (k) hereof, including all supply certificates accompanied by preference orders issued under paragraph (d).

(5) "Merchandiser" means any person, other than a country shipper, who buys and sells wheat on his own account.

(6) "Country shipper" means any person who, at places other than terminal markets, is engaged in the business of purchasing wheat directly from farmers and storing and selling the same.

(7) "Distributor" means any person, including a blender, engaged in the business of buying and selling flour on his own account, except retail dealers who customarily handle less than one carload per month.

(8) "Miller" means any person engaged in the commercial manufacture of flour.

(9) "Mixed feed manufacturer" means any person engaged in the commercial manufacture of mixed feed.

(10) "Food manufacturer" means any person, other than a brewer or distiller, who uses wheat or flour in the commercial manufacture of edible products for human consumption, and includes but is not limited to, bakers, breakfast food manufacturers, and manufacturers of spaghetti, macaroni, and similar products, excluding, however, any food manufacturer as defined above who customarily uses less than one carload of wheat or flour, as the case may be, per month.

(11) "Inventory" means the total quantity of wheat or flour owned by any person, whether in store or in transit.

(12) "Average daily grind" means the total grind for any consecutive 90 day period (including Sundays and holidays) from January 1, 1945, to February 14, 1946, both inclusive, divided by ninety.

(13) "Wheat mill feeds" means those by-products usually obtained in the commercial process of flour milling, commonly designated as wheat bran, wheat middlings, wheat shorts, wheat red dog, bran and middlings (mill run wheat feeds), and low grade feed flour.

(14) "Director" means the Director, Grain Branch, Production and Marketing Administration, serving the Wheat Loan Program area in which the issuing person is located. The various Wheat Loan Program areas and the addresses of the Directors serving each area are as follows:

Address of Director	Area
208 South LaSalle St., Chicago 4, Ill.	Connecticut, Delaware, Indiana, Iowa, Kentucky, Maryland, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia.
Dwight Bldg., 1004 Baltimore Ave., Kansas City 13, Mo.	Alabama, Arkansas, Colorado, Georgia, Florida, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, South Carolina, Texas, Wyoming.
McKnight Bldg., Minneapolis 1, Minn.	Minnesota, Montana, North Dakota, South Dakota, Wisconsin.
304 Artisans Bldg., Portland 5, Oreg.	Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

(15) "Issuing person" means any person who has issued (i) a preference order as provided in paragraph (d) hereof, (ii) a merchandiser's certificate as provided in paragraph (e) hereof, or (iii) a supply certificate as provided in paragraph (k) hereof.

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

(17) "Assistant Administrator" means the Assistant Administrator, for regula-

tory and marketing service work, Production and Marketing Administration, United States Department of Agriculture.

(b) *Use of wheat in mixed feed.* (1) No mixed feed manufacturer shall, during the following calendar months, use wheat in the manufacture of mixed feeds, including grain base mixes, at a rate in excess of the following percentages of the monthly average quantity of wheat so used during the period December 1, 1945, to January 31, 1946:

Month	Percentage
February and March 1946	75
April 1946	70
May 1946	65
June and following months 1946	60

Provided, however, That any mixed feed manufacturer located in the States of California, Idaho, Nevada, Oregon, Utah, or Washington may, to the extent that grains other than wheat are not available, use wheat in the manufacture of mixed feed in a quantity sufficient to bring his total use of grain during any of the above months up to 85 percent of the quantity of all grains used by such manufacturer in the manufacture of mixed feed during the corresponding calendar month of 1945;

Provided, further, That wheat sold by a mixed feed manufacturer, wherever located, for use as feed shall be considered as wheat used in the manufacture of mixed feed within the meaning of this paragraph (b).

(2) No person shall use wheat in any form in making any mixture of grains for sale as an ingredient in the manufacture of mixed feed.

(c) Use of flour in mixed feed. No person shall use flour in the manufacture of mixed feed unless such flour is unfit for human consumption.

(d) Preference orders. (1) Any miller who has less than a 21-day inventory of wheat based upon average daily grind, any mixed feed manufacturer who has less than a 21-day inventory of wheat based upon authorized use under paragraph (b) (1) hereof, and any food manufacturer who has less than a 21-day inventory of wheat based upon average monthly use during 1945, may issue a written order which, after approval by the Director, shall entitle the issuing person to preferred delivery as hereinafter provided. A preference order shall have attached thereto or incorporated therein a certificate in the following form:

The undersigned hereby certifies to the United States Department of Agriculture and to _____ that this certificate is furnished in order to obtain preferred delivery, under War Food Order No. 144 of _____ bushels of wheat, and that such quantity either represents one carload lot, or will not increase the undersigned's inventory of wheat, as defined in such order, beyond a 30-day supply. The undersigned has issued supply certificate No. _____ under paragraph (k) of this order against the above-named supplier covering _____ bushels of wheat.

Purchaser
By _____
Authorized official
Address _____
Date _____

(2) A preference order must be supported by an approved supply certificate issued either simultaneously with the preference order or prior thereto. A preference order may be issued for a quantity of wheat not to exceed the greater of the following quantities: (i) one carload lot, or (ii) a quantity necessary to bring the issuing person's inventory of wheat up to a 30-day supply based upon average daily grind in the case of a miller, authorized use under

paragraph (b) (1) in the case of a mixed feed manufacturer, or average monthly use during 1945 in the case of a food manufacturer. The issuing person shall name his supplier upon the face of the preference order and shall forward the order to the Director for approval. The Director shall transmit the preference order, if approved, to the named supplier for execution.

(3) Total preference orders outstanding at any one time in favor of the same issuing person shall not exceed the greater of the quantities specified under paragraphs (b) (2) (i) or (b) (2) (ii) above.

(4) An issuing person who has a supply certificate under paragraph (k) outstanding against a particular supplier, shall direct his preference order first to such supplier.

(e) Merchandisers' certificates. (1) Any merchandiser who holds supply certificates issued under paragraph (k) hereof, or who has sold wheat to the Commodity Credit Corporation or for export under an authorization as provided in paragraph (m) hereof, may issue a written order for wheat, addressed to his country shipper or to another merchandiser, which shall have attached thereto or incorporated therein a numbered certificate (hereinafter called "merchandisers' certificate") in the following form:

The undersigned merchandiser hereby certifies to the United States Department of Agriculture and to _____

Name and address of supplier that he is familiar with the terms of War Food Order No. 144, that this certificate is furnished in order to enable the undersigned to acquire _____ bushels of wheat, and that such wheat has been sold to _____ under the following described document:

Supply Certificate No. _____, issued by _____ for _____ bushels.
Approved export sale to _____ for _____ bushels.

Contract No. _____ with Commodity Credit Corporation for _____ bushels. The undersigned merchandiser further certifies that the total quantity of wheat acquired under this certificate will be used by him to fill the above described order.

Purchaser
By _____
Authorized official
Address _____
Certificate No. _____
Date _____

(2) Merchandisers' certificates shall be issued in duplicate. The duplicate shall be forwarded to the Director and the original transmitted by the merchandiser to his supplier for execution. All merchandisers' certificates shall clearly identify the supply certificate, export sale, or sale to Commodity Credit Corporation against which such merchandisers' certificate is issued.

(3) Total merchandisers' certificates outstanding at any one time shall not exceed the aggregate quantity of wheat covered by all supply certificates, export sales, and sales to Commodity Credit Corporation in the hands of the issuing merchandiser.

(f) Millers' and mixed feed manufacturers' wheat inventories. No miller or

mixed feed manufacturer shall accept delivery of wheat in any quantity which will cause his inventory of wheat, plus all quantities thereof bought to arrive or with respect to which he has a contract to purchase (futures contracts to be included only to the extent that such contracts call for May delivery), to exceed a 45-day supply based upon average daily grind in the case of a miller or authorized use under paragraph (b) (1) hereof in the case of a mixed feed manufacturer: Provided, however, That this paragraph (f) shall not apply to usual or customary sales of wheat by a producer thereof who delivers such wheat by truck directly to a mill or elevator attached thereto. (See paragraphs (a) (4) and (n) (3).)

(g) 1946 Crop wheat; exemption. Wheat of the 1946 crop shall not be subject to any restriction under this order other than those contained in paragraph (1) entitled "Extraction rate."

(h) Distributors' flour inventories. No distributor shall, except for immediate resale for export, accept delivery of flour in any quantity which will cause his inventory of flour to exceed a 30-day supply based upon his average monthly deliveries of flour during the six preceding calendar months.

(i) Food manufacturers' wheat and flour inventories. No food manufacturer shall accept delivery of wheat or flour in any quantity which will cause his inventory of wheat or flour, respectively, to exceed his average monthly use of wheat or flour, respectively, during 1945.

(j) Inventory exemption; carload lots. Notwithstanding any other provision of this order, and subject to the certificate requirement contained in paragraph (k) hereof, any person whose inventory of wheat or flour does not exceed the quantity permissible under the applicable provision of this order, may accept delivery of one carload lot.

(k) Supply certificates. (1) No miller, mixed feed manufacturer, or food manufacturer shall accept delivery of wheat unless he has, prior to acceptance, issued and forwarded to the Director, for approval and transmission to the supplier, a certificate in the following form:

The undersigned hereby certifies to the United States Department of Agriculture and to _____ that he is

Name and address of supplier familiar with the terms of War Food Order No. 144, that this certificate is furnished in order to enable the undersigned to acquire _____ bushels of wheat to be delivered on or about _____ and that the re-

Date of delivery _____
ceipt by him of such wheat will not be in violation of any provision of War Food Order No. 144.

Purchaser
By _____
Authorized official
Address _____
Date _____

(2) The issuing person shall forward the supply certificate to the Director for approval. The Director shall transmit the certificate, if approved, to the named supplier for execution.

(3) No person shall deliver wheat to a miller, mixed feed manufacturer, or

food manufacturer unless, at or before the time of delivery, the person making delivery receives a supply certificate approved by the Director covering the full amount of wheat delivered.

(l) *Extraction rate.* No miller shall produce any flour which consists of less than 80 percent by weight of the cleaned wheat from which such flour is produced, *Provided, however,* That farina may be produced subject to the following requirements:

(1) The quantity of farina produced shall not exceed 5 percent by weight of the straight run of flour from which such farina is separated;

(2) The weight of such farina, when added to the weight of the remainder of the flour from which such farina was separated, shall equal not less than 80 percent of the weight of the cleaned wheat from which such products were produced.

(m) *Export of wheat.* Any person who holds wheat for export or who purchases or contracts to purchase wheat for export shall, prior to application for an export license, or if such wheat is not at a port, prior to shipment to a port for export, first offer such wheat to the Director for sale and delivery to the Commodity Credit Corporation. Any wheat offered to and not accepted by the Commodity Credit Corporation may be exported only under license issued by the Office of International Trade, Department of Commerce, after approval of such issuance by the Order Administrator. Any person offering wheat may, at the time such offer is made, authorize the Order Administrator to apply in such person's behalf to the Office of International Trade, Department of Commerce, for the issuance of an export license. Any wheat so offered which has not, within two days from the time of such offer, either been accepted by the Commodity Credit Corporation or authorized for export as above provided, shall remain subject to all the provisions of this order.

(n) *Sales priorities: Offers of excess wheat to Commodity Credit Corporation.*

(1) Any merchandiser or country shipper who owns or acquires excess wheat shall sell such excess wheat against preference orders supported by supply certificates to the extent that such excess wheat is available at the time that a preference order is received.

(2) Any merchandiser or country shipper who owns or acquires excess wheat over and above the quantity needed to fill preference orders as provided in paragraph (n) (1) hereof may sell such excess wheat at any time against merchandisers' certificates issued under paragraph (e), supply certificates issued under paragraph (k), or approved export orders as provided in paragraph (m).

(3) All excess wheat which a merchandiser or country shipper has on hand as of the close of market each week, beginning with the week ending March 9, 1946, for which such merchandiser or country shipper does not have preference orders, shall be offered to the Director before noon of the following Monday for sale and delivery to the Commodity Credit Corporation. A country shipper offering

such wheat may indicate the merchandiser through whom he desires the transaction to be handled. All excess wheat so offered which has not been accepted within two days from the time of such offer shall be considered as having been refused by the Commodity Credit Corporation but shall remain subject to all other provisions of this order in the same manner as if such offer had not been made.

(o) *Shipping or delivery priorities.*

(1) A merchandiser or country shipper shall ship or deliver preference orders, in the order in which received, to the exclusion of all other orders.

(2) A merchandiser or country shipper who has no preference orders shall, as shipping facilities become available, fill other orders for wheat in the following order of priority. All priorities shall be determined on a weekly basis and all unfilled orders carried over from previous weeks shall receive priority, in the order indicated below, over those received during subsequent weeks:

(i) First—Sales to Commodity Credit Corporation, in the order in which received.

(ii) Second—Export sales authorized as provided under paragraph (m) hereof, in the order in which received.

(iii) Third—Orders from millers, mixed feed manufacturers, or food manufacturers, when covered by approved supply certificates as provided in paragraph (k) hereof, in the order in which received.

Provided, however, That the provisions of this paragraph (o) shall be subject to any regulations or orders now in effect or which may hereafter be issued with respect to shipping priorities for export wheat, whether for private account or for the account of the Commodity Credit Corporation.

(p) *Prohibited deliveries of wheat mill feeds and flour.* No miller shall sell or deliver wheat mill feeds to any person except feeders and persons regularly engaged in the business of manufacturing or distributing feed, nor flour to any person except for home consumption by the recipient thereof or to a person regularly engaged in the business of distributing flour or processing it into other products.

(q) *Transfers between branches or departments.* The transfer of wheat or flour between units, departments, branches, plants, or companies owned, controlled, or directed by the same person but engaged in separate activities as merchandisers, country shippers, millers, distributors, food manufacturers, or mixed feed manufacturers, shall constitute delivery and acceptance of delivery within the meaning of this order.

(r) *Records and reports.* (1) Every miller shall on or before February 28, 1946, mail a report to the Director showing his average daily grind as defined in paragraph (a) (12) hereof.

(2) Every mixed feed manufacturer shall, on or before February 28, 1946, mail a report to the Director showing the monthly average quantity of wheat used by him in the manufacture of mixed feed, including grain base mixes, during the period December 1, 1945, to January 31, 1946.

(3) Every miller, mixed feed manufacturer, and food manufacturer shall, on or before February 28, 1946, mail a report to the Director showing the following as of February 18, 1946: (i) wheat on hand on the premises (mill or mill elevator), (ii) wheat stored at other places, (iii) wheat under contract to purchase, (iv) wheat in transit, and (v) May futures contracts for wheat.

(4) All certificates executed under this order shall be retained for at least two years and shall, upon request, be submitted to the Assistant Administrator for examination. All statements contained in such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(5) The Assistant Administrator shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(6) Every person subject to this order shall, for at least two years or for such period of time as the Assistant Administrator may designate, maintain an accurate record of his milling of wheat, production of flour or mixed feed, and his transactions in these commodities.

(s) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(t) *Audits and inspections.* The Assistant Administrator shall be entitled to make such audits or inspections of the books, records and other writings, premises, or stocks of wheat and flour, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(u) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Assistant Administrator. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Assistant Administrator. After said review, the Assistant Administrator may take such action as he deems appropriate, which action shall be final.

(v) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, delivering, or using wheat and flour. Any person who wilfully violates any provi-

sion of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(w) *Delegation of authority.* The Administration of this order and the powers vested in the Secretary of Agriculture insofar as such powers relate to the administration of this order, are hereby delegated to the Assistant Administrator. The Assistant Administrator is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(x) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 144, Grain Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

(y) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(z) *Effective date.* This amendment shall become effective at 12:01 a. m., e. s. t., March 8, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 144, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 7th day of March 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-3834; Filed, Mar. 8, 1946;
1:28 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations

PART 504—ARMY EXCHANGES

POSTS, CAMPS AND STATIONS

1. In § 504.5 paragraph (c) (5) (i) is amended and subparagraph (10) is added as follows:

§ 504.5 *Activities.* * * *

(c) *Concessions.* * * *

(5) Contracts with concessionaires will provide:

(i) For the payment of commissions to the exchange monthly at the rate of 10 per centum of gross concession sales.

(10) A standard form concession contract as approved by the Chief, Army Exchange Service will be executed between the exchange and the concessionaire in each instance.

2. Revoke § 504.11 as follows:

§ 504.11 *Civilian auditors.* [Revoked]
(R.S. 161; 5 U.S.C. 22) [AR 210-65, 12 June 1945, as amended by C2, 21 Feb. 1946]

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 46-3836; Filed, Mar. 8, 1946;
4:21 p. m.]

Chapter VII—Personnel

PART 707—MEDICAL AND DENTAL ATTENDANCE

MEDICAL ATTENDANCE

Amend § 707.2 (b) (1) to read as follows:

§ 707.2 *For whom authorized.* * * *

(b) *Military.* (1) Officers, Army nurses, Women's Army Corps, other militarized female personnel of the Army, contract surgeons (full time), warrant officers, flight officers, cadets and enlisted men, while in active Federal service, and general prisoners and prisoners of war.

(R.S. 161; 5 U.S.C. 22) [AR 40-505, 5 Dec. 1945, as amended by C1, 28 Feb. 1946]

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 46-3835; Filed, Mar. 8, 1946;
4:21 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 79th Cong.; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 3286—METALS AND MINERALS

[General Preference Order M-89, Revocation]
CORUNDUM

Section 3286.15 *General Preference Order M-89* is hereby revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board or Civilian Production Administration under the order. The use and delivery of corundum remains subject to all other regulations and orders of the Civilian Production Administration.

Issued this 11th day of March 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-3904; Filed, Mar. 11, 1946;
11:09 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53, Amdt. 57]

FATS AND OILS

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

Article XI of Maximum Price Regulation No. 53 is amended in the following respects:

1. Section 11.1 is amended to read as follows:

SEC. 11.1 *Maximum prices.* The maximum prices of lard shall be the prices computed as follows:

(a) *Chicago and East St. Louis basing points area.* This area shall include that part of the continental United States east of the Mississippi River and north of the northern boundaries of Tennessee and North Carolina, except Minnesota. Chicago and East St. Louis basing points maximum prices:

(1) Loose lard, 13.05 cents per pound in tank cars, delivered within corporate limits of basing points.

(2) Base or standard commercial refined lard, 14.80 cents per pound, in tierces, delivered within corporate limits of basing points.

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area outside the corporate limits of the basing points, shall be 13.05 cents per pound plus the tank car freight rate per pound on loose lard from the nearest basing point freightwise in the area to the community of sale. No other charges may be added to this delivered price.

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community in this area, outside the corporate limits of the basing points, shall be 14.80 cents per pound, plus the packing house products freight rate, tare added, between the nearest basing point freightwise and the community of sale.

(b) *Kansas City basing point area.* This area shall include that part of the continental United States east of the Mississippi River and south of the southern boundaries of Kentucky and Virginia. Kansas City basing point maximum prices:

(1) Loose lard, 12.80 cents per pound in tank cars, delivered within corporate limits of Kansas City.

(2) Base or standard commercial refined lard, 14.55 cents per pound, in tierces, delivered within corporate limits of Kansas City.

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area shall be 12.80 cents per pound plus the tank car freight rate per pound on loose lard from the basing point for this area to the community of sale. No other charges may be added to this delivered price.

(ii) The maximum price at which a processor may sell base or standard com-

¹ 10 F.R. 12902, 13867, 14690, 15171; 11 F.R. 244, 1620.

mercial refined lard in tierces, delivered, at any community in this area shall be 14.55 cents per pound, plus the packing house product freight rate, tare added, between the basing point and the community of sale. No other charges may be added to this delivered price.

(c) *Multiple basing point area.* This area shall include that part of the continental United States west of the Mississippi River and all of the State of Minnesota. Basing points shall be as follows:

Iowa: Cedar Rapids, Davenport, Des Moines, Dubuque, Fort Dodge, Marshalltown, Mason City, Ottumwa, Waterloo.

Minnesota: Albert Lea, Austin, Duluth, South St. Paul, St. Paul, Winona.

Missouri: Joplin, Kansas City, South St. Joseph, Springfield.

Nebraska: South Omaha, Omaha.

Maximum prices at each of these basing points shall be as follows:

(1) Loose lard, 12.80 cents per pound, in tank cars, delivered within corporate limits of basing points.

(2) Base or standard commercial refined lard, 14.55 cents per pound, delivered within corporate limits of basing points.

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area, outside the corporate limits of the basing points shall be 12.80 cents per pound, plus the tank car freight rate per pound on loose lard from the nearest basing point freightwise in the area to the community of sale. No other charges may be added to this delivered price.

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community of sale in this area, outside the corporate limits of the basing points shall be 14.55 cents per pound, plus the packing house products freight rate, tare added, between the nearest basing point freightwise and the community of sale. No other charges may be added to this price.

2. Subsection 11.3 (c) of Maximum Price Regulation 53 is amended to read as follows:

SEC. 11.3 (c) *Sales to Government agencies.* The maximum price for sales of lard to procurement agencies of the U. S. Government shall be the prices set out in sections 11.1-11.3, inclusive, above, plus $\frac{1}{2}$ of a cent per pound.

(1) The maximum price for sales of lard to procurement agencies of the U. S. Government in 56-pound wood or fibre export boxes shall be the tierce price per pound for lard as computed in this Sec. 11.3 (c) above plus $\frac{1}{4}$ of a cent per pound. No additional charges may be added for this type of package. This provision removes the pricing of lard in 56-pound wood or fibre export boxes on sale to procurement agencies of the U. S. Government from Supplementary Order No. 106.

3. Section 11.5 is amended to read as follows:

SEC. 11.5 *Cash lard.* The maximum price for cash lard shall be 14.05 cents per pound, Chicago basis, and the max-

imum price for lard futures contracts traded on the Chicago Board of Trade shall be 14.05 cents per pound.

4. Section 11.10 is deleted and sections 11.11, 11.12 and 11.13 are renumbered sections 11.10, 11.11 and 11.12 respectively.

This amendment shall become effective March 11, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

Approved:

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-3843; Filed, Mar. 8, 1946;
4:55 p. m.]

PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH PRODUCTS

[RMFR 148, Amdt. 33]

DRESSED HOGS AND WHOLESALE PORK CUTS

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

Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. Items 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 17, 18, 19, 20 and 21 in the schedule of prices set forth in paragraph (a) of Schedule I of § 1364.35 are amended to read as follows:

Item	Green or frozen		Cured		Smoked		Ready-to-eat		Cooked	
	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)
1. Hams—regular bone-in	Under 14..... 14-18..... Over 18.....	\$22.50 21.75 20.75	Under 14..... 14-18..... Over 18.....	\$22.75 22.00 21.00	Under 14..... 14-18..... Over 18.....	Wrapped \$27.00 26.25 25.25	Under 12..... 12-16..... Over 16.....	Wrapped \$29.75 29.00 28.00	Under 12..... 12-16..... Over 16.....	\$29.75 29.00 28.00
2. Hams—skin on, long cut, bone-in (may be sold only to be "aged, dry cured").	Under 14..... 14-18..... Over 18.....	22.50 21.75 20.75								
3. Hams—skinned bone-in	Under 14..... 14-18..... Over 18.....	24.50 23.75 22.75	Under 14..... 14-18..... Over 18.....	24.75 24.00 23.00	Under 14..... 14-18..... Over 18.....	29.25 28.50 27.50	Under 12..... 12-16..... Over 16.....	32.25 31.50 30.50	Under 12..... 12-16..... Over 16.....	32.25 31.50 30.50
4. Hams—regular boneless	Under 14..... 14-18..... Over 18.....	25.75 25.00 24.00	Under 14..... 14-18..... Over 18.....	26.00 25.25 24.25	Under 12..... 12-16..... Over 16.....	30.75 30.00 29.00	Under 12..... 12-14..... Over 14.....	33.75 33.00 32.00	Under 12..... 12-14..... Over 14.....	33.75 33.00 32.00
5. Hams—skinned boneless	Under 14..... 14-18..... Over 18.....	28.00 27.25 26.25	Under 14..... 14-18..... Over 18.....	28.25 27.50 26.50	Under 12..... 12-16..... Over 16.....	33.25 32.50 31.50	Under 12..... 12-14..... Over 14.....	36.50 35.75 34.75	Under 12..... 12-14..... Over 14.....	36.50 35.75 34.75
6. Hams—regular boneless and fattened	Under 10..... 10-14..... Over 14.....	30.50 29.50 28.00	Under 10..... 10-14..... Over 14.....	30.75 29.75 28.25	Under 10..... 10-12..... Over 12.....	36.50 35.50 34.00	Under 8..... 8-12..... Over 12.....	39.75 38.75 37.25	Under 8..... 8-10..... Over 10.....	39.75 38.75 37.25
7. Hams—skinless, boneless and fattened	Under 10..... 10-14..... Over 14.....	33.00 32.00 30.50	Under 10..... 10-14..... Over 14.....	33.25 32.25 30.75	Under 10..... 10-12..... Over 12.....	39.25 38.25 36.75	Under 8..... 8-12..... Over 12.....	42.75 41.75 40.25	Under 8..... 8-10..... Over 10.....	42.75 41.75 40.25
9. Bellies—square cut and seedless	Under 8..... 8-12..... 12-16..... 16-20..... 20-22.....	18.50 18.00 16.50 16.00 15.50	Under 8..... 8-12..... 12-16..... 16-20..... 20-22.....	19.75 19.25 17.75 17.25 16.75	Under 8..... 8-12..... 12-14..... 14-18..... 18-20.....	26.75 26.00 25.00 24.00 23.50				
10. Bellies—square cut and seedless, derined	Under 8..... 8-12..... 12-16..... 16-20..... Under 12.....	18.50 20.25 18.50 18.00 24.25	Under 8..... 8-12..... 12-16..... 16-20..... Under 12.....	19.75 21.50 19.75 19.25 25.00	Under 8..... 8-10..... 10-14..... 14-18..... Under 10.....	26.75 26.25 27.00 27.00 28.50				
11. Loins—regular	Under 12..... 12-16..... 16-20..... Over 20.....	24.25 22.75 21.75 20.75	Under 12..... 12-16..... 16-20..... Over 20.....	25.00 23.50 22.50 21.50	Under 10..... 10-14..... 14-18..... Over 18.....	28.50 27.00 26.00 25.00				
17. Loins—boneless (may not be sold to retailers)										
18. Canadian bacon						44.00				
19. Sliced Canadian bacon						53.25				
20. Briskets						18.75				
21. Sliced bacon, derined. (Note: Price does not include special wrapping, packaging or shipping container):		13.00		14.25						
Standard Grade A						31.00				
Standard Grade B						28.00				
Standard Grade C						26.75				
Sliced jowl butts						17.50				
Sliced regular plates						17.00				
Bacon end slices						15.50				

2. Items 1, 2 and 3 in the schedule of prices set forth in paragraph (b) of Schedule I in § 1364.35 are amended to read as follows:

Item	Green or frozen	Cured	Smoked	Barbe-cued
1. Fat backs: Under 12 pounds.....	\$11.25	\$11.50	\$13.50	-----
12-16.....	11.75	12.00	14.00	-----
Over 16 pounds.....	12.25	12.50	14.50	-----
2. Fat back ends or squares.....	10.50	10.75	12.75	-----
3. Bellies or belly squares-dry salt trim (clear or rib).....	15.00	15.75	18.50	-----

3. Items 1 and 2 of the schedule of prices set forth in paragraph (c) of Schedule I of § 1364.35 are amended to read as follows:

Item	Cooked and smoked		Baked or barbe-cued	
	Weight (pounds)	Price	Weight (pounds)	Price
1. Hams—regular, boneless and fattened	Under 8.....	\$44.75	Under 8.....	\$48.00
	8-10.....	43.00	8-10.....	46.00
	Over 10.....	40.75	Over 10.....	43.50
2. Hams—skinless, boneless and fattened	Under 8.....	48.25	Under 8.....	51.25
	8-10.....	46.50	8-10.....	49.25
	Over 10.....	44.00	Over 10.....	46.50

4. Items 1, 3, 4, 6, 7, 9, 10 and 11 in the schedule of prices set forth in paragraph (d) of Schedule I of § 1364.35 are amended to read as follows:

Item	Price	Yield of curing lot in percentage of green weight
1. Aged, dry cured hams.....	\$40.00	73
3. Aged, dry cured bacon.....	29.25	80
4. Aged, dry cured sides (packed).....	26.50	80
6. Aged, dry cured bacon sides (boneless).....	26.00	80
7. Aged, dry cured bacon sides (spare ribs in).....	25.00	80
9. Prosciutti hams.....	38.00	76
10. Aged, dry cured ham, cooked.....	69.50	-----
11. Aged, dry cured ham, baked.....	69.50	-----

5. Item 17 in the schedule of prices set forth in paragraph (f) of Schedule I of § 1364.35 is amended to read as follows:

Item	Fresh or frozen	Cured		Smoked
		Loose	In tierces	
17. Cappelicola butt: Natural casing.....	-----	\$43.75	-----	-----
Artificial casing.....	-----	43.00	-----	-----

6. Items 1, 2, 3 and 5 in the schedule of prices set forth in paragraph (g) of Schedule I of § 1364.35 are amended to read as follows:

Item	Container and net weight				
	Kit, 13 pounds each	1/2 barrel, 25 pounds each	1/4 barrel, 60 pounds each	1/2 barrel, 100 pounds each	Barrel, 200 pounds each
FAT BACK PORK (Pieces per barrel)					
1. 30-40 or 40-50.....	\$2.55	\$4.23	\$8.20	\$15.85	\$29.75
2. 50-60 or 60-70.....	2.50	4.13	8.00	15.50	29.00
3. 70-80 or 80-100 or 100-125.....	2.40	4.03	7.75	15.00	28.00
PLATE PORK					
5. Brisket pork.....	2.63	4.25	8.25	16.00	30.00

7. Paragraph (h) of Schedule I of § 1364.35 is amended to read as follows:

(h) *Products for sale only (1) to war procurement agencies, (2) licensed ship suppliers for resale only to ship operators, and (3) to ship operators. Prepared according to United States Government specifications. (For exception see § 1364.22 (h) (2).)*

Fresh, frozen, cured and smoked items	Weight (pounds)	Price
1. Wiltshires—cured.....	-----	\$21.25
2. Wiltshires—scalded, frozen in sacks.....	-----	21.25
3. Overseas hams: Regular—shankless (96 hour smoke, long cure, wrapped in muslin. Packed in salt C. Q. D. specifications.).....	8-10..... 10-14..... 14-18.....	33.75 33.00 32.00
4. Overseas hams: Skinned—shankless (96 hr. smoke, long cure, wrapped in muslin. Packed in salt C. Q. D. specifications.).....	8-10..... 10-14..... 14-18.....	36.25 35.50 34.50
5. Export hams: Regular—shank on (96 hr. smoke, long cure, not wrapped, Packed in salt—F. S. C. C. specifications.).....	Under 12..... 12-16..... Over 16.....	30.75 30.00 29.00
6. Export hams: Skinned—shank on (96 hr. smoke, long cure, not wrapped, Packed in salt—F. S. C. C. specifications.).....	Under 12..... 12-16..... Over 16.....	33.00 32.25 31.25
7. War hams: Regular (48 hr. smoke, long cure, commercial wrapping, packed without salt, C. Q. D. specifications.) (deduct \$.75 per cwt. if smoked 24 hrs. or more but less than 48 hrs.).....	8-12..... 12-16..... Over 16.....	29.00 28.25 27.25
8. War hams: Skinned (48 hrs. smoke, long cure, commercial wrapping, packed without salt, C. Q. D. specifications.) (deduct \$.75 per cwt. if smoked 24 hrs. or more but less than 48 hrs.).....	8-12..... 12-16..... Over 16.....	31.25 30.50 29.50
9. Issue hams: Regular (short cure, 48 hr. smoke, commercial wrapping), (if smoked 24 hrs. or more but less than 48 hrs., use prices stated for smoked regular hams, item 1 of Schedule I (a).).....	8-14..... 14-18..... 18-20.....	27.50 26.75 25.75
10. Issue hams: Skinned (short cure, 48 hr. smoke, commercial wrapping), (if smoked 24 hrs. or more but less than 48 hrs., use prices stated for smoked skinned hams, item 3 of Schedule I (a).).....	8-14..... 14-18..... 18-20.....	29.75 29.00 28.00
11. Export hams: Regular (short cure, smoked 96 hrs., not wrapped, packed in salt, F. S. C. C. specifications.).....	Under 12..... 12-16..... Over 16.....	27.75 27.00 26.00
12. Export hams: Skinned (short cure, smoked 96 hours, not wrapped, packed in salt, F. S. C. C. specifications.).....	Under 12..... 12-16..... Over 16.....	30.00 29.25 28.25
13. War Bacon (Fancy trimmed, Type 1, Smoked 48 hrs., Commercial wrapping, C. Q. D. specifications.).....	6-8..... 8-12..... 12-14..... 14-18.....	26.00 25.50 24.00 23.50
14. Overseas bacon (Fancy trimmed, Type 2, smoked 96 hrs., Dry salt cured, wrapped in muslin. Packed in salt—C. Q. D. specifications.).....	Under 10..... 10-14..... 14-18.....	28.25 26.25 25.75

Fresh, frozen, cured and smoked items	Weight (pounds)	Price
15. Rib-backs: Short cut, dry salt cure.....	-----	\$19.25
Short cut, dry salt cure, smoked (F. S. C. C. specifications).....	-----	23.75
	10 and down.....	31.00
16. Semi-boneless loins.....	10-12..... 12-18.....	29.50 28.50
17. Smoked picnic—export (F. S. C. C. specifications).....	-----	25.00
18. Pork sausage, fresh or frozen: Bulk.....	-----	27.25
In artificial casings.....	-----	28.50
In hog casings.....	-----	31.00
In sheep casings.....	-----	33.00

Barreled pork items	Net weight	Price per barrel or tierce
19. Mess pork in barrels.....	200 lbs. green weight.....	\$44.75
20. Fat back pork. CCC Specifications: A. In 200 lb. barrels: 30-40 or 40-50 pieces per 200 lb. barrel.....	204 lbs.....	32.50
50-60 or 60-70 pieces per 200 lb. barrel.....	204 lbs.....	31.50
70-80 or 80-100 or 100-125 pieces per 200 lb. barrel.....	204 lbs.....	30.50
B. In 300 lb. tierces: 30-40 or 40-50 pieces per 200 lb. barrel.....	306 lbs.....	47.75
50-60 or 60-70 pieces per 200 lb. barrel.....	306 lbs.....	46.25
70-80 or 80-100 or 100-125 pieces per 200 lb. barrel.....	306 lbs.....	44.75

NOTE.—If second-hand tierces are used, deduct \$2.25 per tierce from the above prices.

Canned pork items	Size of can	Price per 100 pounds
21. Spiced luncheon meat: Cylindrical cans.....	12 oz..... 12 oz..... 2 1/2 lbs..... 6 lbs.....	\$34.45 34.95 32.95 32.70
22. Spiced ham: Cylindrical cans.....	12 oz..... 12 oz..... 2 1/2 lbs..... 6 lbs.....	35.75 36.25 34.25 34.00
23. Pork sausage.....	1 1/2 lbs.....	27.25
24. Pork sausage links, S. C. H. C.....	2 lbs.....	36.45
25. Pork sausage soya links.....	1 1/2 or 2 lbs.....	33.20
26. Corned pork.....	12 oz.....	25.20
27. Sliced bacon (F. D. A. specifications.).....	6 lbs.....	55.20
Sliced bacon (C. Q. D. 155A specifications.).....	1 1/2 lbs..... 7 lbs.....	53.45 31.95
28. Slab bacon (Type II, C. Q. D. 33E specifications.).....	1 1/2 lbs..... 7 lbs..... 12 lbs..... 14 lbs.....	34.70 34.45 27.95 26.70
29. Pork tongues.....	12 oz..... 2 1/2 lbs.....	35.95 33.95
30. Pork soya segments.....	2 1/2 lbs.....	34.45
31. Cvinaya tushonka (manufactured in accordance with F. S. C. C. specifications, Revised Schedule 10, Items 1670, 1671, 1672, or 1673. These specifications do not preclude cvinaya tushonka from being manufactured according to other specifications for sale only to war procurement agencies, but any such product not meeting the specifications prescribed herein shall be priced in accordance with the provisions of Revised Maximum Price Regulation No. 156). 11 1/2 oz..... 15 1/2 oz..... 28 oz..... 36 oz.....	-----	41.45 40.70 39.95 39.45
32. Pork and gravy: Braised.....	30 oz.....	40.95
Unbraised.....	30 oz.....	35.95
33. Pork sausage meet (C. Q. D. 98A specifications.).....	34 oz.....	33.20
34. Sliced bacon (Type II, C. Q. D. 33 E specifications.).....	5 or 5 1/2 lbs..... 7 1/2 lbs.....	33.20 32.95
35. Pork sausage, S. C. (Type II, C. Q. D. 98B specifications.).....	14 or 16 lbs..... 32 oz.....	32.70 44.45

7A. Items 1, 2 and 3 in paragraph (i) of Schedule I in § 1364.35 are amended to read as follows:

Item	Weight (pounds)	Price
1. Hams, regular—shank on (96-hour smoke, long cure, wrapped).	Under 12.....	\$31.00
	12-16.....	30.25
	Over 16.....	29.25
2. Hams, skinned—shank on (96-hour smoke, long cure, wrapped).	Under 12.....	33.25
	12-16.....	32.50
	Over 16.....	31.50
3. Bacon, square cut seedless, smoked 96 hours, wrapped.	Under 10.....	26.25
	10-14.....	24.75
	14-18.....	24.25

8. Subparagraph (1) of paragraph (a) of Schedule IV of § 1364.36 (Appendix B) is amended to read as follows:

(1) Table of weight ranges and seasonal denominators.

Weights of dressed hogs (by range)		Related live hog weight classifications, live weight (pounds)	Denominators by seasons			
Packer style (pounds)	Shipper style (pounds)		December, January, February, March, April, and May		June, July, August, September, October, and November	
			Packer style	Shipper style	Packer style	Shipper style
BUTCHER HOGS						
1. 73-89.....	81-99.....	120-140.....	1.545	1.465	1.555	1.475
2. 90-107.....	100-119.....	140-160.....	1.475	1.395	1.485	1.405
3. 108-123.....	120-136.....	160-180.....	1.445	1.365	1.455	1.375
4. 124-138.....	137-153.....	180-200.....	1.425	1.345	1.435	1.355
5. 139-154.....	154-171.....	200-220.....	1.415	1.335	1.425	1.345
6. 155-169.....	172-188.....	220-240.....	1.405	1.325	1.415	1.335
7. 170-192.....	189-213.....	240-270.....	1.40	1.32	1.41	1.33
8. 193-213.....	214-235.....	270-300.....	1.395	1.315	1.405	1.325
9. 214-239.....	236-265.....	300-330.....	1.39	1.31	1.40	1.32
10. Over 239.....	Over 265.....	Over 330.....	1.385	1.305	1.395	1.315
SLAUGHTER PIGS						
11. Under 73.....	Under 79.....	Under 120.....	1.625	1.545	1.635	1.555
SOWS						
12. 184-280.....	202-312.....	270-400.....	1.42	1.34	1.43	1.35
13. 280 and over.....	312 and over.....	400 and over.....	1.415	1.335	1.425	1.345

9. The example in subparagraph (2) of paragraph (a) of Schedule IV of § 1364.36 (Appendix B) is amended by the addition of the following note to be added immediately following the italicized word and immediately preceding the first sentence of the body thereof, "Example:", and to read as follows:

NOTE: The examples used hereinafter retain the seasonal denominators in effect prior to March 11, 1946; and have not been changed so as to use those placed in effect on that date since the pricing methods shown remain unchanged.

10. Subparagraph (1) of paragraph (b) of Schedule IV of § 1364.36 (Appendix B) is amended to read as follows:

(1) Table of base prices

PACKER STYLE	
Weight range	Price per cwt.
Pigs and butcher hogs:	
Under 73 lbs.....	\$20.00
73 lbs. and over, but under 90 lbs.....	19.00
90 lbs. and over, but under 108 lbs.....	18.50
108 lbs. and over, but under 124 lbs.....	18.25
124 lbs. and over, but under 155 lbs.....	18.00
155 lbs. and over, but under 213 lbs.....	17.75
Over 213 lbs.....	17.50
Sows: All weights.....	17.50
Stags: All weights.....	15.75
Boars: All weights.....	12.25
Olly hogs (deduct \$1.50 per cwt. from above prices).	

SHIPPER STYLE	
Weight range	Price per cwt.
Pigs and butcher hogs:	
Under 80 lbs.....	\$19.00
80 lbs. and over, but under 100 lbs.....	18.00

SHIPPER STYLE—continued

Weight range	Price per cwt.
Pigs and butcher hogs:	
100 lbs. and over, but under 120 lbs.....	\$17.50
120 lbs. and over, but under 137 lbs.....	17.25
137 lbs. and over, but under 172 lbs.....	17.00
172 lbs. and over, but under 235 lbs.....	16.75
Over 235 lbs.....	16.50
Sows: All weights.....	16.50
Stags: All weights.....	14.75
Boars: All weights.....	11.25
Olly hogs (deduct \$1.50 per cwt. from above prices).	

On sales to war procurement agencies \$0.75 per hundredweight may be added to the above prices for dressed hogs.

This amendment shall become effective March 11, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

Approved, March 8, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-3842; Filed, Mar. 8, 1946;
4:54 p. m.]

PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH PRODUCTS
[RMFR 169, Amdt. 66]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amend-

ment has been issued simultaneously herewith and filed with the Division of the Federal Register.

1. In § 1364.452 (d) (2) the text preceding the table of prices is amended to read as follows:

(2) *Beef carcass and beef wholesale cut prices applicable in Zone 4.* Subject to the provisions of paragraph (k) of this § 1364.452, the applicable zone prices for Zone 4 are the prices listed below plus an addition of 30 cents per hundredweight.

2. In § 1364.452 (d) (2) footnote 1 following the table of prices is amended by inserting "50 cents per hundredweight" in place of "25 cents per hundredweight."

3. In § 1364.452 (d) (3) the text preceding the table of prices is amended to read as follows:

(3) *Kosher beef wholesale cut prices applicable in Zone 4.* Subject to the provisions of paragraph (k) of this § 1364.452 and paragraph (b) of Schedule III (§ 1364.454), the applicable zone prices of kosher wholesale cuts for Zone 4 are the prices listed below plus an addition of 45 cents per hundredweight.

4. In § 1364.452 (1) (2) the text preceding the table of prices is amended to read as follows:

(2) The maximum delivered "price for "boneless beef for army canned meat" in each of the following price zones shall be the price listed below for that zone plus an addition of \$1.05 per hundredweight.

5. In § 1364.452 (m) (2) the text preceding the table of prices is amended to read as follows:

(2) The maximum f. o. b. boning plant price for frozen boneless beef (army specifications) in each of the following price zones shall be the price listed below for that zone plus an addition of \$1.05 per hundredweight.

6. In § 1364.452 (m) (5) the text preceding the table of prices is amended to read as follows:

(5) The maximum f. o. b. boning plant price for frozen boneless beef (hindquarters) (army specifications) in each of the following price zones shall be the price listed below for that zone plus an addition of \$1.05 per hundredweight.

7. In § 1364.452 (n) (2) the text preceding the table of prices is amended to read as follows:

(2) The maximum delivered price for each of the following items of boneless processing beef shall be the price listed below plus an addition of 70 cents per hundredweight. (If boneless processing beef is sold on an f. o. b. boning plant basis the seller shall reduce the prices specified below for the zone in which the boning plant is located by 25 cents per cwt., and the result, plus the addition set out above, shall be the selling f. o. b. boning plant price).

8. In § 1364.452 (n) (2) footnote 2 following the table of prices is amended by inserting "\$22.20 per cwt." in place of "\$21.50 per cwt."

9. In § 1364.452 (o) (4) the text preceding the table of prices is amended to read as follows:

(4) The fabricated beef cut prices applicable in Zones 3 and 4 for sales by a hotel supply house to purveyors of meals, subject to the provisions in paragraph (k) of § 1364.452, substituting for the purpose of this paragraph (o) the term "fabricated beef cut" for the term "wholesale cut" contained therein, are the prices listed below plus an addition of 50 cents per cwt.

10. In § 1364.452 (o) (5) the text preceding the table of prices is amended to read as follows:

(5) The fabricated beef cut prices applicable in Zones 3 and 4 for sales by packing or slaughtering plants, packing branch houses, wholesaler's or other selling establishments to purveyors of meals subject to the provisions in paragraph (k) of § 1364.452, substituting for the purposes of this paragraph (o) the term "fabricated beef cut" for the term "wholesale cut" contained therein, are as listed below plus an addition of 50 cents per cwt.

11. In § 1364.452 (o) (6) the text preceding the first table is amended to read as follows:

(6) Subject to the additions and deductions hereafter provided in Column IV, and subject further to the provisions of paragraph (g) of § 1364.405 the prices listed in the following table, plus an addition of \$1.00 per hundredweight, shall be the applicable Zone 3 and Zone 4 prices on sales of fabricated beef cuts (War Shipping Administration specifications) made:

12. In § 1364.452 (o) (10) the text preceding the tables of prices is amended to read as follows:

(10) The applicable zone prices for ground beef and for each grade of each of the following miscellaneous beef items, for sales by a hotel supply house to a purveyor of meals, are the prices fixed by the tables below plus the following additions: (i) in Table A an addition of 70 cents per cwt. except in the case of Utility or C Grade trimmed beef tenderloins (Column II (6)) in which case the addition shall be \$1.05 per cwt.; (ii) in Table B an addition of \$1.00 per cwt. in the case of Briskets (Column I), 75 cents per cwt. in the case of Short Plates (Column II) and \$1.00 per cwt. in the case of Beef hams (Column III); (iii) in Table C an addition of \$2.00 per cwt. in the case of Corned Beef-Briskets (boneless) (Column I) and \$1.25 per cwt. in the case of Peppered beef or Pastrami (boneless) (Column II); (iv) in Table D an addition of \$2.00 per cwt. and (v) in Table E an addition of \$4.00 per cwt. in the case of the 5-pound cartons (Column (1)) and the 3-pound cartons (Column (2)) and \$4.75 per cwt. on the 1/4 pound cellophane or other moisture resistant package (Column (3)). (All prices are on a dollars per hundredweight basis, except where otherwise noted; the prices for any fraction of a hundredweight shall be reduced accordingly. The addition set forth in § 1364.454 (f) is not applicable. The zone

prices for sales of ground beef and miscellaneous beef items by a hotel supply house to a War Procurement Agency are specified in § 1364.452 (p) (3).)

13. In § 1364.452 (o) (10), in footnote 5 the table of prices is amended to read as follows:

	Per cwt.
Kosher corned briskets, boneless, deckle-off, Grade AA and/or A	\$33.875
Kosher corned briskets, boneless, deckle-off, Grade B and/or C	32.125
Kosher corned short plates, bone-in, Grade AA and/or A	20.25
Kosher corned short plates, bone-in, Grade B and/or C	19.50
Kosher corned short plates, boneless, Grade AA and/or A	24.875
Kosher corned short plates, boneless, Grade B and/or C	23.875
Kosher cooked corned beef brisket, boneless, deckle-off, Grade AA and/or A	61.75
Kosher cooked corned beef brisket, boneless, deckle-off, Grade B and/or C	58.75
Kosher cooked or smoked peppered beef (Pastrami), items Grade AA, A and/or B	68.75

14. In § 1364.452 (p) (3) (ii) the text preceding the tables of prices is amended to read as follows:

(ii) Subject to the provisions of paragraph (p) (9), hereof, the applicable zone prices for ground beef and for each grade of the following beef items shall be the prices fixed by the tables below plus the following additions: (a) In Table A an addition of 70 cents per cwt. except in the case of Beef hams (green), Cutter and Canner or D grade (Column V) in which case the addition is 75 cents per cwt. and except in the case of Trimmed beef tenderloin, Utility grade (Column II (6)) in which case the addition shall be \$1.05 per cwt.; (b) in Table B an addition of \$1.00 per cwt. in the case of Briskets (Column I), Shoulder clod or chuck roll (Column IV) and Beef hams—Cutter and Canner or D grade (Column III) and 75 cents per cwt. in the case of Short plates (Column II); (c) in Table C an addition of \$2.00 per cwt. in the case of Corned beef briskets (boneless) Deckle-off (Column I), Corned rump butts—C or utility grade (Column III) and Corned shoulder clod—C or Utility grade (Column IV) and \$1.50 per cwt. in the case of Corned short plates (Column II); in Table D an addition of \$2.00 per cwt. in the case of Corned beef briskets (boneless) (Column I) and \$1.25 per cwt. in the case of Peppered Beef or Pastrami (boneless) (Column II); (e) in Table E an addition of \$2.00 per cwt. and (f) in Table F an addition of \$4.00 per cwt. for the 5-pound and 3-pound cartons and \$4.75 per cwt. for the 1/4-pound cellophane or other moisture resistant packages.

15. In § 1364.452 (p) (3) (ii) in footnote 5 the table of prices is amended to read as follows:

	Per cwt.
Kosher corned briskets, boneless, deckle-off, grade AA and/or A	\$32.875
Kosher corned briskets, boneless, deckle-off, grade B and/or C	31.125
Kosher corned short plates, bone-in, grade AA and/or A	19.25
Kosher corned short plates, bone-in, grade B and/or C	18.50

	Per cwt.
Kosher corned short plates, boneless, grade AA and/or A	\$23.875
Kosher corned short plates, boneless, grade B and/or C	22.875
Kosher corned shoulder clod and/or chuck roll grade AA, A and/or B	46.00
Kosher cooked corn beef brisket, boneless, deckle-off, grade AA and/or A	60.75
Kosher cooked corn beef brisket, boneless, deckle-off, grade B and/or C	57.75
Kosher cooked or smoked peppered beef (pastrami), items grade AA, A and/or B	67.75

16. In § 1364.452 (q) (9) (i) the text preceding the table of prices is amended to read as follows:

(i) The beef wholesale cut prices applicable in Zones 3 and 4 shall be the prices listed below plus an addition of 30 cents per cwt.

17. In § 1364.467 (d) (2) the text preceding the table of prices is amended to read as follows:

(2) *Veal carcass and veal wholesale cut prices applicable in Zone 4.* Subject to the provisions of paragraph (k) of this section, the applicable zone prices for Zone 4 are the prices listed below plus an addition of 30 cents per cwt. for all items except hide on items (i), (ii), (iii) in which case the addition is 25 cents per cwt. In the case of item (vii) (Kosher foresaddle or forequarter) an additional 10 cents per cwt. may be added making a total addition for this item of 40 cents per cwt.

17a. In § 1364.467 (d) (2) in the table of prices footnote reference 3 is added to the title heading of each column of prices and following the table footnote 3 is added to read as follows:

* 25 cents per hundredweight may be added on sales of veal carcasses or sides and/or hindquarters to a war procurement agency or on sales of set-aside veal carcasses or sides and/or hindquarters to any authorized purchaser of set-aside veal where the latter transaction is covered by a separate invoice and where such purchaser has satisfied the requirements of WFO 75.2.

18. In § 1364.467 (1) (2) the text preceding the table of prices is amended to read as follows:

(2) The maximum f. o. b. boning plant price for frozen boneless veal (Federal Surplus Commodities Corporation specifications), including cost of boxing and freezing, in each of the following price zones is the price listed below for that zone plus an addition of \$1.05 per cwt.

19. In § 1364.467 (m) (3) the text preceding the table of prices is amended to read as follows:

(3) The applicable zone price for each boneless or miscellaneous veal cut, in each price zone is the price listed below for that zone plus an addition of 50 cents per cwt.

20. In § 1364.467 (n) (4) the text preceding the table of prices is amended to read as follows:

(4) The fabricated veal cut prices applicable in Zone 4 for sales by a hotel supply house to purveyors of meals, subject to the provisions in paragraph (k)

of § 1364.467, substituting for the purposes of this paragraph (n) the term "fabricated veal cut" for the term "wholesale cut" contained therein are the prices listed below plus an addition of 50 cents per cwt.

21. In § 1364.467 (n) (5) the text preceding the table of prices is amended to read as follows:

(5) The fabricated veal cut prices applicable in Zone 4 for sales by packing or slaughtering plants, packing branch houses, wholesalers or other type of distributive establishments to purveyors of meals subject to the provisions in paragraph (k) of § 1364.467, substituting for the purposes of this paragraph (n) the term "fabricated veal cut", for the term "wholesale cut" contained therein, are the prices listed below plus an addition of 50 cents per cwt.

22. In § 1364.467 (n) (6) the text preceding the first table is amended to read as follows:

(6) Subject to the additions and deductions hereafter provided in Column IV, and subject further to the provisions of paragraph (g) of § 1364.405, the following table of prices plus an addition of 55 cents per cwt. shall be the applicable Zones 3 and 4 prices on sales of fabricated veal carcasses (War Shipping Administration specifications) made:

23. In § 1364.467 (o) (8) (i) the text preceding the table of prices is amended to read as follows:

(i) The veal wholesale cut prices applicable in Zone 4 shall be the prices listed below plus an addition of 30 cents per cwt.

24. In § 1364.467 (p) (2) the text preceding the table of prices is amended to read as follows:

(2) The maximum f. o. b. boning plant price for frozen fabricated veal (Army specifications) in each of the following price zones is the price listed for that zone plus an addition of \$1.20 per cwt.

This amendment shall become effective March 11, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

Approved: March 8, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-3841; Filed, Mar. 8, 1946;
4:54 p. m.]

PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH PRODUCTS

[RMPR 239, Amdt. 22]

LAMB AND MUTTON CARCASSES AND WHOLE-
SALE CUTS

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

Revised Maximum Price Regulation No. 239 is amended in the following respects:

No. 49—3

1. In § 1364.177 (b) the text preceding the table is amended to read as follows:

(b) The Zone 2, 3 and 4 prices for carcasses and wholesale cuts are the prices listed in the following table plus an addition of 50 cents per cwt. for all items except boneless lamb shoulder roll, in which case the addition is 75 cents per cwt.; lean boneless lamb, in which case the addition is \$1.50 per cwt.; lean boneless mutton, in which case the addition is \$1.50 per cwt.; regular boneless mutton, in which case the addition is \$1.25 per cwt. and regular boneless lamb, in which case the addition is 75 cents per cwt. and except lamb or mutton kidneys, bulk and lamb or mutton neckbones, in which two cases no addition may be made.

2. In § 1364.177 (b) footnote 1 following the table of prices is amended by inserting "50 cents per hundredweight" in place of "25 cents per hundredweight."

3. In § 1364.177 (c) (1) (i) the text preceding the table is amended to read as follows:

(i) The Zone 2, 3 and 4 prices per hundredweight for hotel supply cuts sold by a hotel supply house to purveyors of meals, are the prices listed below plus 75 cents per cwt.

4. In § 1364.177 (c) (1) (ii) the text preceding the table of prices is amended to read as follows:

(ii) The Zone 2, 3 and 4 prices per hundredweight for hotel supply cuts sold by a packing or slaughtering plant, packing branch house, wholesale or other selling establishment to purveyors of meals are the prices listed below plus 75 cents per cwt.

5. In § 1364.177 (d) (2) the text preceding the first table is amended to read as follows:

(2) Subject to the additions and deductions hereinafter provided in Column IV, and subject further to the provisions of paragraph (c) of § 1364.155, the prices in the following table, plus 50 cents per cwt., shall be the applicable Zone 2, 3 and 4 prices on sales of fabricated lamb and mutton carcasses (War Shipping Administration specifications) made:

6. In § 1364.177 (e) (1) the text preceding the table of prices is amended to read as follows:

(1) The Zone 4 prices per hundredweight for carcasses and wholesale cuts sold by a Great Lakes marine supplier to an operator of a lake vessel are the prices listed below plus 50 cents per hundredweight.

This amendment shall become effective March 11, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

Approved: March 8, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-3845; Filed, Mar. 8, 1946;
4:55 p. m.]

PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH PRODUCTS

[MPR 286, Amdt. 8]

CERTAIN SAUSAGE PRODUCTS FOR WAR PRO-
CUREMENT AGENCIES

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

Maximum Price Regulation No. 286 is amended by changing the price table contained in paragraph (b) of § 1364.802 to read as follows:

Product	Price per cwt.
1. Frankfurters, sheep casings.....	\$28.25
2. Frankfurters, skinless or hog casings.....	25.25
3. Bologna, beef bungs or middles.....	22.75
4. Bologna, artificial casings.....	22.00

This amendment shall become effective March 11, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

Approved: March 8, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-3844; Filed, Mar. 8, 1946;
4:55 p. m.]

PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH PRODUCTS

[MPR 389, Amdt. 24]

CEILING PRICES FOR CERTAIN SAUSAGE ITEMS
AT WHOLESALE

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

Maximum Price Regulation No. 389 is amended in the following respects:

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

(2) The ceiling price or prices under this regulation for each of the sausage products listed in paragraph (a) (1) shall be the seller's ceiling price or prices in effect on August 18, 1944, plus the applicable one of the "dollar and cents adjustments for increased costs of labor and ingredients" specified in subparagraph (7) of this section 2 (a). The ceiling price or prices under this regulation for each such sausage product shall be subject to the same discounts, allowances, and trade practices applicable to the ceiling price or prices in effect on August 18, 1944.

2. Subparagraph (7) of section 2 (a) is redesignated subparagraph (8).

3. Subparagraph (7) of section 2 (a) is added to read as follows:

(7) On and after March 11, 1946, any seller who theretofore has filed the information required by subparagraph (3) of this section 2 (a) thereby reporting his maximum price or prices for the sausage products listed in section 2 (a) (1), and any seller who theretofore has had maximum prices established by an order

issued by the Office of Price Administration for any product listed in subparagraph (1) of this section 2 (a) may add to the maximum price or prices so reported or so established the applicable one of the following "dollar and cents adjustments for increased costs of labor and ingredients:"

"Dollar and cents adjustments for increased costs of labor and ingredients." [Note: The following amounts are on a per hundredweight basis.]

(i) For scrapple; sulze or souse; pork roll; lunch roll or lunch roll sausage; pudding; head cheese; blood sausage; blood and tongue sausage; tongue roll; tongue loaf; tongue salad; fresh Italian or fresh Polish sausage; and goose liver style sausage \$0.50 per hundredweight may be added.

(ii) For chili con carne with beans \$0.75 per hundredweight may be added.

(iii) For ham roll; and imitation or mock chicken loaf \$1.00 per hundredweight may be added.

(iv) For the customary types of semi-dry sausage other than those for which dollar-and-cents prices are established in section 12 (a) of this regulation; fresh thuringer; bockwurst, fresh or scalded; smoked mettwurst; and jellied corned beef \$1.25 per hundredweight may be added.

(v) For roast or cooked beef loaf; and corned beef loaf \$1.50 per hundredweight may be added.

(vi) For the customary types of dry (hard) sausage other than those for which dollars-and-cents prices are established in section 12 (a) of this regulation \$1.75 per hundredweight may be added.

(vii) For all sausage or sausage products sold or delivered to a canner for the manufacture of canned sausage for a war procurement agency there may be added the result obtained from the following computations:

(a) Determine the number of pounds of beef, veal, lamb and/or mutton used in each 100 pounds of unprocessed ingredients.

(b) Divide the number of pounds thus obtained by the percentage of yield.

(c) Multiply the figure obtained under subdivision (vii) (b) above by \$0.007.

(d) To the figure obtained under subdivision (vii) (c) above add \$0.65.

(e) Round the result obtained under subdivision (vii) (d) above to the nearest multiple of \$0.25. The result thus obtained is the amount to be added per hundredweight.

NOTE: Whenever any maximum price for any product listed in section 2 (a) (1) has been changed in accordance with the provisions of subdivisions (i), (ii), (iii), (iv), (v) or (vi) of this section 2 (a) (7), the seller shall supply each subsequent purchaser who buys in the course of trade or business with a written notice of the changes made. Such notice shall accompany the first delivery of the sausage product made after the change hereinbefore authorized, and shall be in the appropriate one of the following forms:

(Insert date)

NOTICE TO WHOLESALERS, PEDDLER TRUCK SELLERS, HOTEL SUPPLY HOUSES, SHIP CHANDLERS AND GREAT LAKES MARINE SUPPLIERS

Our OPA ceiling price for (describe product as in invoice) has been increased from

(insert former price) to (insert new price) per hundredweight, an increase of (insert amount of increase). We are required to inform you that if you are a wholesaler, peddler truck seller, hotel supply house, ship chandler or Great Lakes marine supplier you may refigure your ceiling price for this item by adding the same amount of increase to your old ceiling price. The result thereby obtained will be your new ceiling price.

(Insert date)

NOTICE TO RETAILERS

Our OPA ceiling price for (describe product as in invoice) has been changed by the Office of Price Administration. We are required to inform you that you must refigure your ceiling price for this product in accordance with the provisions of section 23 of Maximum Price Regulation No. 336.

4. Paragraph (a) of section 12 is amended by changing the table of base prices contained therein to read as follows:

Item Kind of sausage and kind of casing	Type 1. Pork	Type 2. Meat; by- products; cereal to 3 1/2%	Type 3. Meat; by- products; cereal over 3 1/2%
1. Pork or breakfast sausage:			
(i) Fresh:			
Sheep casings (S. C.)	\$32.00	\$26.50	\$21.50
Hog casings (H. C.)	29.00	23.50	18.50
Artificial casings (A. C.) or sealed heavy cardboard waxed cups, 1 lb. each or less	27.25	21.75	16.75
Cardboard cartons or sealed packages of moisture resistant paper, 1 lb. each or less	26.25	20.75	13.75
Bulk	24.75	19.25	12.25
(ii) Smoked:			
Hog casings (H. C.) or skinless	32.75	28.50	22.00
Artificial casings (A. C.)	32.25	28.00	21.50
Beef rounds (B. C.)		25.75	19.25

Item	Type 1. Skeletal Meat	Type 2. Meat; 3 1/2% cereal added	Type 3. Meat; by- products; cereal to 3 1/2%	Type 4. Meat; by- products; cereal over 3 1/2%
2. Frankfurters:				
Sheep casings (S. C.)	\$28.00	\$27.50	\$24.75	\$21.50
Hog casings (H. C.) or artificial casings removed by manufacturer (skinless)	25.00	24.50	21.75	18.50
Printed artificial casings (A. C.)	24.50	24.00	21.25	18.00
3. Bologna:				
Natural casings (N. C.)	22.50	22.00	19.00	15.75
Artificial casings (A. C.)	21.75	21.25	18.25	15.00

4. Kosher sausage:				
(i) Salami				\$31.00
(ii) Bologna and knackwurst:				
Natural casings (N. C.)				25.25
Artificial casings (A. C.)				24.50
(iii) Frankfurters:				
Sheep casings (S. C.)				30.75
Artificial casings (A. C.) removed by manufacturer (skinless)				27.75
Printed artificial casings (A. C.)				27.25
5. All beef sausage:				
(i) Frankfurters:				
Sheep casings (S. C.)				29.75
Hog casings (H. C.) or skinless				26.75
Artificial casings (A. C.)				26.25
(ii) Bologna and knackwurst:				
Natural casings (N. C.)				24.25
Artificial casings (A. C.)				23.50
(iii) Salami:				
Artificial casings (A. C.)				29.75
(iv) Lebanon bologna:				
Natural casings (N. C.)				28.75
Artificial casings (A. C.)				28.00

6. Loaves:

(i) Artificial casings (A. C.), cardboard cartons or sealed packages of moisture resistant paper:	
Type 1	\$38.25
Type 2	28.75
Type 3	20.00
Type 4	16.25
(ii) Unwrapped:	
Type 1	37.75
Type 2	28.25
Type 3	19.50
Type 4	15.75

7. Liver products:

(i) Braunschweiger:	
Sewed hog bungs (H. C.)	25.50
Other hog casings (H. C.)	24.00
Artificial casings (A. C.)	21.25
Sewed beef middles, dipped in lard and enclosed in an artificial casing (Note: May be sold only to war procurement agencies, to licensed ship suppliers for resale only to ship operators, and to ship operators.)	25.00
(ii) Liver sausage, smoked:	
Sewed hog bungs (H. C.)	23.50
Other hog bungs (H. C.)	22.00
Artificial casings (A. C.)	20.00
(iii) Liver sausage, fresh:	
Hog bungs (H. C.)	21.50
Beef casings (B. C.)	20.00
Artificial casings (A. C.)	19.50
(iv) Liver cheese:	
Artificial casings (A. C.), cardboard cartons or sealed packages of moisture resistant paper	25.00

(v) Liver loaf:	
Artificial casings (A. C.), natural casings (N. C.), cardboard cartons or sealed packages of moisture resistant paper	19.25
(vi) Liver pudding:	
Beef casings (B. C.)	16.75
Artificial casings (A. C.) cardboard cartons or sealed packages of moisture resistant paper	16.25

8. Miscellaneous sausage:

(i) New England:	
Natural casings (N. C.)	30.75
Artificial casings (A. C.)	28.25
(ii) Minced luncheon:	
Natural casings (N. C.)	23.75
Artificial casings (A. C.)	23.25
(iii) Berlinet or Berlin:	
Natural casings (N. C.)	22.25
Artificial casings (A. C.)	21.75
(iv) Polish sausage in hog casings, or skinless:	
Type 1	34.50
Type 2	27.75
Type 3	21.00
(v) Special type chopped pork (Note: This product may be sold only if packed in 1 lb. cardboard cartons):	
Sheep casings (S. C.)	35.75
Bulk	29.25
(vi) Chili con carne, plain (without beans) in artificial casings (A. C.); in molded shapes, completely enclosed in cellophane and/or moisture resistant parchment and/or waxed paper; or in heavy cardboard waxed cups:	
Type 1	27.25
Type 2	25.00
Type 3	20.00

This amendment shall become effective March 11, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

Approved: March 8, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-3839; Filed, Mar. 8, 1946; 4:54 p. m.]

PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH PRODUCTS
[MPR 398; Amdt. 12]

VARIETY MEATS AND EDIBLE BY-PRODUCTS AT
WHOLESALE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously

herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 398 is amended in the following respects:

	Beef	Kosher beef	Veal	Kosher veal	Lamb and mutton	Kosher lamb and mutton	Pork
Livers, unblemished.....	\$25.00	\$33.00					
Livers, blemished.....	21.00	29.00					

2. The items, "livers, unblemished" and "livers, blemished" contained in the table of prices in section 13 (a) (2) are amended to read as follows:

	Beef	Veal	Lamb and mutton	Pork
Livers, unblemished.....	\$30.00			
Livers, blemished.....	26.00			

This amendment shall become effective March 11, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

Approved: March 8, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-3840; Filed, Mar. 8, 1946;
4:54 p. m.]

PART 1305—ADMINISTRATION

[Rev. Gen. RO 5,¹ Amdt. 3]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Revised General Ration Order 5 is amended in the following respects:

1. Section 26.1 (a) is amended to read as follows:

(a) A Group I institutional user may not use the Ration Books of the persons who live and eat at his establishment in order to obtain sugar for home canning. However, those persons may obtain sugar for home canning and preserving in the same way as consumers under Third Revised Ration Order 3, and a Group I institutional user may use the foods produced with such sugar for the purpose of feeding such persons.

2. Section 26.2 is amended to read as follows:

SEC. 26.2 *Home canning and preserving for other institutional users*—(a) *General*. An institutional user (other than a Group I user) may, on or before October 31, 1946, apply for an allotment of sugar to be used for canning fruits and fruit juices and for preserving, if the finished product is to be produced in a "kitchen" or in a "place like a kitchen." In addition, a government or government agency, such as a Federal prison or State asylum, may apply for an allotment of sugar to be used for canning and pre-

1. The items, "livers, unblemished" and "livers, blemished" contained in the table of prices in section 13 (a) (1) are amended to read as follows:

serving in commercial-scale processing facilities for use in its Group II or eleemosynary or educational Group III, V or VI establishments.

(b) *Explanation of terms*. (1) "Kitchen" is a place principally used for the preparation of meals, such as a kitchen in a school or in a home economic center.

(2) "A place like a kitchen" is a place other than a kitchen but having facilities which do not differ substantially from those ordinarily found in a kitchen, and which are clearly not commercial-scale processing facilities. For example, a hospital may have on its premises, in addition to its kitchen, a separate place containing facilities for canning or preserving which are of a type similar to those normally used by such institutions in kitchens.

(c) *Application*. Application must be made to the District Office on OPA Form R-1340. The applicant must give all the information called for by that form.

(d) *Amount of allotments*. The District Office may grant an allotment of sugar in an amount not exceeding:

(1) One (1) pound of sugar for each four (4) quarts of finished canned fruit or fruit juices;

(2) One (1) pound of sugar for each pound of prepared fruit for making jams, preserves, and marmalades;

(3) One (1) pound of sugar for each two (2) pounds of prepared fruit (pulp) used for making fruit butters;

(4) One (1) pound of sugar for each two (2) pounds of prepared fruit (or one pint of fruit juice) for making jellies.

However, the amount of sugar granted for producing jams, jellies, preserves, marmalades, and fruit butters shall not exceed five (5) pounds of sugar for each 1000 persons served meals during the year 1945. Moreover, a Group III or IV user who did not obtain sugar for home canning in 1945 is not eligible to obtain sugar for this purpose during 1946. If such Group III or IV user is eligible, the amount of the allotment in 1946 shall not exceed the amount he received for this purpose in 1945.

(e) *Issuance of ration evidences*. The District Office shall issue ration evidences for the amount of the allotment. However, if the applicant has an excess inventory of sugar, the amount of the excess inventory shall be deducted from the amount of the sugar to be issued. Any excess inventory so deducted shall be cancelled.

(f) *Report*. An institutional user who receives an allotment of sugar under this section must fill out the report as required on OPA Form R-1340. This report must be filed with the District Office on or before January 1, 1947. If a full report is

not made of his use of sugar obtained under this section on or before January 1, 1947, all home canning sugar for which he has not accounted shall be charged as excess inventory. If the number of units actually processed during 1946 multiplied by the quantity of sugar per unit permitted under section 26.2 (d) is less than the quantity of sugar obtained, the difference shall be charged as excess inventory.

This amendment shall become effective March 11, 1946.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1946.

Issued this 11th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3878; Filed, Mar. 11, 1946;
9:31 a. m.]

PART 1305—ADMINISTRATION

[Rev. SO 119, Amdt. 3]

INDIVIDUAL ADJUSTMENTS FOR RECONVERTING MANUFACTURERS

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

Revised Supplementary Order No. 119 is amended in the following respect:

1. Section 2 (a) is amended to read as follows:

(a) The product for which you are seeking an adjustment is one which is listed at the end of this order in Appendix B, or is a product whose maximum prices are fixed by one of the following regulations:

MPR 188—Manufacturers' Maximum Prices for Specified Consumers' Goods Other Than Apparel (but not products the maximum price of which is determined under Orders 1470, 1509 or 1849 under § 1499.159b of MPR 188).

MPR 254—New Small Firearms and Firearm Parts.

This amendment shall become effective on March 16, 1946.

Issued this 11th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3880; Filed, Mar. 11, 1946;
9:31 a. m.]

PART 1365—HOUSEHOLD FURNITURE

[3d Rev. MPR 213,¹ Amdt. 1]

NEW COIL AND FLAT BEDSPRINGS AND METAL BEDS

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

¹ 11 F.R. 394.

¹ 11 F.R. 116.

Third Revised Maximum Price Regulation No. 213 is amended in the following respects:

1. Section 2 (b) (4) is amended to read as follows:

(4) Bedsprings which are made as integral part of a non-metal bed; (that is, bedsprings which are made to fit into or onto a set of non-metal bed ends, and are sold by the manufacturer only with such non-metal bed ends, or as a replacement for a bedspring previously sold by the manufacturer with such non-metal ends).

2. Sections 2 (b) (1) and 2 (b) (5) are deleted.

This amendment shall become effective on March 16, 1946.

Issued this 11th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3877; Filed, Mar. 11, 1946;
9:31 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[3d Rev. RO 3, Amdt. 8]

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Third Revised Ration Order 3 is amended in the following respects:

A new section 1.9 is added to read as follows:

1. Section 1.9. *Consumers may use Spare Stamp No. 9 to get sugar for home canning and preserving for use.* (a) Spare Stamp No. 9 in War Ration Book IV and in the Sugar Ration Book authorizes a consumer to obtain five pounds of sugar, on or before October 31, 1946, to be used solely for the purpose of home canning and preserving of fruits, fruit juices or vegetables for use, and for making products such as pickles, relishes, catsup, mince meat and for curing meat (for use).

2. A new section 1.10 is added to read as follows:

SEC. 1.10. *Home canning for sale—*

(a) *General.* A consumer may, prior to November 1, 1946, apply for an allotment of sugar to be used for canning fruits and fruit juices for sale, and for producing jams, jellies, preserves, marmalades or fruit butters for sale if the finished product is to be produced in a "kitchen". However, a consumer who did not receive an allotment of sugar in 1945 for producing products for sale under the provisions of Second Revised Ration Order 3 is not eligible to apply under the provisions of this section.

(b) *Explanation of terms.* "Kitchen" is a place principally used for the preparation of meals for home consumption. It includes a place used principally to teach consumers how to prepare and cook food for home consumption. (A

place other than a kitchen and approved by the District Office in 1945 as a kitchen shall be considered a "kitchen" for the purposes of this section.)

(c) *Application.* Application must be made on OPA Form R-371 to the District Office for the place where the consumer lives. The applicant must give all the information required by the form. It must be signed by an adult member of the family unit.

(b) *Amount of allotment.* If the District Office finds that the facts stated in the application are true, it may grant the application in an amount not exceeding:

(1) One (1) pound of sugar for each four (4) quarts of finished canned fruit or fruit juices;

(2) One (1) pound of sugar for each pound of prepared fruit for making jams, preserves and marmalades;

(3) One (1) pound of sugar for each two (2) pounds of prepared fruit (or one pint of fruit juice) used for making jelly;

(4) One (1) pound of sugar for each two (2) pounds of prepared fruit (pulp) used for making fruit butters.

However, the total amount of sugar which may be obtained by a family unit under this section shall not exceed the amount requested or the total amount of sugar used by the members of the family unit in 1945 for the purposes covered by this section, whichever is smaller. The District Office shall issue ration evidences for the amount of sugar granted under this section minus the amount of any sugar which he and his family unit still have which was obtained for those purposes in 1945.

(No family unit was permitted to obtain more than 250 pounds of sugar for these purposes in 1945; therefore no family unit may obtain more than 250 pounds of sugar under this section.)

(e) *Records.* The applicant must keep a record of the amount of products, as specified in paragraph (d), produced by him and the amount of sugar used in such products and the dates such products were sold.

(f) *Restriction on use.* Sugar obtained under this section may be used only for the purposes for which it was granted and at a rate no higher than that permitted by paragraph (d).

This amendment shall become effective March 11, 1946.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

Issued this 11th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3879; Filed, Mar. 11, 1946;
9:31 a. m.]

PART 1305—ADMINISTRATION [SO 150]

ADDING PROVISIONS FOR MARK-UP ON DIRECT MILL SALES BY DISTRIBUTORS IN CERTAIN MAXIMUM PRICE REGULATIONS ON LUMBER

A statement of the considerations involved in the issuance of the supplement-

tary order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

§ 1305.178 *Provisions for additions to ceiling prices on direct mill sales by distributors and additional invoicing requirements on invoices rendered by mills and distributors in certain lumber regulations.* (a) Provisions for additions to ceiling prices on direct mill sales by distributors are added to maximum price regulations listed in paragraph (c) of this order, by adding a new section as designated, to read as follows:

Distributors' direct-mill sales—(a)—Definitions—(1) Direct mill distributor. A direct-mill distributor is a person who has been registered and assigned a registration number as required under paragraph (b) of this section, and who makes either a wholesale-type or commission-type sale of lumber covered by the regulation.

(2) *Wholesale-type sale.* A wholesale-type sale is a direct-mill sale in which the seller buys lumber from a mill or concentration yard or wholesaler and takes title to and delivers the lumber to the buyer in substantially the same form.

(3) *Commission-type sale.* A commission-type sale is a direct mill sale through a commission-man. For purposes of this section, a commission-man is a person who represents, and customarily sells lumber in carload quantities for, two or more independently owned mills or concentration yards, receives his compensation from the mills in the form of commission based on the amount of the lumber sold, and operates independently of both buyer and seller.

(b) *Application for and granting of registration as a direct-mill distributor—(1) Application.* All persons desiring to operate as direct-mill distributors must apply to the Lumber Branch of the Office of Price Administration, Washington 25, D. C. for, and receive, a registration number before charging or receiving the additions provided in paragraph (c) of this section. Applications shall contain all information relative to the applicant's connection with any saw mills, concentration yards or other lumber producers which may have any bearing on the question of "control relationship" as described in paragraph (c) (5) of this section, including specifically any financial interest, any arrangement for distribution of profits, any loan arrangement, family relationship by blood or marriage, past employer-employee relationship, and any other direct or indirect beneficial interest between the applicant and such other operation.

(2) *Registration.* Upon the filing of an application as set forth in (b) (1) of this section, the Office of Price Administration shall issue an order registering the applicant as a direct-mill distributor. The issuance of an order of registration is proof merely that an application has been filed, but does not constitute a finding by the Office of the existence or non-existence of a "control relationship" with a mill. Paragraph (b) (5) sets forth when an addition may not be made by a direct-mill distributor, even though registered.

(3) *Distribution yards.* Distribution yards subject to Second Revised Maximum Price Regulation 215 do not have to be registered and may charge the mark-up or receive the commission permissible on direct-mill distributors' sales when making a direct-mill sale, subject however to all the conditions and limitations set forth in paragraph (c) of this section on a sale by a registered direct-mill distributor.

(c) *Direct-mill distributors' additions—(1) Wholesale type sales.* Except as specified in subdivision (5) of this paragraph registered direct-mill distributors may add 5 per-

¹ 11 F.R. 177.

cent to the basic f. o. b. mill prices established in or approved under this regulation on wholesale type direct-mill sales of lumber covered by the regulation. The distributor's addition must be evened out to the nearest quarter dollar per M'BM, or, in the case of plastering or fence lath, or shingles, to the nearest 5 cents per 1,000 pieces. For example, if the maximum price for a particular item is \$32.00 f. o. b. mill, the ceiling price for a wholesale-type sale is \$33.50. This mark-up applies only to carload quantities if shipped by rail, except that sales for resale purposes in less than carload quantities may carry a direct-mill distributor's mark-up when shipped in a pool carload; or to quantities of 5 M'BM or more if shipped by truck or water.

(2) *Commission-type sales.* Except as specified in subparagraph (5) of this paragraph, the f. o. b. mill maximum price on commission-type direct-mill sales of lumber covered by this regulation and made through a registered direct-mill distributor is 3 percent higher than the basic f. o. b. mill prices established in or approved under this regulation. The f. o. b. mill price including the distributor's commission must be evened out to the nearest quarter dollar per M'BM, or, in the case of plastering or fence lath, or shingles, to the nearest 5 cents per 1,000 pieces. The mill must allow the direct-mill distributor making a commission-type sale a commission at least equal to the excess over the basic f. o. b. mill prices. For example, if the maximum price for a particular item is \$35.00 the mill ceiling on a commission-type sale made through a registered direct-mill distributor is \$36.00 and the mill must allow the distributor at least \$1.00. This mark-up applies only to carload quantities if shipped by rail, except that sales for resale purposes in less than carload quantities may carry a direct-mill distributor's mark-up when shipped in a pool carload; or to quantities of 5 M'BM or more if shipped by truck or water.

(3) *Mill's price or realization on commission type sales.* This section increases maximum prices only on sales by direct-mill distributors. The mill's price, or realization after deducting a commission of at least 3 percent may never be higher than the basic mill prices established in this regulation. The mill, of course, may sell at a price at which it will realize less than its regular ceiling.

(4) *Pyramiding prohibited.* The price additions permitted in this section may not be made more than once to the basic f. o. b. mill price in the regulation regardless of the number of persons participating in the transaction. For example: if direct-mill distributor making a "commission-type" sale sells a car of \$30.00 lumber to a yard which, in turn, sells for direct-mill shipment to a consumer, the mill's ceiling price on the sale through the distributor is \$31.00 (3 percent addition) and the yard's ceiling price to the consumer is \$31.50 (5 percent addition). Note that the yard cannot add its 5 percent either to the \$31.00 on a purchase through a direct-mill distributor making a commission-type sale, or to \$31.50 if the purchase was from a direct-mill distributor making a "wholesale type" sale. In both cases, the 5 percent may be added only to the basic f. o. b. mill price of \$30.00.

(5) *When additions may not be made by registered direct-mill distributors.* (i) On any sale for which the invoice from the mill or concentration yard does not contain the statement, "This mill has no control relationship with any direct-mill distributor." (ii) On any sale which carries an addition for a direct-mill retail type sale.

(iii) On any sale of less than carload quantity when shipped by rail, except that sales for resale purposes in less than carload quantities may carry a direct-mill distributor's mark-up when shipped in a pool carload; or of less than 5 M'BM when shipped by truck or water.

(iv) On any sale of lumber which originates from a mill or concentration yard which has a control relationship with a direct-mill distributor. However, where a sale is made to or through a direct-mill distributor under this section, and the invoice rendered by the mill contains the statement referred to in subdivision (i) of this paragraph, the direct-mill distributor may legally make the mark-up or addition unless the direct-mill distributor knows or has reason to know that the mill's statement is false.

A "control relationship" includes any of the following relationships:

(a) *Profit sharing, direct or indirect.* This means a financial interest by a direct-mill distributor in the profits, return or realization of a mill or concentration yard, or by a mill or concentration yard in the profits, return or realization of a direct-mill distributor, and includes common ownership or control of a mill and direct-mill distributor by a third person. It also includes any arrangement whereby a distributor or producer shares in the profits of the other, whether such arrangement is written or oral, direct or indirect. It does not include such interest as arises from a genuine indebtedness of such distributor or producer to the other where the obligation of the debtor is limited in amount to repayment of the loan plus a rate of interest no greater than the maximum legal rate of interest in the State where the loan is made, or no greater than 6%, if no maximum rate is prescribed.

Where a mill or concentration yard is a corporation, stock ownership of 10 percent or less of the total outstanding stock issue by a direct-mill distributor is not a "control relationship."

(It is to be noted that the section of the regulation which makes it unlawful to pay or receive any purchasing commission or other compensation over the permissible maximum prices, remains in effect. In this connection, the granting of a loan on unusually low rates of interest, or in any other unusually favorable terms, would ordinarily constitute additional compensation in violation of such prohibition.)

(b) *Family relationship.* A family relationship exists if an owner or any part-owner of a mill or concentration yard, or any member of his family, has any interest in a direct-mill distributor, (or vice versa) and such interest was acquired on or after January 1, 1942. Member of a family means any person related to an individual or his spouse by blood or marriage within the fifth degree.

(c) *Past employer-employee relationships* which were terminated after December 31, 1945.

(d) *Report of changes.* Where a direct-mill distributor has made an application for registration and any of the facts set forth in the application, have changed, or new facts have arisen since the filing of the application, having any bearing on the question of "control relationship," either before or after registration has been granted, he shall file a written report of such change or addition with the Lumber Branch of the Office of Price Administration, Washington 25, D. C., within 10 days after such a change. Reports shall be deemed filed on the date received, or, if sent by registered mail, on the date of mailing.

(e) *Suspension of licenses.* Any person making a sale under this regulation is subject to the provisions of Licensing Order No. 1. A violation of any provision of this regulation is a violation of the seller's license. Violations of the license or of this regulation may result in suspension of the license in accordance with the provisions of the Emergency Price Control Act of 1942, as amended.

(f) *Distributors' invoicing requirements.* The invoice on any distributors' direct-mill sale must be plainly marked "wholesaler's direct-mill sale," or "commission-man's

direct-mill sale", or "distribution yard's direct-mill sale", as the case may be, and must show the name of the direct-mill distributor and his registration number.

(b) Provisions placing an additional invoicing requirement on mills or concentration yards making sales under the lumber regulations listed in paragraph (d) of this order are added to the appropriate sections of such regulations by a new paragraph or added to the regulation as a new section, as designated, to read as follows:

Statements as to "control relationship." A mill or concentration yard must make either one of the following two statements on all invoices issued by it, whichever statement is applicable:

1. This mill has no "control relationship" with any direct-mill distributor.

2. This mill has a "control relationship" with a direct-mill distributor.

If a mill or concentration yard makes a statement on an invoice that it has no control relationship with a direct-mill distributor, and such statement is false, the maximum prices at which the lumber, covered by such invoice, may be sold by it, is 5% less than the f. o. b. mill prices set forth in the price tables. However, the direct-mill distributor who makes the addition or mark up under this section shall not be considered as buying or selling above the ceiling prices where the mill's invoice bears a statement that it "has no control relationship with any direct-mill distributor" even though the mill's statement is false, unless the direct-mill distributor knows, or has reason to know, that such statement is false.

(c) The following are the maximum price regulations which are amended to include the provisions set forth in paragraph (a) of § 1305.178:

In RMPR 26, add section 6A
In RMPR 94, add section 6A
In RMPR 164 add section 6A
In 3d RMPR 219 add section 6A
In 2d RMPR 222 add section 6A
In MPR 253, add § 1381.401a
In RMPR 290, add section 6A
In MPR 402, add section 6A
In MPR 412, add section 6A
In MPR 432, add section 6A
In MPR 458, add section 6A

(d) The following sections of the following regulations are amended by adding a new paragraph, as designated below, to read as provided in section (b) of this order:

In section 13 of RMPR 26, add paragraph (e)
In section 10 of RMPR 94, add paragraph (d)
In section 7 of RMPR 164, add paragraph (d)
In section 7 of 3d RMPR 219, add subparagraph (a) (6)
In section 9 of 2d RMPR 222, add paragraph (e)
In § 1381.405 of MPR 253, add paragraph (c)
In section 12 of RMPR 290, add paragraph (e)
In section 13 of MPR 402, add paragraph (e)
In section 11 of MPR 412, add paragraph (e)
In MPR 432, add section 8a.
In MPR 458, and section 8a.

This supplementary order shall become effective March 8, 1946.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in

accordance with the Federal Reports Act of 1942.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3875; Filed, Mar. 8, 1946;
5:08 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS
[MPR 525, Amdt. 10]

JOBBER SALES OF STOCK MILLWORK

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

Maximum Price Regulation No. 525 is amended in the following respects:

1. A new section 26, Appendix N, is added to read as follows:

Sec. 26. Appendix N: Maximum prices for the Boise Area.—(a) *Area definition.* The Boise area consists of portions of the States of Idaho and Oregon. The parts of these states included in the Boise area are as follows:

(1) Idaho: The counties of Adams, Washington, Payette, Gem, Canyon, Owyhee, Ada, Elmore, Camas, Custer, Boise and Valley.

(2) Oregon: The county of Malheur.

(b) *Items covered and stock lists.* The stock millwork items which are covered by this regulation in the Boise area are all of the items which meet the following tests:

(1) They are stock millwork items as defined in section 2 (a), and

(2) Regardless of trade name, they are a size and kind of stock millwork included in Stock Millwork Catalog, Number 39, published by Dempsey, Kimsey and Downs of Portland, Oregon; and issued by W. P. Fuller and Company of Boise, Idaho, which stock catalog is designated as the area stock list.

If any items are listed as stock millwork on a stock list or price list (other than the area stock list as designated in the preceding subparagraph numbered (2)) issued or used by any person in making a "jobber's sales of stock millwork" in this area, such items are stock millwork in this area when sold by such person, whether or not they are listed in the area stock list described above.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the Boise area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork," plus the percentage mark-up in subparagraph (5) (i) below;

(2) For stock millwork priced in Maximum Price Regulation 44, the maximum f. o. b. mill price established by Maximum Price Regulation 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount adjusted for freight (computed according to the provisions of section 3 (c) (2)

of this regulation) to the jobber's warehouse from which deliveries are made to the Boise area, plus the percentage mark-up in subparagraph (5) (ii) below;

(3) For stock millwork priced in Maximum Price Regulation 589:

(i) For frames, screen doors, and open windows and sash the maximum carload f. o. b. mill price established by Maximum Price Regulation 589 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (4) of this regulation) to the jobber's warehouse from which deliveries are made to the Boise area, plus the percentage mark-up in subparagraph (5) (iii) below;

(ii) For lineal sash stock, combination doors, and porchwork, the maximum carload f. o. b. mill price established by Maximum Price Regulation 589, adjusted for freight (computed according to the provisions of section 3 (c) (4) of this regulation) to the jobber's warehouse from which deliveries are made to the Boise area, plus the percentage mark-up in subparagraph (5) (iii) below;

(4) For stock millwork items priced in any other regulation named in section 2 (a), the seller may apply for approval of a price under sections 3 (a) (2) and 3 (a) (3) of this regulation.

(5) *Mark-ups.*

(i) All items covered by section 26, paragraph (c) (1):

	Percentage mark-up
China closets.....	39
Entrance frames.....	39
Glazed sash and windows.....	37
Mantels.....	39
Stock outside door frames.....	20
Stock window frames.....	21
Telephone cabinets.....	39
Window and sash units.....	39
Other millwork specialties.....	39

(ii) All items covered by section 26, paragraph (c) (2):

	Percentage mark-up
Inside fir doors:	
Fir French doors.....	47½
Fir panel doors.....	47½
Outside fir doors:	
Fir front doors.....	55
Fir garage doors.....	49
Fir sash doors.....	45

(iii) All items covered by section 26, paragraph (c) (3):

	Percentage mark-up
Fir combination doors.....	20
Fir frames:	
Outside door frames.....	21½
Window frames.....	20½
Fir screen doors.....	32½

(d) *Maximum prices for carload sales.* The maximum prices for any millwork items sold under this regulation and included in any carload shipment shall be 15 percent less than the maximum prices computed according to paragraph (c) (5) above.

(e) *Delivery.* (1) For delivery by company-owned trucks in a zone recognized by the jobber in March 1942 to be a free delivery zone, for any size order, containing full or broken bundles, no delivery charge may be added to the maximum prices computed according to par-

agraph (c) above. For delivery by company-owned trucks in other than a free delivery zone the same charges may be added to the maximum prices as were added in March 1942 on deliveries of like quantities to like classes of purchasers.

(2) When shipments are made by common carrier the maximum prices established by this regulation are f. o. b. warehouse from which shipment is made.

(3) Where shipment of a broken bundle is made by common carrier and the broken bundle is repacked, the packing charge specified below may be added to the maximum price.

Item	Number of size and kind in a full bundle	Broken bundle packing charge, net per package
Check rail windows—Ordinary, glazed.....	6	\$0.30
Check rail windows—Ordinary, open.....	5	.15
Garage doors—Ordinary, glazed.....	(1)	.60
Garage doors—Ordinary, open.....	(1)	.25
Panel and glazed doors.....	4	.60
Screen doors.....	6	.50
Silente windows, glazed.....	6	.30
Storm sash, glazed.....	6	.50
Window screens.....	12	.50

¹ 1 Set.

2. A new section 27, Appendix O, is added to read as follows:

Sec. 27. Appendix O: Maximum prices for the Spokane Area.—(a) *Area definition.* The Spokane Area consists of portions of the States of Washington, Montana, and Idaho. The parts of these states included in the Spokane Area are as follows:

(1) Washington: The counties of Asotin, Whitman, Adams, Grant, Spokane, Lincoln, Pend Oreille, Stevens, Ferry; and the town of Mason City only in Okanogan County.

(2) Montana: The portion of Montana west of the counties of Liberty, Hill, Blaine, Fergus, Judith Basin, Wheatland, and Park.

(3) Idaho: The portion of Idaho lying north of the southern boundaries of Idaho and Lemhi Counties.

(b) *Items covered and stock lists.* The stock millwork items which are covered by this regulation in the Spokane Area are all of the items which meet the following tests:

(1) They are stock millwork items as defined in section 2 (a), and

(2) Regardless of trade name, they are a size and kind of stock millwork included in Stock Millwork Catalog, Number 39, published by Dempsey, Kimsey and Downs of Portland, Oregon; and issued by W. P. Fuller and Company of Spokane, Washington, which stock catalog is designated as the area stock list.

If any items are listed as stock millwork on a stock list or price list (other than the area stock list as designated in the preceding subparagraph numbered (2)) issued or used by any person in making a "jobber's sale of stock millwork" in this area, such items are stock millwork in this area when sold by such person, whether or not they are listed in the area stock list described above.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the Spokane Area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork," plus the percentage mark-up in subparagraph (5) (i) below;

(2) For stock millwork priced in Maximum Price Regulation 44, the maximum f. o. b. mill price established by Maximum Price Regulation 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the Spokane Area, plus the percentage mark-up in subparagraph (5) (ii) below;

(3) For stock millwork priced in Maximum Price Regulation 589:

(i) For frames, screen doors, and open windows and sash, the maximum carload f. o. b. mill price established by Maximum Price Regulation 589, for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (4) of this regulation) to the jobber's warehouse from which deliveries are made to the Spokane Area, plus the percentage mark-up in subparagraph (5) (iii) below;

(ii) For lineal sash stock, combination doors, and porchwork, the maximum carload f. o. b. mill price established by Maximum Price Regulation 589, adjusted for freight (computed according to the provisions of section 3 (c) (4) of this regulation) to the jobber's warehouse from which deliveries are made to the Spokane Area, plus the percentage mark-up in subparagraph (5) (iii) below;

(4) For stock millwork items priced in any other regulation named in section 2 (a), the seller may apply for approval of a price under sections 3 (a) (2) and 3 (a) (3) of this regulation.

(5) *Mark-ups.*

(i) All items covered by section 27, paragraph (c) (1):

	Percentage mark-up
China closets.....	53½
Entrance frames.....	53½
Glazed sash and windows.....	30
Mantels.....	53½
Telephone cabinets.....	53½
Window and outside door frames.....	25
Window and sash units.....	53½
Window screens.....	34
Other millwork specialties.....	53½

(ii) All items covered by section 27, paragraph (c) (2):

	Percentage mark-up
Inside fir doors:	
Fir french doors.....	58
Fir panel doors.....	40
Outside fir doors:	
Fir front doors.....	58
Fir garage doors.....	40
Fir sash doors.....	40

(iii) All items covered by section 27, paragraph (c) (3):

	Percentage mark-up
Fir screen doors.....	27
Fir combination doors.....	33

(d) *Maximum prices for warehouse pick-up sales.* For sales of stock millwork picked up by the buyer at the seller's warehouse, the maximum prices shall be 5 percent less than the maximum prices computed for stock millwork in paragraph (c) (4) above.

(e) *Delivery.* (1) For delivery by company-owned trucks in a zone recognized by the jobber in March 1942 to be a free delivery zone, for any size order, containing full or broken bundles, no delivery charge may be added to the maximum prices computed according to paragraph (c) above. For delivery by company-owned trucks in other than a free delivery zone the same charges may be added to the maximum prices as were added in March 1942 on deliveries of like quantities to like classes of purchasers.

(2) Where shipment weighing 200 pounds or more is made by common carrier the exact amount of freight charges paid by consignee shall be deducted from the maximum prices. If 200 pounds or more are shipped by means other than common carrier or company-owned truck, the common carrier rate for the actual weight shipped must be deducted. Where shipment weighing less than 200 pounds is made by means other than company-owned truck, the maximum prices in this appendix are f. o. b. warehouse.

3. A new Section 28, Appendix P, is added to read as follows:

SEC. 28. *Appendix P: Maximum prices for the Puget Sound Area—(a) Area definition.* The Puget Sound Area consists of a portion of the State of Washington. The portion of the State of Washington included in the Puget Sound Area is as follows: Pacific County except Long Beach Peninsula and that portion south of a line drawn due west from the northwest corner of Wakiakum County to Long Beach Peninsula; and the counties of Lewis, Yakima, Benton, Kittitas, Douglas, Okanogan (except Mason City), Whatcom, Skagit, Snohomish, Chelan, King, Pierce, Thurston, Grays Harbor, Mason, Jefferson, Kitsap, Chatham, Island, and San Juan.

(b) *Item covered and stock lists.* The stock millwork items which are covered by this regulation in the Puget Sound Area are all of the items which meet the following tests:

(1) They are stock millwork items as defined in Section 2 (a), and

(2) Regardless of trade name, they are a size and kind of stock millwork included in Stock Millwork Catalog, Number 39, published by Dempsey, Kimsey and Downs of Portland, Oregon; and issued by Savage Lumber and Manufacturing Company of Renton and Seattle, Washington, which stock catalog is designated as the area stock list.

If any items are listed as stock millwork on a stock list or price list (other than the area stock list as described in the preceding subparagraph numbered (2)) issued or used by any person in

making a "jobber's sale of stock millwork" in this area, such items are stock millwork in this area when sold by such person, whether or not they are listed in the area stock list described above.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the Puget Sound Area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation 293 the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork," plus the percentage mark-up in subparagraph (5) (i) below:

(2) For stock millwork priced in Maximum Price Regulation 44, the maximum f. o. b. mill price established by Maximum Price Regulation 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the Puget Sound Area, plus the percentage mark-up in subparagraph (5) (ii) below;

(3) For stock millwork priced in Maximum Price Regulation 589:

(i) For frames, screen doors, and open windows and sash, the maximum carload f. o. b. mill price established by Maximum Price Regulation 589 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (4) of this regulation) to the jobber's warehouse from which deliveries are made to the Puget Sound Area, plus the percentage mark-up in subparagraph (5) (iii) below;

(ii) For lineal sash stock, combination doors, and porchwork, the maximum carload f. o. b. price established by Maximum Price Regulation 589, adjusted for freight (computed according to the provisions of section 3 (c) (4) of this regulation) to the jobber's warehouse from which deliveries are made to the Puget Sound Area, plus the percentage mark-ups in subparagraphs (5) (iii) below;

(4) For stock millwork items priced in any other regulation named in section 2 (a), the seller may apply for approval of a price under sections 3 (a) (2) and 3 (a) (3) of this regulation.

(5) *Mark-ups.*

(i) All items covered by section 28, paragraph (c) (1):

	Percentage mark-up
China closets.....	53½
Entrance frames.....	53½
Mantels.....	53½
Telephone cabinets.....	53½
Window and sash units.....	53½
Other millwork specialties.....	53½

(ii) All items covered by section 28, paragraph (c) (2):

	Percentage mark-up
Inside doors:	
Fir French doors.....	77
Fir panel doors.....	44
Outside doors:	
Fir front doors.....	71
Fir garage doors.....	53
Fir sash doors.....	51

(iii) All items covered by section 28, paragraph (c) (3):

	Percentage mark-up
Combination screen and storm doors.....	42
Glazed sash and windows.....	42½
Screen doors.....	44
Window and outside door frames.....	39

(d) *Maximum prices for carload sales.* The maximum prices for any millwork items sold under this regulation and included in any carload shipment shall be 15 percent less than the maximum prices computed according to paragraph (c) (5) above.

(e) *Delivery.* (1) For delivery by company-owned trucks in a zone recognized by the jobber in March 1942 to be a free delivery zone, for any size order, containing full or broken bundles, no delivery charge may be added to the maximum prices computed according to paragraph (c) above. For delivery by company-owned trucks in other than a free delivery zone the same charge may be added to the maximum prices as was added in March 1942 on deliveries of like quantities to like classes of purchasers.

(2) Where shipment weighing 100 pounds or more is made by common carrier the exact amount of freight charges paid by consignee shall be deducted from the maximum prices. If 100 pounds or more are shipped by means other than common carrier or company-owned truck, the common carrier rate for the actual weight shipped must be deducted. Where shipment weighing less than 100 pounds is made by means other than company-owned trucks, the maximum prices in this appendix are f. o. b. warehouse from which shipment is made.

4. A new Section 29, Appendix Q, is added to read as follows:

SEC. 29. *Appendix Q: Maximum prices for the Portland Area—(a) Area definition.* The Portland Area consists of (1) the entire State of Oregon with the exception of the county of Malheur, and (2) a portion of the State of Washington as follows: Long Beach Peninsula in Pacific County and the portion of Pacific County lying south of a line drawn due west from the northwest corner of Wakiakum County to the Long Beach Peninsula, and the Counties of Wakiakum, Cowlitz, Clark, Skamania, Klickitat, Franklin, Walla Walla, Columbia, and Garfield.

(b) *Items covered and stock lists.* The stock millwork items which are covered by this regulation in the Portland Area are all of the items which meet the following tests:

(1) They are stock millwork items as defined in section 2 (a), and

(2) Regardless of trade name, they are a size and kind of stock millwork included in Stock Millwork Catalog, Number 39, published by Dempsey, Kimsey and Downs of Portland, Oregon; and issued by the Hawley Gilbert Company of Portland, Oregon, which stock catalog is designated as the area stock list.

If any items are listed as stock millwork on a stock list or price list (other than the area stock list as described in the preceding subparagraph numbered (2)) issued or used by any person in mak-

ing a "jobber's sale of stock millwork" in this area, such items are stock millwork in this area when sold by such person, whether or not they are listed in the area stock list described above.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the Portland Area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork" plus the percentage mark-up in subparagraph (5) (i) below;

(2) For stock millwork priced in Maximum Price Regulation 44, the maximum f. o. b. mill price established by Maximum Price Regulation 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the Portland area, plus the percentage mark-up in subparagraph (5) (ii) below;

(3) For stock millwork priced in Maximum Price Regulation 589:

(i) For frames, screen doors, and open windows and sash the maximum carload f. o. b. mill price established by Maximum Price Regulation 589 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (4) of this regulation) to the jobber's warehouse from which deliveries are made to the Portland Area, plus the percentage mark-up in subparagraph (5) (iii) below;

(ii) For lineal sash stock, combination doors, and porchwork, the maximum carload f. o. b. mill price established by Maximum Price Regulation 589, adjusted for freight (computed according to the provisions of section 3 (c) (4) of this regulation) to the jobber's warehouse from which deliveries are made to the Portland Area, plus the percentage mark-up in subparagraph 5 (iii) below;

(4) For stock millwork items priced in any other regulation named in section 2 (a), the seller may apply for approval of a price under sections 3 (a) (2) and 3 (a) (3) of this regulation.

(5) *Mark-ups.*

(i) All items covered by section 29, paragraph (c) (1):

	Percentage mark-up
China closets.....	53½
Entrance frames.....	53½
Mantels.....	53½
Telephone cabinets.....	53½
Window and sash units.....	53½
Other millwork specialties.....	53½

(ii) All items covered by section 29, paragraph (c) (2):

	Percentage mark-up
Inside doors:	
Fir French doors.....	54½
Fir panel doors.....	45½
Outside doors:	
Fir front doors.....	69½
Fir garage doors.....	41
Fir sash doors.....	46

(iii) All items covered by section 29, paragraph (c) (3):

	Percentage mark-up
Combination screen and storm doors.....	38½
Glazed sash and windows.....	40½
Outside door frames.....	48
Screen doors.....	28
Window frames.....	57

(d) *Maximum prices for carload sales.* The maximum prices for any millwork items sold under this regulation and included in any carload shipment shall be 15 percent less than the maximum prices computed according to paragraph (c) (5) above. The above quantity discount does not apply on sales of screen doors, combination doors and millwork specialties.

(e) *Maximum prices for quantity sales.* Except as indicated below, for sales of stock millwork in quantities totalling \$25.00 to \$40.99 the maximum prices shall be 5 percent less than the maximum prices computed for stock millwork in paragraph (c) (5) above; and for sales of stock millwork in quantities totalling \$50.00 or more the maximum prices shall be 10 percent less than the maximum prices computed for stock millwork in paragraph (c) (5) above. The above quantity discounts do not apply on sales of screen doors, combination doors and millwork specialties.

(f) *Delivery.* (1) For delivery by company-owned trucks in a zone recognized by the jobber in March 1942 to be a free delivery zone, for any size order, containing full or broken bundles, no delivery charge may be added to the maximum prices computed according to paragraph (c) above. For delivery by company-owned trucks in other than a free delivery zone the same charges may be added to the maximum prices as were added in March 1942 on deliveries of like quantities to like classes of purchasers.

(2) When shipments are made by common carrier the maximum prices established by this regulation are f. o. b. warehouse from which shipment is made.

This Amendment No. 10 shall become effective March 16, 1946.

Issued this 11th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3923; Filed, Mar. 11, 1946; 11:49 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS [RMPR 289, Amdt. 48]

DAIRY PRODUCTS

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

Revised Maximum Price Regulation 289 is amended in the following respect:

The last sentence of Table C in section 20 (b) (1) is amended to read as follows: "1¢ per package for all other packages designed for use by householders not, however, to exceed 1¢ per pound."

10 F.R. 2352, 2658, 2928, 3554, 3948, 3950, 5772, 5792, 6232, 7340, 7852, 9084, 11809, 12651, 12957, 12989, 13216, 13592, 14735; 11 F.R. 175, 244, 712, 840, 1405.

This amendment shall become effective March 8, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

Approved: March 5, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-3847; Filed, Mar. 8, 1946;
4:59 p. m.]

PART 1499—COMMODITIES AND SERVICES
[MPR 188, Amdt. 74]

MANUFACTURERS' MAXIMUM PRICES FOR
CONSUMERS' GOODS OTHER THAN APPAREL

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

Maximum Price Regulation No. 188 is amended in the following respects:

1. Section 1499.163 (a) (3) is amended to read as follows:

(3) "Manufacturer" means the person who makes the first sale of the completed article, that is, the first person having title to the article after it has been fabricated, and is ready for use, regardless of whether or not he has fabricated it. If a person purchases a completed article, and then resells it after making changes in it, he is a manufacturer of the changed article.

Example: (1) A person who buys unfinished furniture, and finishes it, is a manufacturer of finished furniture.

(ii) A buys fountain pen barrels from B; and he buys nibs from C. He then delivers the barrels and the nibs to D to be assembled. After assembly D delivers the completed fountain pen to A. A is the manufacturer since he is the first person having title to the article after it has been fabricated, and is ready for use. D is not the manufacturer although he did the actual assembly work, and fabricated the finished fountain pen, since he never had title to the finished article.

2. The note following the first paragraph of § 1499.166 is amended to read:

NOTE: The listings below are listings of broad general categories, and they are not intended to be listings of specific items or articles. Any article falling within any category listed below in an article covered by this regulation.

The categories listed below are not intended to include (a) any commodity subject at the manufacturer's level to another maximum price regulation or price schedule other than the General Maximum Price Regulation, in effect on August 1, 1942, or issued any time thereafter, (b) any commodity exempted from the General Maximum Price Regulation by any supplementary regulation thereto, in effect on August 1, 1942, or issued any time thereafter, (c) used, reconditioned, rebuilt, remodeled commodities or commodities made from any used materials, except commodities specifically described below as being made of used material, or (d) parts, except those specifically listed as such below. Since the designations of some categories are broad enough in certain instances to suggest that articles are included which are intended to be excluded, other regulations which might be applicable

to the article or type of article have been indicated. Manufacturers selling articles included within a category listed below should, before pricing their products in accordance with this regulation, determine whether other price regulations or orders, or regulations supplementary to the General Maximum Price Regulation, have been issued with respect to such articles.

3. The headings of the subparagraphs in § 1499.166 are amended to read as follows:

(a) (1) Oil paints and varnishes, including, but not limited to:

(b) (1) Bedding, including, but not limited to:

(2) Equipment and supplies (except those covered by Maximum Price Regulation No. 136, as amended), including, but not limited to:

(3) Floor coverings, including, but not limited to:

(4) Furniture, including, but not limited to:

(5) Hardware, tools and appliances (except those covered by Maximum Price Regulation No. 136, as amended), including, but not limited to:

(6) Household appliances, electrical and other, including, but not limited to:

(7) Miscellaneous housewares, including, but not limited to:

(8) Commercial kitchen equipment. Commercial and institutional kitchen equipment, irrespective of the type of fuel used, for use in hotels, restaurants, schools, hospitals, industrial and public cafeterias, and similar establishments, including, but not limited to:

(9) Marine articles, including, but not limited to:

(10) Personal and household accessories, including, but not limited to:

(11) Radio accessories, and phonographic equipment and accessories, including, but not limited to:

(12) Musical instruments, parts, and accessories, including, but not limited to toy and novelty musical instruments.

(13) Photographic, photo engraving, and photo copying equipment, and allied supplies, including, but not limited to:

(14) Sporting goods made of new materials (except clothing and shoes), and reprocessed golf balls with used centers.

(15) Toys and games.

(16) Wheel goods, including, but not limited to:

(17) Health supplies, equipment, and sub-assemblies thereof, not including drugs, chemicals and medicines except when packed in and sold as a part of first-aid-kits; and not including rubber drug sundries covered by Maximum Price Regulation No. 300. This category includes, but is not limited to:

(18) Industrial safety equipment, not including shoes and scientific instruments covered by Maximum Price Regulation No. 136, as amended. This category includes, but is not limited to:

(19) Rope and cordage, including, but not limited to:

(20) Unclassified articles:

4. The following are added to the list of articles in sub-paragraph (b) (20) of § 1499.166:

Fountain pens.

Mechanical pencils.

Fountain Pen and Mechanical Pencil sets.

This amendment shall become effective on March 7, 1946.

Issued this 7th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3720; Filed, Mar. 7, 1946;
4:15 p. m.]

Chapter XVIII—Office of Economic
Stabilization

PART 4001—STABILIZATION OF WAGES AND
PRICES

SUPPLEMENTARY WAGE AND SALARY
REGULATIONS

Pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Order 9250 of October 3, 1942 (7 F.R. 7871), Executive Order 9328 of April 8, 1943 (8 F.R. 4681), Executive Order 9599 of August 18, 1945 (10 F.R. 10155), Executive Order 9651 of October 30, 1945 (10 F.R. 13487), Executive Order 9697 of February 14, 1946 (11 F.R. 1691), and Executive Order 9699 of February 25, 1946 (11 F.R. 1929), the following regulations are hereby promulgated:

SUBPART A—GENERAL PROVISIONS

- | | |
|----------|---|
| Sec. | |
| 4001.101 | Purpose. |
| 4001.102 | "Approved" and "unapproved" wage and salary increases. |
| 4001.103 | What wage and salary increases are lawful. |
| 4001.104 | List of designated wage or salary stabilization agencies. |
| 4001.105 | Application to suspended price or rent ceilings. |
| 4001.106 | Wage increases required by certain statutes. |

SUBPART B—UNAPPROVED WAGE OR SALARY
INCREASES

- | | |
|----------|---|
| 4001.201 | Exceptions to prior approval provisions of Executive Order 9697. |
| 4001.202 | Waiver of right to seek increased ceilings or to increase costs to the United States by institution of unapproved increase. |
| 4001.203 | Unapproved increases excluded from consideration in determining price or rent ceilings. |
| 4001.204 | Unapproved increases excluded as basis for increasing costs to the United States. |

SUBPART C—APPROVAL OF WAGE OR SALARY
INCREASES

- | | |
|----------|---|
| 4001.301 | Wage or salary increases which are approved without further application to wage or salary stabilization agencies. |
| 4001.302 | Wage or salary increases approvable only on application to wage or salary stabilization agency. |
| 4001.303 | Increases consistent with industry or local area pattern. |
| 4001.304 | Increases to correct gross inequities. |

¹ Sections 4001.101 to 4001.406, inclusive, supersede the Supplementary Wage and Salary Regulations issued by the Stabilization Administrator on December 5, 1945 (10 F.R. 14820). However, Order No. 1 under § 4001.30 of those regulations (10 F.R. 15026) and Order No. 2 under § 4001.30 of those regulations (11 F.R. 1045) remain in full force and effect.

- Sec.
4001.305 "Cost of living" increases.
4001.306 Increases to correct substandards of living.
4001.307 Increases falling within standards in effect prior to August 18, 1945.
4001.308 Issuance of general pattern and other orders.
4001.309 Agreements for conditional wage or salary increases.

SUBPART D—EFFECT OF APPROVED WAGE OR SALARY INCREASES

- 4001.401 Effect of approved increases in determining price or rent ceilings.
4001.402 Prohibition against adjustment of price or rent ceilings before approved increase has been put into effect or agreed to.
4001.403 Industry price increases when some employers in industry have not made wage or salary increases.
4001.404 Use of estimates as to effect of approved wage or salary increases on costs.
4001.405 Effect of approved increases in determining costs to the United States.
4001.406 Increased costs to the United States to be limited to employers who have instituted wage or salary increases.

AUTHORITY: §§ 4001.101 to 4001.406, inclusive, issued under E.O. 9250; E.O. 9328, 3 CFR. Cum. Supp.; E.O. 9599, 10 F.R. 10155; E.O. 9620, 10 F.R. 12033; E.O. 9651, 10 F.R. 13487; E.O. 9697, 11 F.R. 1691, and E.O. 9699, 11 F.R. 1929.

SUBPART A—GENERAL PROVISIONS

§ 4001.101 *Purpose.* The purpose of §§ 4001.101 to 4001.406, inclusive, is to carry out the policies established in Executive Order 9599 (August 18, 1945), Executive Order 9651 (October 30, 1945), and Executive Order 9697 (February 14, 1946) with respect to increases in wages and salaries and their relationship to prices and rent ceilings and costs to the United States. Sections 4001.101 to 4001.406, inclusive, supersede the Supplementary Wage and Salary Regulations issued by the Stabilization Administrator on December 5, 1945 (10 F.R. 14820). They supersede all other regulations, directives or rulings of the Economic Stabilization Director² or of the Stabilization Administrator to the extent that they are inconsistent with them.

§ 4001.102 *"Approved" and "unapproved" wage and salary increases.* As used in §§ 4001.101 to 4001.406, an "approved" wage or salary increase means an increase which has been approved in accordance with the provisions of section 3 of Executive Order 9697 or of §§ 4001.301 to 4001.309, inclusive. An "unapproved" wage or salary increase means any other wage or salary increase. An "approved" wage or salary increase may be taken into consideration in determining price or rent ceilings or costs to the United States in accordance with the provisions of §§ 4001.401 to 4001.406, inclusive. An "unapproved" increase is subject to the conditions stated in

§§ 4001.201 to 4001.204, inclusive, and may not be so taken into consideration.

§ 4001.103 *What wage and salary increases are lawful.* (a) While the making of any wage or salary increases on or after February 14, 1946, is subject to the conditions stated in §§ 4001.201 to 4001.204, inclusive, the payment of such an increase is not unlawful, except as provided in the succeeding paragraphs of this section.

(b) Pending provision to the contrary by the National Wage Stabilization Board, a wage or salary increase may not lawfully be made with respect to employees in the building and construction industry who are subject to the jurisdiction of the Wage Adjustment Board, unless the increase, before being put into effect, has been approved in accordance with the applicable requirements of the National Wage Stabilization Board and of the Wage Adjustment Board.

(c) Pending provision to the contrary by the Secretary of Agriculture, a wage or salary increase subject to the wage or salary stabilization regulations of the Secretary of Agriculture is not lawful unless the increase, before being put into effect, has been approved as required by those regulations or unless the increase is permissible under the terms of those regulations.

(d) Pending provision to the contrary by the National Wage Stabilization Board, wage or salary increases for the purpose of eliminating intra-plant inequities in the basic steel industry may not lawfully be made with respect to the rates of employees covered by the directive order of the National War Labor Board dated November 25, 1944 unless, before such increases are put into effect, they have been approved in accordance with the applicable requirements of the National Wage Stabilization Board.

(e) Except as the appropriate wage or salary stabilization agency may by regulation or general order provide, no new wage or salary rates for new plants or for new departments in existing plants may be established or paid without the prior approval of such agency.

(f) The Economic Stabilization Director may, by amendment to this section define further classes of wage or salary increases which will be unlawful unless made with the prior approval of the appropriate wage or salary stabilization agency.

§ 4001.104. *List of designated wage or salary stabilization agencies.* (a) The following, for the purpose of §§ 4001.101 to 4001.406, inclusive, are designated wage and salary stabilization agencies:

(1) The National Wage Stabilization Board, with respect to wages and salaries as to which the National War Labor Board exercised jurisdiction on August 17, 1945.

(2) The Commissioner of Internal Revenue, with respect to salaries as to which the Commissioner exercised jurisdiction on August 17, 1945.

(3) The Economic Stabilization Director, with respect to wages and salaries as to which the National Wage Stabilization Board is precluded from exercising

ing authority by the Lea Amendment to the National War Agencies Appropriation Act of 1946. (Such cases will be transmitted to the Director by the Secretary of Agriculture).

(4) The Secretary of Agriculture, with respect to wages and salaries as to which the Secretary exercised jurisdiction on August 17, 1945.

(b) The provisions of §§ 4001.101 to 4001.406, inclusive, are also applicable, to the extent authorized by Executive Order 9299 and section 4 of the Stabilization Act of 1942, as amended (56 Stat. 766; 57 Stat. 63; 58 Stat. 642; 50 U.S.C., App. 964), to wages and salaries of employees who are subject to the provisions of the Railway Labor Act (44 Stat. 577; 48 Stat. 1185; 49 Stat. 1189; 45 U.S.C. chap. 8)

§ 4001.105 *Application to suspended price or rent ceilings.* For the purposes of §§ 4001.101 to 4001.406, inclusive, the terms "price or rent ceilings" shall include price or rent ceilings which have been suspended by the Price Administrator.

§ 4001.106 *Wage increases required by certain statutes.* Nothing in §§ 4001.106 to 4001.406, inclusive, shall be construed to prohibit or to attach conditions to the making of any wage or salary increase required by the provisions of the Fair Labor Standards Act (52 Stat. 1060, 55 Stat. 756; 29 U.S.C. 201-219), the Walsh-Healey Act (49 Stat. 2036; 56 Stat. 277; 41 U.S.C. 35-45), or the Davis-Bacon Act (46 Stat. 1494; 40 U.S.C. 276a).

SUBPART B—UNAPPROVED WAGE OR SALARY INCREASES

§ 4001.201 *Exceptions to prior approval provisions of Executive Order 9697.* Any employer may make a wage or salary increase without the prior approval of any wage or salary stabilization agency and without prejudice to his right of applying for approval of the increase thereafter and using it, to the extent that it is approved, as a basis for seeking an increase in price ceilings or for any other of the purposes described in § 4001.202, if either:

(a) The employer has no present intention of using the increase as a basis for seeking an increase in price ceilings or for any other of the purposes described in § 4001.202, and so states in a notice describing the increase filed with the appropriate wage or salary stabilization agency within 30 days after the increase is first reflected in current payrolls; or

(b) The increases made before March 15, 1946, in accordance with the provisions of General Order No. 1, issued by the Stabilization Administrator, and application for approval is filed with the appropriate wage or salary stabilization agency within 30 days after the increase is first reflected in current payrolls.

§ 4001.202 *Waiver of right to seek increased ceilings or to increase costs to the United States by institution of unapproved increase.* Except as provided in § 4001.201, the making on or after February 14, 1946, of any wage or salary increase (other than an increase approved under the provisions of §§ 4001.-

² As hereafter used in §§ 4001.101 to 4001.406, inclusive, the term, "Economic Stabilization Director" includes also the Stabilization Administrator in the case of actions taken between September 20, 1945 and February 25, 1946.

101 to 4001.406, inclusive), without the prior approval of the appropriate wage or salary stabilization agency shall be deemed to be a waiver, during the continuation of the stabilization laws, of any right which the employer might otherwise have to use such increase in whole or in part as a basis for seeking or obtaining an increase in price or rent ceilings or for resisting an otherwise justifiable reduction in price or rent ceilings or (in the case of products or services being furnished under contract with a federal procurement agency) for increasing costs to the United States or (in the case of a public utility or common carrier) for seeking or obtaining an increase in rates.

§ 4001.203 *Unapproved increases excluded from consideration in determining price or rent ceilings.* (a) The Price Administrator shall not take into consideration any unapproved wage or salary increase in determining price or rent ceilings. Whenever there is presented as a basis for an increase in such ceilings an operating or financial statement which reflects, in whole or in part, the results of operations during a period in which an unapproved wage or salary increase was paid, the Price Administrator shall deduct from the costs as shown in the statement the amount of the increase in payroll resulting from the unapproved increase, except to the extent that the employer affirmatively shows that the increase in labor costs attributable to the unapproved increase was less than the increase in payroll.

(b) No seller or landlord may take any unapproved wage or salary increase into consideration in determining his price or rent ceilings.

§ 4001.204 *Unapproved increases excluded as basis for increasing costs to the United States.* No unapproved wage or salary increase shall be used as a basis for increasing costs to the United States. No federal procurement agency shall agree to terminate any contract for the purpose of negotiating a new contract which will take into consideration the cost of an unapproved wage or salary increase. So far as practicable, no federal procurement agency shall take any unapproved wage or salary increase into consideration in negotiating a fixed price contract.

SUBPART C—APPROVAL OF WAGE OR SALARY INCREASES

§ 4001.301 *Wage or salary increases which are approved without further application to wage or salary stabilization agencies.* Except as provided in § 4001.103, any wage or salary increase of a kind described in this section shall be deemed to be approved for the purposes of §§ 4001.101 to 4001.406, inclusive:

(a) Any wage or salary increase lawfully made without specific approval or approved by the appropriate wage or salary stabilization agency before February 14, 1946.

(b) Any wage or salary increase made at any time in accordance with a governmental recommendation in a wage controversy announced before February 14, 1946.

(c) Any wage or salary increase made on or after February 14, 1946, by an employer who at the time the increase was put into effect employed not more than eight employees: *Provided*, That unless expressly extended by announcement of the appropriate wage or salary stabilization agency this exception shall not apply with respect to employees whose wages, hours or working conditions have been established or negotiated on an industry, association, area, or other similar basis by a master contract or by similar or identical contracts: *And provided, further*, That the appropriate wage or salary stabilization agency may make such other exclusions from this exception as it may deem necessary to carry out the purposes of Executive Order 9697.

(d) Any wage or salary increase made on or after February 14, 1946, resulting from the institution of a plan which provides for (1) not more than six paid holidays per year, or (2) extra payments for night work, to the extent that such extra payments do not exceed five cents per hour for work on a second shift or ten cents per hour for work on a third shift, or (3) paid vacations to employees, to the extent that such paid vacations do not exceed one week for any employee having completed one year or more of employment with the employer and two weeks for any employee having completed five or more years of employment with the employer.

(e) Any wage or salary increase made in accordance with the provisions of a regulation or general order issued by the appropriate wage or salary stabilization agency pursuant to § 4001.308.

§ 4001.302 *Wage or salary increases approvable only on application to wage or salary stabilization agency.* A wage or salary increase which does not fall within one of the classes listed in § 4001.301 may be approved only on application to, and decision by, the appropriate wage or salary stabilization agency. Such an increase shall be approved only if the appropriate wage or salary stabilization agency finds that it falls within one or more of the classes of cases described in §§ 4001.303 to 4001.307, inclusive, and only to the extent to which it is found approvable under the terms of those sections. Upon the determination by the appropriate wage or salary stabilization agency that a wage or salary increase is approvable under the terms of the applicable section, the increase shall be deemed to be approved also by the Economic Stabilization Director.

§ 4001.303 *Increases consistent with industry or local area pattern.* The appropriate wage or salary stabilization agency shall approve a wage or salary increase which it finds to be consistent with the general pattern of wage or salary adjustments which has been established in the particular industry, or in the particular industry or related industries within the particular local labor market area, during the period between August 18, 1945, and February 14, 1946.

§ 4001.304 *Increases to correct gross inequities.* In any case in which it finds that no applicable pattern of wage or sal-

ary adjustments was established during the period between August 18, 1945, and February 14, 1946, the appropriate wage or salary stabilization agency shall approve a wage or salary increase which it finds is necessary to eliminate a gross inequity between wage rates or salaries in related industries, related plants in the same industry or locality, or related job classifications in the same plant which would interfere with the effective transition to a peacetime economy. In determining whether there exists a gross inequity between related industries, within the meaning of this section, consideration shall be given to the extent to which the take-home pay of the employees in the respective industries has been reduced as a result of the transition to a peacetime economy.

§ 4001.305 *"Cost of living" increases.* In any case in which it finds that no applicable pattern of wage or salary adjustments was established during the period between August 18, 1945, and February 14, 1946, the appropriate wage or salary stabilization agency shall approve a wage or salary increase which it finds necessary to correct a maladjustment which would interfere with the effective transition to a peacetime economy and which is further necessary to make the average increase since January 1, 1941 in wage or salary rates of employees in the appropriate unit equal the percentage increase in the cost of living between January 1941 and September 1945. For the purposes of this section this percentage increase in the cost of living shall be deemed to be 33 percent.

§ 4001.306 *Increases to correct substandards of living.* The appropriate wage or salary stabilization agency shall approve a wage or salary increase which it finds is necessary to correct substandards of living.

§ 4001.307 *Increases falling within standards in effect prior to August 18, 1945.* The appropriate wage or salary stabilization agency may approve any wage or salary increase which it finds falls within one of the standards in effect on August 17, 1945, (except the standards relating to "rare and unusual" cases) under which applications for wage or salary increases were approved.

§ 4001.308 *Issuance of general pattern and other orders.* (a) The appropriate wage or salary stabilization agency shall have authority by regulation or general order to designate particular industries, or particular industries or related industries within a particular local labor market area, with respect to which it finds that a general pattern of wage or salary adjustments has been established, within the meaning of § 4001.303, or that a specified wage or salary level is necessary to eliminate a gross inequity between wage rates or salaries in related industries or in related plants in the same industry or locality, within the meaning of § 4001.304, and to provide that any wage or salary increase conforming to such regulation or general order shall be deemed to be approved.

(b) No wage or salary increase or part thereof which is made by an employer

who falls within the terms of a regulation or general order issued pursuant to paragraph (a) of this section and which is in excess of the amount approved by such regulations or order shall be approved under any other provision of this regulation, except §§ 4001.306 or 4001.307, unless the appropriate wage or salary stabilization agency finds, with the approval of the Economic Stabilization Director, that because of special circumstances such approval is necessary to effectuate the purposes of Executive Order 9697.

(c) The appropriate wage or salary stabilization agency may, with the approval of the Economic Stabilization Director, give advance approval by regulation or general order to other classes of wage or salary increases.

§ 4001.309 *Agreements for conditional wage or salary increases.* No wage or salary stabilization agency shall consider or set upon an application for approval of any wage or salary increase which appears to be conditioned in whole or in part upon the granting of an increase in price or rent ceilings. This provision, however, shall not be a bar to consideration of an increase which is conditioned upon approval by the appropriate wage or salary stabilization agency nor of an increase which is not to be put into effect until a determination has been made by the Office of Price Administration as to whether an increase in price or rent ceilings is required.

SUBPART D—EFFECT OF APPROVED WAGE OR SALARY INCREASES

§ 4001.405 *Effect of approved increases in determining price or rent ceilings.* (a) In determining price or rent ceilings, the Price Administrator shall take into consideration, consistently with the provisions and purposes of Executive Order 9697, any wage or salary increase which is approved under the provisions of §§ 4001.101 to 4001.406, inclusive. In so doing, however, the Price Administrator shall exclude from consideration any retroactive part of any such increase—that is, any part paid on account of work done prior to the date when the increase was made, except where, in his judgment, different action is required in order to end a supply emergency with respect to the commodity involved which threatens to interfere with the effective transition to a peacetime economy.

(b) Nothing in §§ 4001.101 to 4001.406, inclusive, shall be construed as directing any increase in price or rent ceilings which is not required under the provisions of an applicable maximum price or rent regulation or under the applicable statutory or administrative standards governing changes in price or rent ceilings, including the standards provided for in section 2 of Executive Order 9697.

§ 4001.402 *Prohibition against adjustment of price or rent ceilings before approved increase has been put into effect or agreed to.* Except to the extent permitted in § 4001.403, the Price Administrator shall not, in the absence of specific approval by the Economic Stabilization Director, authorize any increase in price or rent ceilings or make

any commitment to authorize any such increase on the basis of any increase in wages or salaries unless such wage or salary increase has been put into effect or a firm agreement exists to put it into effect. However, in order to expedite adjustment of ceilings after approved increases have been put into effect, the Price Administrator may, while an application for approval of a wage or salary increase is pending, receive applications for increased ceilings based on the wage or salary increase for which approval is being sought.

§ 4001.403 *Industry price increases when some employers in industry have not made wage or salary increases.* In taking action in accordance with the pricing standards of section 2 of Executive Order 9697 or of any orders or directives issued by the Economic Stabilization Director pursuant thereto, the Price Administrator may find it necessary from time to time to arrive at a judgment with respect to the earnings position, over the succeeding 12 months, of an industry in which a part, but not all, of the firms have put approved wage or salary increases into effect or have made firm agreements to do so. In such a case, not only is the Price Administrator authorized to take into account any resulting increase in cost to the firms which have taken such action but, where he finds that such firms constitute a large portion of the industry (ordinarily representing at least one-half the total output) and that like wage or salary increases appear reasonably sure to be made by a large portion of the remaining firms in the near future, he may also take into account the increase in cost which he believes likely to result from those future wage increases, when, in his judgment, to do so would promote effective price administration. Where the Price Administrator finds that a portion of the firms in an industry have taken such action with respect to approved wage or salary increases and additional firms are reasonably certain to do so, but where he cannot make the finding required by the preceding sentence, he may not, without the express approval of the Economic Stabilization Director, take into present account such wage or salary increases as may thereafter be made and approved, but he may make whatever provision appears to him just and practicable (e. g., by establishing two levels of ceiling prices, by authorizing individual adjustments, or by prescribing increase factors) to accord price relief, where needed, to those firms which have put approved wage or salary increases into effect or have made firm agreements to do so and to facilitate the granting of price relief on a like basis to those other firms which may thereafter take such wage or salary action.

§ 4001.404 *Use of estimates as to effect of approved wage or salary increases on costs.* The Price Administrator shall arrive at a judgment as to the effect on costs currently or for the succeeding 12 months of an approved wage or salary increase on the basis of the best data which may be in hand or obtainable from the industry or firm involved within a

reasonably short period of time. In so doing, he shall give due consideration to such seasonal, non-recurring, temporary, or otherwise non-representative factors as may be reflected in such data and also to such relevant factors as he may find have been operative since the period covered by the data, or may be operative in the succeeding 12 months, which indicate that the actual cost of the wage or salary increase is then, or over the latter period will be, higher or lower than the estimates of costs which would otherwise be derived from the data. In appropriate cases, the Price Administrator shall provide for the subsequent review of any adjustment in ceilings put into effect in the light of actual experience during a representative period of operations subsequent to the increase.

§ 4001.405 *Effect of approved increases in determining costs to the United States.* In the case of products or services being furnished under contract with a federal procurement agency, such agency may take into consideration, on the same basis as other factors affecting costs, any wage or salary increase which is approved under the provisions of §§ 4001.101 to 4001.406: *Provided, however,* That no wage or salary increase which was made on or before February 13, 1946, and was unapproved on that date shall be a basis for reimbursement under such a contract unless the procurement agency administering the contract finds that reimbursement is necessary to prevent hardship. Nothing in §§ 4001.101 to 4001.406, inclusive, however, shall be construed as authorizing or requiring any increase in costs to the United States which is not required by the applicable procurement contract.

§ 4001.406 *Increased costs to the United States to be limited to employers who have instituted wage or salary increases.* To the fullest practicable extent federal procurement agencies shall provide that no employer shall be eligible for the benefits of any increase in payments by the United States based upon an approved wage or salary increase except to the extent to which he himself has put into effect such wage or salary increase.

(E.O. 9250; E.O. 9328, 3 CFR, Cum. Supp.; E.O. 9599, 10 F.R. 10155; E.O. 9620, 10 F.R. 12033; E.O. 9651, 10 F.R. 13487; E.O. 9697, 11 F.R. 1691, and E.O. 9699, 11 F.R. 1929)

CHESTER BOWLES,
Economic Stabilization Director.

MARCH 8, 1946.

[F. R. Doc. 46-3876; Filed, Mar. 8, 1946; 5:15 p. m.]

Chapter XIX—Reconstruction Finance Corporation

[Reg. 7, Amdt. 11 to Schedule A, Revised Mar. 1, 1945]

PART 7007—STRIPPER WELL COMPENSATORY ADJUSTMENTS

NOTE: Amendment 11 to Schedule A of Regulation 7 was filed with the Divi-

sion of the Federal Register as Document No. 46-3892, on March 11, 1946, at 9:59 a. m.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

PART 6—SECURITY OF PORTS AND THE CONTROL OF VESSELS IN THE NAVIGABLE WATERS OF THE UNITED STATES

SUBPART C—ANCHORAGE AND RESTRICTED AREAS

Pursuant to the authority contained in section 1, title II, of the Espionage Act approved June 15, 1917, 40 Stat. 220 (50 U. S. C. 191), and by virtue of the Procurement No. 2412 issued June 27, 1940 (3 CFR Cum. Supp.), the Regulations for the Security of Ports and the Control of Vessels in the Navigable Waters of the United States are amended as follows:

Eighth Naval District. Sections 6.8-1 to 6.8-48, inclusive, are repealed and the following §§ 6.8-1 to 6.8-120, inclusive, are substituted therefor.

Eleventh Naval District. Sections 6.11-1 to 6.11-10, inclusive, are repealed and the following §§ 6.11-1 to 6.11-105, inclusive, are substituted therefor.

Twelfth Naval District. Sections 6.12-1 to 6.12-46, inclusive, are repealed and the following §§ 6.12-5 to 6.12-185, inclusive, are substituted therefor.

Thirteenth Naval District. Sections 6.13-1 to 6.13-17, inclusive, are repealed and the following §§ 6.13-5 to 6.13-245, inclusive, are substituted therefor.

EIGHTH NAVAL DISTRICT

Anchorage Areas

- Sec.
6.8-1 Mobile, Alabama.
6.8-5 New Orleans, Louisiana.
6.8-10 Galveston, Texas.

Restricted Areas

- 6.8-100 Pensacola Harbor approaches; in Gulf off Pensacola firing area.
6.8-105 Florida; Pensacola Bay; restricted area.
6.8-110 Biloxi Bay, Biloxi, Mississippi, seaplane operating area.
6.8-115 Mississippi River.
6.8-120 Louisiana; Mississippi River; New Orleans Harbor; regulations.

ELEVENTH NAVAL DISTRICT

Anchorage Areas

- 6.11-1 San Diego Harbor, California.
6.11-5 Los Angeles and Long Beach Harbors, California; the anchorages.
6.11-10 Isthmus Cove, Santa Catalina, California.
6.11-15 San Clemente Island, California.
6.11-20 Santa Barbara Island, California.
6.11-25 San Nicolas Island, California.

Restricted Areas

- 6.11-100 Los Angeles and Long Beach Harbors restricted area at U. S. Fleet Operating Base.
6.11-105 Temporary berthing area in San Diego Bay.

TWELTH NAVAL DISTRICT

Anchorage Areas

- 6.12-5 General anchorage areas for San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, New York Slough and San Joaquin River, California.

Sec.

- 6.12-10 Special anchorage regulations applying to the San Joaquin deepwater channel and the Stockton turning basin.
6.12-15 San Luis Obispo Bay, California, special anchorage area.

Restricted Areas

- 6.12-100 Restricted area for naval operations.
6.12-105 Restricted naval aircraft area.
6.12-110 Restricted seaplane area; San Francisco Bay at South San Francisco, California.
6.12-115 Restricted area; San Francisco, Alcatraz Island, California.
6.12-120 Port Chicago Naval Magazine restricted area; Suisun Bay at Port Chicago, California.
6.12-125 Benicia arsenal restricted area; Carquinez Strait and Suisun Bay at Benicia, California.
6.12-130 Restricted naval fueling depot; San Francisco Bay at Point Molate, California.
6.12-135 Magnetic range restricted area; San Francisco Bay at Treasure Island, California.
6.12-140 San Pablo Bay, California; Mare Island; danger area.
6.12-145 Maneuvering area; San Francisco Bay at Treasure Island, California.
6.12-150 Danger area in Monterey Bay, California, at Fort Ord, California.
6.12-155 Danger area in Tomales Bay, California.
6.12-160 Danger area in Pacific Ocean adjacent to San Francisco, California; U. S. Military Reservations.
6.12-165 Regulations for California Naval areas.
6.12-170 Explosives anchorages.
6.12-175 Oakland Estuary inbound traffic; San Francisco Bay.
6.12-180 Fruitvale Bridge.
6.12-185 Oakland Harbor; Naval Supply Depot, Oakland, California.

THIRTEENTH NAVAL DISTRICT

General Anchorages

- 6.13-5 Puget Sound; Elliott Bay anchorages.
6.13-10 Puget Sound; Smith Cove anchorages.
6.13-15 Puget Sound; Orchard Point anchorage area.
6.13-20 Puget Sound; Port Madison anchorage area.
6.13-25 Admiralty Inlet; Oak Bay anchorage area.
6.13-30 Admiralty Inlet; Port Townsend anchorage area.
6.13-35 Possession Sound; Port Gardner anchorage area.
6.13-40 Columbia River; Upper Tongue Point anchorage area.
6.13-45 Columbia River; Lower Tongue Point anchorage area.

Explosives Anchorages

- 6.13-50 Puget Sound; Blake Island explosives anchorage area.
6.13-55 Puget Sound; Kingston explosives anchorage area.
6.13-60 Hood Canal; Thorndike Bay-emergency explosives anchorage area.
6.13-65 Seabeck Bay; Emergency explosives anchorage area.
6.13-70 Squamish Harbor explosives anchorage area.
6.13-74 Possession Sound; Southwest Gedeney Island emergency anchorage area.
6.13-75 Possession Sound; Northeast Gedeney Island explosives anchorage area.
6.13-80 Puget Sound; Port Discovery explosives anchorage area.
6.13-85 Puget Sound; Holmes Harbor explosives anchorage area.
6.13-90 Puget Sound; Port Susan explosives anchorage area.

Sec.

- 6.13-91 Strait of Juan De Fuca; Fresh Water Bay emergency explosive area.
6.13-95 Columbia River; Beaver Ammunition Storage Point emergency explosives anchorage area.

Berthing Areas

- 6.13-100 Admiralty Inlet and Puget Sound; Killisut Harbor and Scow Bay anchorage area.
6.13-105 Dyes Inlet anchorage.
6.13-110 Case Inlet anchorages.
6.13-115 Budd Inlet anchorage.
6.13-120 Willamette River anchorage.
6.13-125 Columbia River, Oregon, Slough anchorage; anchorage areas.
6.13-200 Lake Washington; Naval air station.
6.13-205 Elliott Bay; Naval station.
6.13-210 Puget Sound; Sinclair Inlet.
6.13-215 Puget Sound; Port Orchard.
6.13-220 Puget Sound; Point Jefferson.
6.13-225 Puget Sound; Mukilteo.
6.13-230 Hood Canal; Bangor.
6.13-235 Admiralty Inlet; entrance restricted area.
6.13-240 Strait of Juan De Fuca; eastern end.
6.13-245 Oak Harbor and Crescent Harbor; Whidby Island.

AUTHORITY: §§ 6.8-1 to 6.13-245, inclusive, issued under 40 Stat. 220, 50 U.S.C. 191; Proc. 2412, June 27, 1940, 3 CFR Cum. Supp.

EIGHTH NAVAL DISTRICT

Anchorage Areas

§ 6.8-1 *Mobile, Alabama*—(a) *Anchorage A (Explosives)*. This anchorage includes the area within a radius of 750 yards from a point located 1,000 yards true north from Fort Morgan Light. Anchorage A shall be used by vessels loading or discharging high explosives. It shall also be used by vessels carrying dangerous or inflammable cargoes requiring an anchorage. It may be used for a general anchorage when not required for vessels carrying explosive or dangerous or inflammable cargoes. No vessel shall occupy this anchorage without obtaining a permit from the Captain of the Port.

§ 6.8-5 *New Orleans, Louisiana*—(a) *The anchorage areas*—(1) *Anchorage A (Woodland Anchorage)*. An area 2 miles long near the right descending bank, south side of the channel, not to exceed 600 feet from the bank. Upper limits approximately 0.9 mile downstream from Point Celeste and opposite Davant, La. Lower limits approximately 0.7 mile upstream from Point A-La-Hache Ferry Landing.

(2) *Anchorage B (Phoenix Anchorage)*. An area 2 miles long near the left descending bank, northeast of the channel, not to exceed 600 feet from the bank. Upper limits approximately 1 mile downstream from Poverty Point Light and directly opposite Myrtle Grove, La. Lower limits approximately 4.5 miles upstream from Favrot Light, and opposite Oakland, La.

(3) *Anchorage C (Baton Rouge Anchorage)*. An area 0.5 mile long near the left descending bank, east side of the channel, not to exceed 1,000 feet from the bank, vicinity Standard Oil Plant. Upper limits 2.8 miles downstream from Baton Rouge Railroad and Highway Bridge. Lower limits approximately 0.5 mile upstream from Baton Rouge Ferry Landing.

(4) *Anchorage D (Port Allen Anchorage)*. An area 1.3 miles long near the right descending bank, west side of the

channel, not to exceed 1,000 feet from the bank. Upper limits approximately 1.5 miles downstream from Port Allen Ferry Landing, or 0.8 mile downstream from Limerick Light. Lower limits approximately 4 miles upstream Red Eye Crossing front light.

(5) *Anchorage E* (Manchac Anchorage). An area 1.3 miles long near the right descending bank, south side of the channel, not to exceed 1,000 feet from the bank. Upper limits approximately 1.4 miles downstream from Sardine Point Light. Lower limits approximately 1.5 miles upstream from Manchac Point, and directly opposite Mulberry Grove Light.

(6) *Anchorage F* (Plaquemine Anchorage). An area 1 mile long near the left descending bank, northeast side of the channel, not to exceed 1,000 feet from the bank, vicinity Lucky Plantation. Upper limits approximately 0.7 mile downstream from Medodeon Point Light directly opposite Pecan Light. Lower limits approximately 3.4 miles upstream from Granada Front Range Light and directly opposite St. Louis Plantation Light.

(7) *Anchorage G* (Carville Anchorage). An area 1 mile long near the left descending bank, northwest side of the channel, not to exceed 600 feet from the bank, vicinity of U. S. Public Health Service Leper Colony. Upper limits approximately 1.6 miles downstream from White Castle Light opposite Alhambra Light. Lower limits approximately 1.5 miles upstream from Maryland Light and opposite Belle Grove Plantation.

(8) *Anchorage H* (Philadelphia Point Anchorage). An area 2.2 miles long near the right descending bank, southwest side of the channel, not to exceed 1,200 feet from the bank vicinity Elsie Landing. Upper limits approximately 1.5 miles downstream from Chatham Landing and directly opposite New River Light. Lower limits approximately .9 mile upstream from Philadelphia Point Landing and directly opposite Belle Helene Light.

(9) *Anchorage I* (Donaldsonville Anchorage). An area 1 mile long near the right descending bank, south side of the channel, not to exceed 1,200 feet from the bank. Upper limits approximately .4 mile downstream from Donaldsonville Ferry Landing. Lower limits approximately .9 mile upstream from Rateau Light and directly opposite Brangier Point Light.

(10) *Anchorage J* (Olga Landing Anchorage). An area 1.5 miles long near the right descending bank, west side of the channel, not to exceed 700 feet from the bank, vicinity Olga Landing. Upper limits approximately 2.8 miles downstream from Brilliant Point Light and directly opposite Uncle Sam Light. Lower limits approximately .8 mile upstream from St. James Light and directly opposite Convent Landing.

(11) *Anchorage K* (Lutcher Anchorage). An area 1.7 miles long near the left descending bank, northwest side of the channel, not to exceed 600 feet from the bank, vicinity Lutcher, La. Upper limits approximately 1 mile downstream from St. Elmo Light and opposite Magnolia Landing. Lower limits approximately 2.6 miles upstream from Mt. Airy

Light or 2 mile upstream from Gramercy Ferry Landing.

(12) *Anchorage L* (Edgard Anchorage). An area 1.5 miles long near the right descending side of the channel, not to exceed 600 feet from the bank, vicinity Edgar Landing. Upper limits approximately 1.7 miles downstream from White Rose Light and opposite Reserve, La. Lower limits approximately 1 mile downstream from Edgar Landing or .7 mile upstream from California Light.

(13) *Anchorage M* (Hahnville Anchorage). An area 1 mile long near the right descending bank, west of the channel not to exceed 1,000 feet from the bank, vicinity Hahnville Landing. Upper limits approximately 1.4 miles downstream from Taft Light and directly opposite Prospect Light. Lower limits approximately 1 mile upstream from Fashion Light and directly opposite 26 mile Point Light.

(14) *Anchorage N* (Destrehan Anchorage). An area 1 mile long near the left descending bank, north side of the channel, not to exceed 600 feet from the bank, vicinity Pecan Grove Landing. Upper limits approximately 3 mile downstream from Destrehan Ferry Landing and opposite Luling, La. Lower limits approximately 1 mile upstream from St. Rose, La., and directly opposite Lone Star.

(15) *Anchorage P* (Nine Mile Point Anchorage). An area .7 mile long near the right descending bank, west side of the channel, not to exceed 500 feet from the bank. Upper limits approximately .3 mile downstream from Nine Mile Point Light and directly opposite Oak Street, New Orleans. Lower limits directly opposite end of U. S. Engineer Depot, 2nd New Orleans District.

(16) *Anchorage Q* (Quarantine Anchorage). An area .9 mile long near the right descending bank, southwest side of the channel, not to exceed 800 feet from the bank. Upper limits approximately .4 mile downstream from Todd-Johnson Dry Dock and directly opposite Jackson Barracks. Lower limits directly opposite Chalmette Slip.

(17) *Anchorage R* (New Orleans General Anchorage). An area 3.5 miles long near the right descending bank, south side of the channel, not to exceed 800 feet from the bank. Upper limits approximately .7 mile downstream from U. S. Quarantine Station and directly opposite Chalmette Slip. Lower limits approximately 1.7 miles downstream from Cutoff Light and opposite Neraux, La.

(18) *Anchorage S* (Twelve Mile Point Anchorage). An area 1 mile long near the right descending bank, north side of the channel, not to exceed 800 feet from the bank. Upper limits approximately 0.5 mile downstream from Twelve Mile Point or opposite Caernarvon, Ia. Lower limits approximately 2 miles upstream from English Turn Navigation Light or opposite Braithwaite, La.

(19) *Anchorage No. 1* (Explosive). Located one-half mile up river from Oakville navigation light. The Captain of the Port shall designate anchorages up river or down river from the point named. The anchorage area is from the west bank of the river to a point 1,000 feet to

the eastward. This anchorage shall be reserved for vessels carrying explosives, without limit as to quantity.

NOTE: Explosive anchorage 1 light established on shore 980 yards 19° from Oakville Light. Light is flashing green every 4 seconds, flash 0.4 second, eclipse 3.6 seconds, or 30 candlepower, 35 feet above mean high water on a black pole, with signboard facing the river and having the following inscription: "Explosive Anchorage No. 1—Vessels Handling Explosives Must Anchor Within 1,000 Feet from this Bank, U. S. Coast Guard."

(20) *Anchorage No. 2* (Explosive). Located 2,670 yards 156° from Saxonholm Light. The Captain of the Port will designate anchorages up river or down river from the point named. The anchorage area is from the west bank of the river to a point 900 feet to the eastward. This anchorage shall be reserved for vessels carrying limited quantities of explosives. A permit to use the anchorage must be obtained from the Captain of the Port, who is authorized to limit the quantity of explosives on any vessel in the anchorage upon a finding by him that a greater amount would be unsafe.

NOTE: Explosive Anchorage 2 Light established about 80 feet from shore, in 6 feet, 2,700 yards 157½° from Saxonholm Light. Light is flashing green every 4 seconds, flash 0.4 second, eclipse 3.6 seconds, of 30 candlepower, 25 feet above mean high water on a black triangular structure on poles, with signboard facing the river and having the following inscription: "Explosives Anchorage 2—Vessels Handling Explosive Must Anchor Within 900 feet from this Bank, U. S. Coast Guard."

(21) *Anchorage T* (Home Place Anchorage). An area 1.4 miles long near the right descending bank, southwest side of the channel, not to exceed 600 feet from the bank. Upper limits approximately .3 mile downstream from the Freeport Sulphur Company Wharf at Port Sulphur, La. Lower limits, Home Place Light.

(22) *Anchorage U* (Buras Anchorage). An area 2 miles long near the right descending bank, southwest side of the channel, not to exceed 800 feet from the bank. Upper limits approximately 2.8 miles downstream from Alberta Light or approximately .2 mile downstream from Gulf Refining Wharf at Buras, La., directly opposite Ostreica Canal Lock. Lower limits approximately .9 mile upstream from Bayou Grand Liard Light or approximately .2 mile upstream from Gulf Refining Company Wharf at Triumph, La.

(23) *Anchorage V* (Boothville Anchorage). An area 3.2 miles long near the right descending bank, southwest side of the channel, not to exceed 800 feet from the bank. Upper limits approximately 2.8 miles downstream from Fort Jackson Light and directly opposite New Canal Light. Lower limits approximately 2.8 miles upstream from the Jump Light and directly opposite Michella Light.

(24) *Anchorage W* (Pilottown Anchorage). An area approximately 5.8 miles long near the right descending bank, west side of the channel, not to exceed 1,000 feet from the west bank. Upper limits approximately 2.8 miles downstream from the Jump Light, and opposite Wilder Flat Light. Lower limits

approximately 2.1 miles upstream from Head of Passes Light and opposite the Pilots Station of Pilotown, La.

(25) *Anchorage X* (Southwest Pass Anchorage). Vessels anchoring in the pass shall take position near the eastern bank, above a point marked by a post painted white, surmounted with round black target on channel end of spur dike No. 13.32 L about 1.5 miles above Southwest Pass Lighthouse; and below a point also marked by a post, painted white, with round black target 1.5 miles below the Head of the Passes Light, and vessels so anchoring shall put out such extra moorings as may be necessary to prevent their being blown athwart the channel, and thus endangering the navigation of the pass.

(26) *Anchorage Y* (South Pass Anchorage). Vessels anchoring in the pass shall take position near the eastern bank, above a point marked by a post, painted white, surmounted with a round black target, which is about 0.5 mile above South Pass Lighthouse, and below a point also marked by a post painted white, with round black target 1.5 miles below the Head of the Passes Light; and vessels so anchoring shall put out such extra moorings as may be necessary to prevent their being blown athwart the channel, and thus endangering the navigation of the pass.

(27) *Anchorage No. 3* (Explosive). Located 1.4 miles up river from Oak Point Navigation Light. The Captain of the Port shall designate anchorages up or down river from the point named. The anchoring area extends from the west bank of the river to a point 1,000 feet to the eastward. This anchorage shall be reserved for vessels carrying explosives, without limits as to quantity.

§ 6.8-10 *Galveston, Texas*—(a) *The anchorage areas*—(1) *Anchorage No. 1* (Explosive). A triangular area to the westward of Port Bolivar, bounded by a line starting from a point bearing 293° true and 200 yards off Bolivar Peninsula Light and ranging true west for a distance of 550 yards, thence true south a distance of 750 yards, thence back to the starting point bearing 37° true.

(2) *Anchorage No. 2* (Explosive). A rectangular area in Bolivar Roads bounded by a line starting from a point 250 yards true south of No. 9 channel buoy and ranging true east a distance of 1,300 yards, and between the lines ranging true south from each end of the northern boundary to the sand flats along the south jetty.

(3) *Anchorage No. 3* (General). A triangular area in Bolivar Roads to the southward of a line connecting No. 9 and No. 11 channel buoys; westward of a line having a bearing of 180° from No. 9 channel buoy, and eastward of No. 11 channel buoy. This anchorage shall be for the general use of naval and merchant vessels, and also for the use of vessels undergoing examination by quarantine, customs, or immigration authorities.

NOTE: This anchorage is intended for periods of less than thirty days.

(4) *Anchorage No. 4* (General). An area in Bolivar Roads to the northward

of the ship channel within the following lines:

(i) Northwestward of a line having a bearing of 62° from No. 8 channel buoy;

(ii) North of a line having a bearing of 271° from No. 8 channel buoy;

(iii) East of a line having a bearing of 20° from the Quarantine Station cupola on Pelican Island.

This anchorage is to be used by merchant vessels remaining at anchor for a period of time greater than thirty days; it may also be used by merchant vessels when anchorage No. 3 is over-crowded.

(5) *Anchorage No. 5* (Restricted). An area in Bolivar Roads to the northward of the ship channel within the following lines:

(i) Southeastward of a line having a bearing of 223° from the old tower on Bolivar Point;

(ii) East of a line having a bearing of 359° from No. 4 channel buoy;

(iii) North of a line having a bearing of 115° from No. 4 channel buoy;

(iv) West of the westerly boundary of general anchorage No. 4.

This anchorage is to be used by vessels awaiting quarantine inspection, and by such other vessels as the Captain of the Port may permit.

Restricted areas

§ 6.8-100 *Pensacola Harbor approaches in Gulf off Pensacola, firing area*—(a) *The restricted area*. (1) The firing range off Fort Pickens and Fort McRee, hereinafter referred to as the "restricted area," includes the waters of the Gulf of Mexico within the following two sectors, viz: First, a sector the easterly limit of which bears south 45 degrees east from a point on Santa Rosa Island 2,500 yards (approximately 1½ miles) east of the Coast Guard Station, and the westerly limit of which bears south 45° west from the western end of Santa Rosa Island, the outer limits of this sector describing an arc 30,000 yards (approximately 17 miles) from the shore line of Santa Rosa Island; and second, an adjacent sector, the easterly limit of which bears south 45° west from the western end of Santa Rosa Island, and the westerly limit of which bears south 65° west from the western end of Santa Rosa Island, both limits having a length of 17,000 yards (approximately 10 miles). All bearings are referred to true meridian.

(b) *The regulations*. (1) Any vessel proceeding by mechanical power at a speed greater than five miles per hour may enter and proceed directly through the restricted area without hindrance, excepting for reasonable delays when notified by a patrol boat that firing for a brief period is about to commence or is in progress.

(2) Except under unusual circumstances, the restricted area is open throughout the year to the public for fishing and traffic without restriction from 12:00 noon, Saturdays, to 7:30 a. m., Mondays, and National (not State) holidays from 6:00 p. m. of the preceding day to 7:30 a. m. on the day following the holiday. The restricted area is also open to the public for fishing and traffic

without restriction on other days when firing is not to be held.

(3) On days when firing is to be held, which will require restrictions on the use of part or all of the restricted area, a large red flag will be displayed from a mast on or in the vicinity of the lookout tower of the Coast Guard Station on Santa Rosa Island, and from a mast on or in the vicinity of the parapet of Old Fort Pickens, Santa Rosa Island. These flags will be displayed not later than 7:30 a. m. of the day on which firing is to be held, and will be removed when firing ceases for the day.

(4) When night firing is scheduled, large white flags will be displayed from the same towers at 4:00 p. m. of that day, and will remain displayed until the termination of firing on that day.

(5) On days and nights when firing is in progress and flags are displayed as provided in subparagraphs (3) and (4) of this paragraph no boat or vessel shall, except as provided in subparagraph (1) of this paragraph, enter or remain in the restricted area; except under the written authority of the Commanding Officer, Fort Barrancas, Florida: *Provided, however*, That the Commanding Officer may designate by suitable public notices a small part of the restricted area as the danger zone for certain firings, in which case any boat or vessel may enter and remain in waters of the restricted area, outside of the designated limits of such danger zone of lesser area as may be specified.

(6) The regulations in this paragraph will be enforced by the Commanding Officer at Fort Barrancas, Florida, through such officers, enlisted men, and employees as may be properly designated by him for the purpose.

§ 6.8-105 *Florida; Pensacola Bay; restricted area*—(a) *The area*. A line drawn from the point in latitude 30°22' 28" N., longitude 87°16'00" W., through the following positions:

(1) Latitude 30°21'02" N., longitude 87°14'20" W.

(2) Latitude 30°20'02" N., longitude 87°15'16" W.

(3) Latitude 30°19'52" N., longitude 87°16'12" W.

(4) Latitude 30°20'11" N., longitude 87°17'58" W., and thence in a 250° direction to the shore.

(b) *The regulations*. (1) The above area is established as a seaplane landing area under the control of the Commander, Naval Air Training Bases, Pensacola, Florida.

(2) Vessels and small craft, except crash boats, plane rearming boats and similar craft ordered into the area on specific missions in connection with the servicing of planes or patrol of the area, are prohibited from entering or being in the area at any time.

(3) The regulations in this paragraph will be enforced by the Commander, Naval Air Training Bases, Pensacola, Florida, through the use of such equipment and personnel as may be properly designated by him for the purpose.

§ 6.8-110 *Biloxi Bay, Biloxi, Mississippi, seaplane operating area*—(a) *The danger zone*. A restricted seaplane operating area bounded as follows:

From the northeast end of the Coast Guard Air Station seaplane ramp 1,500 feet true east; then north true to a point 250 feet south of the highway bridge; then parallel to the highway bridge to the dredged channel; then following the inside of the dredged channel to a point of 1,500 feet west of Channel Beacon No. 36; then northwest true for 1,000 feet; then west true to beach and along beach to northeast end of Coast Guard seaplane ramp.

(b) *The regulations.* (1) No vessels except those operated by the United States Navy, United States Coast Guard, and vessels otherwise under the direct control of the United States shall moor or anchor within the seaplane operating area at any time.

(2) No vessels except those operated by the United States Navy, United States Coast Guard, and vessels otherwise under the direct control of the United States shall enter the seaplane operating area at any time between sunset and sunrise.

(3) No vessel shall engage in fishing, placing of fishing stakes, or similar activities any time within the limits of the seaplane operating area.

(4) All vessels moving within the seaplane operating area shall immediately proceed to leave that area when warned by aircraft employing the "buzzing" method, which consists of low-flying by the airplane and repeated opening and closing of the throttle.

(5) These regulations in this paragraph will be enforced by the Commanding Officer of the Coast Guard Air Station, Biloxi, Mississippi, or by his duly designated representatives. Specific exemptions from these regulations in this paragraph may be granted by such officers.

§ 6.8-115 *Mississippi River.* Navigation regulations to govern speed of vessels in vicinity of explosives anchorage south of New Orleans. The masters and pilots of all seagoing steamers, tugboats, and other vessels plying the Mississippi River south of New Orleans in the vicinity of Explosive Anchorage No. 1, Explosive Anchorage No. 2, Explosive Anchorage No. 3, including Concord Switch Explosives Loading Wharf adjacent to Explosive Anchorage No. 3, Braithwaite Explosives Loading Wharf, located 1925 yards 111° from Shingle Point Light, and the Naval Ammunition Depot Wharf at Victory Switch, located 2033 yards, 87¼° from Shingle Point Light, shall regulate the speed of their vessels over the bed of the river so as not to exceed 7 miles per hour going downstream or 5 miles per hour going upstream.

§ 6.8-120 *Louisiana; Mississippi River; New Orleans Harbor; regulations.* The following rules and regulations are prescribed to govern the movement of vessels on the Mississippi River in the vicinity of Algiers Point, Port of New Orleans, Louisiana.

(a) Whenever the Carrollton gauge reads 12 feet on a rising stage of the Mississippi River until the gauge reaches 15 feet on a falling stage, the movement of vessels on the Mississippi River in the vicinity of Algiers Point shall be governed by red and green traffic signal lights in the vicinity of Barracks and Gretna.

(b) *Signals:* (1) A green light revolving through 60° once every 5 seconds so as to sweep the entire width of the river displayed ahead of a vessel in the direction of travel indicates that Algiers Point is clear.

(2) A red light revolving through 60° once every 5 seconds so as to sweep the entire width of the river displayed ahead of a vessel in the direction of travel indicates that Algiers Point is not clear.

(3) Absence of lights, or lack of visibility thereof will be considered a danger signal.

(c) *Ascending vessels:* (1) An ascending vessel shall not proceed farther up the river than the Pauline Street Wharf either when a red light or no lights are being displayed from the Barracks Street tower.

(2) Whenever an ascending vessel reaches Pauline Street Wharf and cannot see any signal, the pilot of the vessel shall use his own judgment about getting the vessel clear of a possible descending vessel.

(d) *Descending vessels:* (1) A descending vessel reaching the vicinity of Southport shall not endeavor to pass through the harbor during thick weather.

(2) Whenever a descending vessel reaches Napoleon Avenue and either a red light or no lights are being displayed from the Gretna tower the vessel shall immediately slow down and be placed in position to round to if the signal remains against the vessel.

(e) Whenever Algiers Point is considered unsafe for navigation, the tower lights will be extinguished. If under such conditions a vessel signals the towerman a short, long, and short (— — —) blast, a red light will be displayed for 2 minutes and then extinguished to confirm the accuracy of the danger signal.

(f) Any descending vessel destined to a wharf between Napoleon Avenue and Kratoch Street Wharf shall signal the Gretna towerman three (3) long and one (1) short (— — —) blast to indicate that he is bound to a wharf between these points.

(g) The pilot if any vessel scheduled to leave any wharf above Barracks Street signal tower, bound downstream around Algiers Point, shall communicate with the Barracks Street Towerman by telephone to determine whether the channel at Algiers Point is clear before leaving.

(h) The term "vessel" shall include all ships, whether under their own power or in tow, and all barges in tow, but is not intended to apply to tugs or towboats without tows or to small river craft of any description operating under their power.

(i) The District Engineer, U. S. Engineer Department at Large, in charge of the locality, shall, sufficiently in advance, issue notices in the press or otherwise, warning navigation interests when it is expected that the Mississippi River will reach 12 feet on the Carrollton gauge on a rising stage.

ELEVENTH NAVAL DISTRICT

Anchorage Areas

§ 6.11-1 *San Diego Harbor, California—(a) General anchorage.* The an-

chorage grounds for general use shall include all the navigable portion of the harbor except the following:

(1) A lane from San Diego to Coronado, the easterly limit of which is uniformly 500 feet east of the center line of Atlantic Street, San Diego, prolonged southward, and the westerly limit a straight line which, where intersecting the established United States Pierhead lines, is west of said center line of Atlantic Street, a distance of 500 feet at the north end and 760 feet at the south end.

(2) The area lying westerly of a line extending from Ballast Point Light to the northeast corner of Navy Dock (just southerly of San Diego Bay Light 1) thence to the shore end of the Quarantine Dock, which line bears approximately north 8°30' west.

(b) *Special anchorage for vessels of the U. S. Government.* The aforesaid area lying westerly of a line extending from Ballast Point Light to the northeast corner of Navy Dock (just southerly of San Diego Bay Light 1) thence to the shore end of the Quarantine Dock, which line bears approximately north 8°30' west.

(c) *The regulations.* (1) No vessel shall anchor in the lane reserved from the general anchorage grounds.

(2) The special anchorage ground for vessels of the United States Government is reserved exclusively for the anchorage of such vessels and of authorized harbor pilot boats. No other vessel shall anchor in this area.

(3) Vessels anchoring in portions of the harbor other than those above described shall leave a free passage for other craft, and shall not unreasonably obstruct the approach to the wharves in the harbor.

(d) *Special anchorage for seaplanes.* All of that area in the central part of San Diego Bay inclosed by lines connecting the following points as follows:

S. 25,016 E. 12,420; S. 27,720 E. 16,258; S. 30,490 E. 18,073; S. 31,933 E. 18,239; S. 34,404 E. 19,132; S. 39,271 E. 19,556; S. 41,815 E. 14,009; S. 41,454 E. 13,836; S. 40,983 E. 14,862; S. 35,649 E. 12,581; S. 36,229 E. 11,316; S. 33,132 E. 9,650; S. 30,136 E. 7,810; S. 25,016 E. 12,420.

NOTE: The above points are rectangular coordinates and are referred to the U. S. C. and G. S. station "Old Town" as their origin.

(1) The area designated above is hereby set aside for the use of seaplanes and their attendant plant and, except as specified herein, navigation within that area is restricted to seaplanes, their attendant plant, and vessels under the control of the United States.

(2) At such periods as the area may not be required for the use of seaplanes and their attendant plant, navigation by other craft may be permitted; provided permission is obtained from the Commandant, Eleventh Naval District, San Diego, California, prior to entering the restricted area.

(3) The area will be plainly marked by the United States Navy Department by marine contact seadrome lights flashing amber.

§ 6.11-5 *Los Angeles and Long Beach Harbors, California; the anchorages—*

(a) *Anchorage A.* (Yacht and small craft anchorage). The area northwest-

erly of a line having a bearing of 216° true from the southwest corner of the six-story concrete warehouse on Pier 1 and passing through the Watchorn Basin Light and through the westerly white cross on the San Pedro breakwater; and northerly of a line parallel to and 200 feet distant from the axis of the San Pedro breakwater; *Provided*, That no vessel shall anchor in the entrance of or any part of the dredged channel of West Channel or any part of the dredged slip extending northeasterly into Watchorn Basin.

NOTE 1: Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes are prohibited except in that portion east of the easterly sides of West Channel and the dredged slip.

(b) *Anchorage B.* (General and temporary naval and quarantine anchorage). The area southeasterly of a line having a bearing of 216° true from the southwest corner of the six-story concrete warehouse on Pier 1, and passing through the Watchorn Basin Light and through the westerly white cross on the San Pedro breakwater; southwesterly of a line having a bearing of 120° true from the tall concrete stack located immediately south of the U. S. Reservation in San Pedro and passing through the easterly white cross on the San Pedro breakwater; southerly of a line having a bearing of 75° true from the westerly white cross the shore end of the San Pedro breakwater; westerly of a line having a bearing of 172° true from Outer Fish Harbor Entrance Light 2 and passing through the easterly white cross on the San Pedro breakwater; and northerly of a line parallel to and 200 feet distant from the axis of the San Pedro breakwater.

NOTE 1: In this area the requirements of commercial ships will predominate. In case of Navy requirements see Note 5, of paragraph (c).

NOTE 2: Vessels requiring examination by quarantine, customs, or immigration authorities for the ports of Los Angeles or Long Beach, may anchor in this area when Anchorage F (Quarantine Inspection Anchorage) is not available for this purpose.

NOTE 3: Fixed mooring piles or stakes are prohibited. Floats or buoys for marking anchors or moorings in place are prohibited except those which are necessary for the active service of the Navy and authorized by the Captain of the Port.

(c) *Anchorage C.* (General and temporary naval and quarantine anchorage). The area easterly of the southward prolongation of the westerly side of Reservation Point; northeasterly of the line having a bearing of 120° true from the triangular signal atop the one-story transit shed on Pier 1 and passing through the San Pedro Entrance Light 2 (this line being the northeasterly side of the main fairway); northwesterly of a line parallel to and 200 feet distant from the axis of the middle breakwater; southwesterly of a line having a bearing of 158° true from the Reeves Point Aviation Light (Aero) on Terminal Island and passing through the white cross on the middle breakwater; *Provided*, That no vessel shall anchor within 100' of the dredged channel to Fish Harbor or in a

position that will obstruct the entrance to this channel and shall not anchor in Fish Harbor without permission of the Captain of the Port.

NOTE 1: In this area the requirements of commercial ships will predominate. Vessels requiring examination by quarantine, customs or immigration authorities for the ports of Los Angeles or Long Beach, may anchor in this area when Anchorage F is not available for this purpose.

NOTE 2: The southerly portion of Anchorage C is reserved for use as an explosives anchorage whenever necessity arises for such anchorage. Description will be found under the heading "Explosives Anchorages."

NOTE 3: A portion of Anchorage C is reserved for use as an emergency sea plane landing area whenever necessity arises for the use of such area. Description and regulations will be found under "Emergency Seaplane Landing Area."

NOTE 4: Fixed mooring piles or stakes are prohibited. Floats or buoys for marking anchors or moorings in place are prohibited except as they may be authorized by the Captain of the Port in Fish Harbor and in the Yacht Club anchorage within the breakwater east of the Fish Harbor Entrance.

NOTE 5: The established anchorages for naval vessels having been found inadequate at times when a specially large number of naval vessels are gathered in the harbor, a special anchorage chart overlay for naval anchorages superimposed on USC&GS Chart No. 5148 (not published herein) has been prepared showing a numbered series of anchorages in order that a naval vessel may be ordered to proceed to a designated numbered anchorage in the harbor. Those designated anchorages, with the exception of those in Naval Anchorage D, which are primarily for naval vessels, are not set aside for the exclusive use of naval vessels, but permission will be given for naval vessels to use them when available. When the Captain of the Port receives notification from the proper naval authorities that it is desired to utilize the specially numbered naval anchorages in Anchorages B, C, E, or F, he will authorize the use by naval vessels of the required numbers if they can be made available, the commercial conditions at the time being given proper consideration. If, in the opinion of the Captain of the Port, there are sufficient reasons why the numbers first asked for should not be used, he will confer with the Naval Officer making the request and if other numbers can be agreed upon he will authorize their use.

(d) *Anchorage D.* (Naval and temporary anchorage). The area easterly of a line having a bearing of 158° true from the Reeves Point Aviation Light (Aero) on Terminal Island; northwesterly of a line parallel to and 200 feet distant from the axis of the middle breakwater; southwesterly of a line bearing 310° true from the Los Angeles Harbor Middle Breakwater East End Light and passing through the easterly point of Terminal Island mole type breakwater; southerly and westerly of a line 200' distant from the Terminal Island mole type breakwater; and southeasterly of the outer shoreline of the Naval Air Station, the stone bulkhead and extension thereof having a bearing of 65° true.

NOTE 1: In this area the requirements of the naval service will predominate. Vessels other than those of the Navy may anchor temporarily in this area when necessary and space permits. Whenever this area is required for the anchoring of naval vessels it shall be immediately cleared of commercial vessels by the Captain of the Port upon request of the appropriate naval authority.

NOTE 2: The southerly portion of Anchorage D is reserved for use as an explosives anchorage whenever a necessity arises for such anchorage. Description will be found under the heading "Explosives Anchorages."

NOTE 3: A portion of Anchorage D is reserved for use as an emergency seaplane landing area whenever necessity arises for the use of such area. Description and regulations will be found under "Emergency Seaplane Landing Area."

NOTE 4: Floats or buoys for marking anchors or moorings in place and fixed mooring piles or stakes are prohibited except those which may be required by Navy and approved by the Captain of the Port.

(e) *Anchorage E.* (Naval and general anchorage). The area northeasterly of a line having a bearing of 309° true from the westerly end of the East Breakwater, and passing through the southernmost point of the Long Beach Mole; southerly of a line having a bearing of 78° true from the easterly point of the Terminal Island mole type breakwater and passing through the southerly end of the pier at Belmont Shore; easterly of a line having a bearing of 176° true from the Tower atop the twelve-story building northwest of the Municipal Auditorium, Long Beach, and passing through the Los Angeles Harbor Breakwater East End Light; and west of a line having a bearing 180° true and passing through the easterly end of the East Breakwater; and north of a line parallel to and 200' distant from the axis of the east breakwater.

NOTE 1: This anchorage area is reserved for commercial ships of all sizes except in case of Navy requirements as per Note 5 of Anchorage C.

NOTE 2: The southerly portion of Anchorage E is reserved for use as an explosives anchorage whenever necessity arises for such anchorage. A description of the area available for this purpose will be found under the heading "explosives anchorages."

NOTE 3: Floats for buoys for marking anchors or moorings in place and fixed mooring piles or stakes are prohibited.

(f) *Anchorage F.* (Quarantine inspection anchorage). The area easterly of a line having a bearing of 172° true from Outer Fish Harbor Entrance Light 2 and passing through the easterly white cross on the San Pedro breakwater; southwesterly of a line having a bearing of 120° true from the white cross atop the one-story wooden transit shed on the west side of East Channel (this line being the southwesterly side of the main fairway); southwesterly of a line having a bearing of 314° true from Los Angeles Harbor Light Station and passing through the tank near the viaduct at the foot of 16th Street, San Pedro; and northerly of a line parallel to and 200' distant from the axis of the San Pedro breakwater.

NOTE 1: Vessels arriving at quarantine and awaiting inspection will anchor in Anchorage F except that, if space in this anchorage is not available, then any available anchorages in Anchorages B or C may be temporarily occupied for examination. In case of Navy requirements see Note 5 of Anchorage C.

NOTE 2: No vessels, excepting those awaiting quarantine inspection or clearance will anchor in the quarantine anchorage area except in cases of emergency. All vessels so anchored will vacate this area as soon as the emergency ceases.

NOTE 3: U. S. Public Health Service Quarantine Laws and Regulations of the United States are quoted in part as follows: "Paragraph 34: Every vessel subject to quarantine inspection, entering a port of the United States, its possessions or dependencies, shall be considered in quarantine until given free pratique. Such vessel shall fly a yellow flag at the foremast head and shall observe all the other requirements of vessels actually quarantined."

(g) *Explosives anchorages*—(1) *Los Angeles Explosives Anchorage*. That portion of Anchorage C described as a circular area of 900' radius, with center located 1,000 yards 46° true from the Los Angeles Harbor Light Station.

(2) *Long Beach Explosives Anchorage No. 1*. That portion of Anchorage D described as a circular area of 900' radius, with center located 2,200 yards 280° true from the Los Angeles Harbor Middle Breakwater East End Light.

(3) *Long Beach Explosives Anchorage No. 2*. That portion of Anchorage E described as a circular area of 900' radius, with center located 1,500 yards 70° true from the Los Angeles Harbor Middle Breakwater East End Light.

NOTE 1: Explosives anchorages shall be used by vessels only by notification to and permit by the captain of the port.

NOTE 2: When an explosives anchorage is occupied by a vessel carrying, loading, or unloading explosives, a circular zone of 600 yards or of 1,000 yards surrounding the explosives anchorage, as the captain of the port may determine, may be declared by the captain of the port to be a forbidden anchorage in the interest of port security and the commerce of the United States. Vessels within such circular zone, upon being notified by the captain of the port to move or shift position, shall get under way at once or signal for a tug and shall change positions, as directed, with reasonable promptness.

NOTE 3: Anchorage and cargo handling of vessels carrying explosives and inflammable material will be governed by "Regulations for Security of Ports and the Control of Vessels in the Navigable Waters of the United States" (33 CFR, Supps., Part 6, Subpart A).

(h) *Emergency seaplane landing area*. That portion of Anchorages C and D 525 yards wide and 5,250 yards long extending 275 yards northwesterly and 250 yards southeasterly of a line having a bearing 68°30' true from the Tank near the center of Reservation Point, Terminal Island, these boundaries passing through the northerly and southerly diamond shaped markers on the rock seawall forming the easterly side of Reservation Point but excluding the portion of the area lying in the construction zone. The easterly end of the area is the westerly boundary of the 45-ft. channel to Long Beach Harbor and the westerly end is the easterly boundary of the dredged channel to Fish Harbor.

NOTE 1: Emergency seaplane landings may be made in this area on one half hour's notice. All vessels, Naval or commercial, anchoring in the area will be required to move within one half hour's notice at any time of day or night. The area will be patrolled by small craft on the approach of seaplanes intending to land. During the hours of darkness, whenever seaplanes are approaching the area for landing, the easterly 2,000 yards of the area will be marked by 5 accurately spaced flat type rubber buoys showing fixed green lights. Seaplanes will

ordinarily approach the area from easterly, landing in the easterly to westerly direction. Prevailing wind at the time of the intended landings will determine the direction of approach.

This section shall be enforced by the captain of the port and by the Commander, Naval Operating Base, Terminal Island (San Pedro), California, and their authorized representatives.

§ 6.11-10 *Isthmus Cove, Santa Catalina Island, California*—(a) *Anchorage grounds*.—(1) *General anchorage*. All of the navigable waters of Isthmus Cove shoreward of a line connecting the promontories known as Lion Head and Blue Cavern Point, except the zone of restricted anchorage.

(2) *Zone of restricted anchorage*. An area, 300 feet wide, extending from shore 1,200 feet seaward of the outer end of Wilmington Transportation Company Wharf, centered on a line 20 feet westerly of and parallel to the centerline of said wharf.

(b) *Rules and regulations*. (1) The general anchorage shall be available for anchorage of all types of craft. Temporary floats or buoys for marking anchors in place will be permitted in this area, provided that the upper half of any such float or buoy is painted white, to improve visibility at night.

(2) Commercial vessels, of 15 feet draft or over, may anchor in the zone of restricted anchorage during the hours between sunrise and sunset. The use of this zone for anchorage is forbidden to all other craft at all times.

§ 6.11-15 *San Clemente Island, California*—(a) *Wilson Cove anchorage area for government vessels*. (1) The area inshore of a line from Market Station No. 2 and extending in a 062° true direction for 0.62 nautical miles, thence 332° true for 3.17 nautical miles, thence 241°30' true to the shore line.

(2) *The regulations*. (i) No vessel shall anchor in such a manner as to unreasonably obstruct the approach to the wharf.

(ii) Wilson Cove anchorage grounds are reserved exclusively for anchorage of United States Government vessels or vessels temporarily operating under government direction, and no vessels except in an emergency shall anchor in Wilson Cove without first obtaining permission from the Commandant, Eleventh Naval District, or the Commanding Officer, San Clemente Island, who shall immediately notify the Commandant.

NOTE: San Clemente Island is a U. S. Government reservation and the water around the island for a distance of 1 nautical mile from low water mark shall be restricted to naval use.

(b) *Pyramid Cove anchorage area for government vessels*. (1) The navigable water inshore of a line beginning at whitewashed rock on the beach 540 yards 199° true from Pyramid Head Light, and extending 1.17 nautical miles in a 160°30' true direction, thence 243°30' true 1.54 nautical miles, thence 279° true 2.12 nautical miles, thence 325° true to the beach.

(2) *The regulations*. (i) No vessels shall anchor in the government anchorage except in extreme emergency without first obtaining authority to do so from the Commandant, Eleventh Naval District, or from the senior officer present at the anchorage who may grant permission to anchor, not exceeding the period he himself is authorized to remain, and notifying the commandant of berth allotted and to whom.

NOTE: San Clemente Island is a United States Government reservation and the water around the island for a distance of 1 nautical mile from low-water mark shall be restricted to naval use. However, no vessel in distress shall be denied the protection of the island.

§ 6.11-20 *Santa Barbara Island, California*—(a) *General anchorage area*.

(1) The area inshore of a line 023° true from Santa Barbara Island Light, located on northeast end of island, and extending seaward from beach 1.515 nautical miles, thence 140°30' true for 2.54 nautical miles, thence 212°30' true for 2.3 nautical miles, then 296°30' true for 0.96 nautical miles, thence in a 325° true direction to the beach.

(b) *The regulations*. The general anchorage shall be available for anchorage of all types of craft. Temporary floats or buoys for making anchors in place will be permitted in this area.

§ 6.11-25 *San Nicolas Island, California*—(a) *Anchorage area*—(1) *General anchorage*. All of the navigable water (except as hereinafter restricted) inshore of a line beginning at the eastern tangent of the island and extending in a 034° true direction 4 nautical miles, thence 296° true for 8.63 nautical miles, thence 180° true to the beach.

(2) *Restricted anchorage No. 1*. An area at the east end of San Nicolas Island within a circle, radius one nautical mile, centered at the easternmost light on the eastern end of San Nicolas Island.

(3) *Restricted anchorage No. 2*. Inshore of a line 6 nautical miles from San Nicolas Island South Side Light 276° true, thence to a point 2 nautical miles 279° true from westernmost point, thence 060° true to a point intersecting a line 000° true from the northernmost point.

(b) *The regulations*. Anchoring is permitted at any time in the general anchorage except that no vessels shall anchor in either No. 1 or No. 2 restricted area without authority of the Commandant, Eleventh Naval District, except in an emergency, or vessels with cargo destination San Nicolas Island may anchor in restricted area No. 1 for purpose of unloading or loading.

GENERAL NOTE: These regulations shall be revised and amended within six months after the termination of the existing state of emergency as found necessary.

Restricted Areas

§ 6.11-100 *Los Angeles and Long Beach Harbors restricted area at U. S. Fleet Operating Base*—(a) *The area*. All the waters between the newly constructed mole and Terminal Island to the westward of longitude 118°13'10" W. (USC & GS Chart No. 5148).

(b) *The regulations.* (1) The above described area is reserved exclusively for use by naval vessels.

(2) Permission to enter such area must be obtained from the Commanding Officer, U. S. Fleet Operating Base or his authorized representative.

§ 6.11-105 *Temporary berthing area in San Diego Bay*—(a) *The area.* Beginning at North tower and extending 2500 yards $25\frac{1}{2}^{\circ}$ to latitude $32^{\circ}37'16''$ N., longitude $117^{\circ}07'$ W., thence $354\frac{1}{2}^{\circ}$ to approximately latitude $32^{\circ}39'$ N., longitude $117^{\circ}07'17''$ W., thence 270° to latitude $32^{\circ}39'43''$ N., longitude $117^{\circ}07'34''$ W., thence $160\frac{1}{2}^{\circ}$ 915 yards, thence 175° 1600 yards thence $245\frac{1}{2}^{\circ}$ 2075 yards and thence along shore line to latitude $32^{\circ}36'20''$ N., longitude $117^{\circ}07'30''$ W., intersecting line from point of beginning.

(b) *The regulations.* (1) The foregoing area is reserved as a special anchorage ground for vessels of the U. S. and all authorized harbor pilot boats. No other vessels shall anchor in this area.

(2) The regulations in this paragraph shall be enforced by the Commandant, Eleventh Naval District, or his authorized representative.

TWELFTH NAVAL DISTRICT

Anchorage Areas

§ 6.12-5 *General anchorage areas for San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, New York Slough and San Joaquin River, California*—(a) *General anchorages*—(1)

Anchorage No. 1. The area immediately north of the City of San Francisco, west of a line having a bearing of 344° from the stack at the municipal pumping station at Black Point, San Francisco and passing through Point Stuart Light, Angel Island; south of a line having a bearing of 86° from Point Bonita Light; south of a line having a bearing of 71° from the pylon of the Golden Gate Bridge north of the old fort on Fort Point; and east of a line bearing 162° from Yellow Bluff Light. (For use of this anchorage and description of yacht anchorage embraced therein see paragraph (b) of this section.)

(2) *Anchorage No. 2.* (General). The portion of Richardson Bay north of a line having a bearing of 257° from Peninsula Point to the interlocking switch tower of the Northwestern Pacific Railroad at Sausalito, except so much of the above area as is included in Naval Anchorage No. 11.

(3) *Anchorage No. 3* (General). The area in Belvedere Cove, west of a line having a bearing of $25\frac{1}{2}^{\circ}$ from Peninsula Point to the west fender of the Northwestern Pacific Railroad ferry slip at Tiburon.

(4) *Anchorage No. 4* (General). The area on the west side of upper San Francisco Bay west of a line having a bearing of 5° from Bluff Point and just touching the west side of Red Rock; west of a line having a bearing of 333° from Point Simpton (Angel Island) through the ferry apron on the outer end of the Richmond-San Rafael ferry wharf at San Quentin; and south of a line having a bearing of 86° and tangent to the south face of the San Quentin prison building;

excluding, however, so much of the above area as is within the outer boundary of the forbidden anchorage zone surrounding Explosives Anchorage No. 13, the Quarantine Anchorage No. 17 when that anchorage is being used for quarantine purposes, and the "closed to navigation" area off the Naval Net Depot at Tiburon.

(5) *Anchorage No. 5* (General). The area on the east side of the upper part of San Francisco Bay, south of the Point Orient wharf of the Standard Oil Company; east of a line having a bearing of 170° from the southwest corner of the said Point Orient wharf to a point 4,100 yards $334^{\circ}30'$ from Southampton Shoal Light; and north of a line having a bearing of 93° from the said point to the north end of the train shed of the Santa Fe Railroad at Point Richmond, excluding from this area, however, the entrance channel 400 feet wide, to Richmond-Inner Harbor and the restricted area off Point Melate. (For use of this anchorage see paragraph (b) of this section.)

(6) *Anchorage No. 6* (General). The area on the east side of San Francisco Bay south of a line having a bearing of 280° from the southern extremity of Point Isabel to the northern extremity of Brooks Island, thence along the northwesterly shore of Brooks Island to the training wall extending westerly therefrom, thence westerly along said training wall to its bayward end; east of a line having a bearing of 162° from the bayward end of the above training wall; east of a line having a bearing of 324° and tangent to the outer end of the most westerly corner of the Key System Ferry Slip; and north of a line having a bearing of 71° from the northwest corner of Yerba Buena Island; excluding from this area, however, the cable areas therein as indicated on USC&GS Chart No. 5532.

(7) *Anchorage No. 7* (General). The area west of Treasure Island within the following lines: North of a line bearing 237° from the northwest corner of Yerba Buena Island; west of a line bearing $330\frac{1}{2}^{\circ}$ from Pier D of the San Francisco-Oakland Bay Bridge; east of a line bearing 321° from Pier B of the San Francisco-Oakland Bay Bridge; and south of a line bearing 33° from the northeast corner of Pier 37, San Francisco, California.

(8) *Anchorage No. 8* (General). The area east of the City of San Francisco inclosed within the following lines: South of a line having a bearing of $241\frac{1}{2}^{\circ}$ from the outer end of the north fender of the passenger ferry slip at Alameda Mole and passing through the northeast corner of Pier 50, San Francisco; east of a line having a bearing of 344° from the Chimney of the pumping plant at the Hunters Point Dry Dock (Point Avisadero); north of a line having a bearing of 90° from the northeast corner of Pier 54, San Francisco; and northwest of a line having a bearing of 216° from the outer end of the extreme north fender of the automobile ferry slips at the Oakland Mole and passing through the northeast corner of the largest building of the sugar refinery at Potrero Point.

(9) *Anchorage No. 9* (General). The area in San Francisco Bay south of a line having a bearing of 268° from the outer end of the south fender of the former automobile ferry slip at the end of the Alameda Mole and just touching the northwest corner of Pier 14, San Francisco; southeast of a line having a bearing of 216° from the "A" in the Albers' sign on the north side of Oakland Mole and passing through the flagstaff of the Catholic orphan asylum northwest of Hunters Point, San Francisco; east of a line having a bearing of 344° from the chimney of the pumping plant at the Hunters Point Dry Dock (Point Avisadero); northeast of a line having a bearing of 146° from the west side of Mission Rock; and north of a line 1,000 yards north of the Hayward-San Mateo Highway Bridge and parallel thereto; excluding from this area, however, Explosive Anchorage No. 14, Explosives Storage Anchorage No. 15, Explosives Storage Anchorage No. 16, and the forbidden anchorages surrounding these three anchorage areas, and the cable area adjacent to Alameda Mole and the restricted seaplane area. All of San Leandro Bay is also included in this anchorage.

(10) *Anchorage No. 10* (Naval). The triangular area immediately east of Sausalito; northwest of a line having a bearing of 234° from Point Stuart Light to the outer end of a wharf on the Sausalito shore; and southwest of a line having a bearing of 303° from Alcatraz Light. (For use of this anchorage see paragraph (b) of this section.)

(11) *Anchorage No. 11* (Naval). The area in and adjacent to Richardson Bay south of a line having a bearing 270° from Peninsula Point west of a line having a bearing of 204° from the southeast end of the ferry landing near Point Tiburon and passing through Yellow Bluff Light; north of the line having a bearing of 271° from Point Knox and passing through Sausalito Point; east of a line having a bearing of 0° from Yellow Bluff Light. (For use of this anchorage see paragraph (b) of this section.)

(12) *Anchorage No. 12* (Naval). The area east of the City of San Francisco inclosed within lines described as follows: South of a line having a bearing of 268° from the outer end of the south fender of the automobile ferry slip at the end of the Alameda Mole and just touching the northerly corner of Pier 14, San Francisco; southeast of a line having a bearing of 53° from the southwest corner of Pier 32, San Francisco, and passing through Oakland Shoal Light Beacon; east of a line having a bearing of 344° from the chimney of the pumping plant at Hunters Point Dry Dock (Point Avisadero) (this line passes approximately 1,550 feet away from the end of Pier 32, San Francisco); north of a line having a bearing of $241\frac{1}{2}^{\circ}$ from the outer end of the north fender of the passenger ferry slip at Alameda Mole and passing through the northeast corner of Pier 50, San Francisco; and northwest of a line having a bearing of 216° from the outer end of the extreme north fender of the automobile ferry slips at the Oakland Mole and passing through the northeast

corner of the largest building of the sugar refinery at Petrero Point. (For use of this anchorage see paragraph (b) of this section.)

(13) *Anchorage No. 13 (Explosives)*. The circular area having a radius of 1,000 feet about a white buoy used to mark the location of this anchorage the center of which is 1,600 yards $79\frac{1}{2}^\circ$ from the most northerly extremity of California Point. (For use of this anchorage see paragraph (b) of this section.) The circular zone 1,500 feet wide partially surrounding this Explosives Anchorage No. 13 is forbidden anchorage and shall not be used as anchorage by any vessels.

(14) *Anchorage No. 14 (Explosives)*. The circular area having a radius of 1,500 feet about a white buoy used to mark the location of this anchorage, the center of which is 3,000 yards, 100° from the chimney of the pumping plant at the Hunters Point Dry Dock (Point Avisadero). (For use of this anchorage see paragraph (b) of this section.) The circular zone 1,500 feet wide surrounding this Explosives Anchorage No. 14 is forbidden anchorage and shall not be used by any vessels. This anchorage and the surrounding zone of forbidden anchorage may be temporarily discontinued by the captain of the port when the area occupied by them is needed for general anchorage purposes.

(15) *Anchorage No. 15 (Explosives storage)*. The area 3,000 feet square, whose center is marked by a white buoy and bears $124\frac{1}{2}^\circ$ from the chimney of the pumping plant at Hunters Point Dry Dock (Point Avisadero), and 198° from the West Radio Tower on the westerly extremity of Bay Farm Island, and whose sides are due north and south and east and west. (For use of this anchorage see paragraph (b) of this section.) The square zone 1,500 feet wide surrounding this Explosives Storage Anchorage No. 15 is forbidden anchorage and shall not be used by any vessels.

(16) *Anchorage No. 16 (Explosives storage)*. The area 3,000 feet square, the northeast corner of which is marked by a white pile dolphin bearing 2,900 yards 270° from Roberts Landing and whose sides are due north and south and east and west. (For use of this anchorage see paragraph (b) of this section.) The square zone 1,500 feet wide surrounding this Explosives Storage Anchorage No. 16 is forbidden anchorage and shall not be used by any vessels.

(17) *Anchorage No. 17 (Quarantine)*. The area 3,000 feet square, the easterly side of which is coincident with the easterly boundary of Anchorage No. 4, and the northeasterly corner of which is on the said easterly boundary 2,250 yards $97\frac{1}{2}^\circ$ from the most northerly extremity of California Point.

Note: Subparagraphs (18) to (23) of this paragraph apply to San Pablo Bay, California.

(18) *Anchorage No. 18 (General)*. The area adjacent to the west shore of San Pablo Bay north of a line having a bearing of 270° from the easterly of the Sisters Islands; west of a line having a bearing of $5\frac{1}{2}^\circ$ from the easterly of the above islands and passing through Light

and Echo Board "2" marking the dredged channel to the mouth of Petaluma Creek; and south of a line having a bearing of 120° from the northerly of two high transmission towers near the mouth of Novato Creek, excluding from this area, however, the channel to Hamilton Field and the extension of said channel easterly to the boundary of this anchorage.

(19) (i) *Anchorage No. 19 (General)*. The area lying east of a line bearing 0° from a group of tanks on the top of the hill about one-half mile southeast of Point San Pablo; and north of a line bearing 51° from the easterly of the Sisters Islands to a point opposite Buoy 3 marking the dredged channel across Pinole Shoal; thence bearing 58° , parallel to the northerly line of said channel and distant 500 feet therefrom to a point opposite the angle in said channel; thence bearing $78\frac{1}{2}^\circ$ parallel to the northerly line of said channel and distant 500 feet therefrom to a point directly south of the end of the long dike extending from Mare Island southwesterly into San Pablo Bay; thence bearing 0° to the end of said dike; thence along said dike in a northeasterly direction to Mare Island, excluding from this area, however, Explosives Anchorage No. 19-A and the forbidden anchorage zone, 1,500 feet wide surrounding Explosives Anchorage No. 19-A.

(ii) *Anchorage No. 19-A (Explosives)*. The area 2,000 feet wide and 5,100 feet long, the end boundaries of which are semicircles with radii of 1,000 feet and centers, respectively, $17,100$ feet, $13\frac{3}{4}^\circ$, and $19,500$ feet, $19\frac{3}{4}^\circ$, from East Brothers Island Light; and the side boundaries of which are the parallel tangents joining said semicircles. The zone, 1,500 feet wide surrounding Explosives Anchorage No. 19-A is forbidden anchorage and no vessel shall anchor therein.

(20) *Anchorage No. 20 (General)*. The area on the southern side of San Pablo Bay between Point San Pablo and the Union Oil Company's wharf at Oleum; southeast of a line bearing 42° from the northwest corner of the wharf at Parr-Richmond Terminal No. 4 at Point San Pablo, and south of a line bearing $248\frac{1}{2}^\circ$ from the northwest corner of the Union Oil Company's wharf at Oleum; excepting the two Explosives Anchorages Nos. 22 and 23.

(21) *Anchorage No. 21 (Naval)*. The rectangular area south of Mare Island whose northerly boundary is a line 3,000 feet long, having a bearing of $78\frac{1}{2}^\circ$ and being parallel to and distant 500 feet northerly from the northerly line of the dredged channel across Pinole Shoal extended; and whose easterly boundary is a line 1,500 feet long having a bearing of $348\frac{1}{2}^\circ$ from the shot tower of the Selby Smelting Works.

(22) *Anchorage No. 22 (Explosives)*. The circular area having a radius of 1,500 feet and whose center is at the northwest corner of the Giant Powder Company's wharf at Pinole Point.

(23) *Anchorage No. 23 (Explosives)*. The circular area having a radius of 1,500 feet and whose center is at the northwest corner of the Hercules Powder Company's wharf at Refugio Landing.

(24) *Carquinez Strait, Anchorage No. 24 (General)*. The area on the north side of Carquinez Strait between Dillon Point and the remaining wing of the former train ferry slip at Benicia north of a line having a bearing of 121° from the easterly side of Dillon Point and passing through the Benicia Tannery tank; thence northeast of a line having a bearing of 165° and passing through the flashing red navigation light at Port Costa; thence north of a line bearing 125° from the high transmission tower on Dillon Point, excluding from this anchorage, however, the cable area therein.

(25) *Anchorage No. 25 (General)*. The area on the south side of Carquinez Strait northwest of the City of Martinez lying southwest of a line having a bearing of 108° from the Port Costa Brick Company's stack about 1,000 feet south of the Associated Oil Company's Port Costa dock, and westerly of a line bearing 154° from the Benicia Tannery Tank.

(26) *Suisun Bay; Anchorage No. 26 (General)*. The area on the west side of Suisun Bay adjacent east and north-east of the city of Benicia lying north of a line having a bearing of $77\frac{1}{2}^\circ$ from the channel and of the Army Point wharf to the Point Edith Light and Echo Board; northwest of a line having a bearing of 35° from the west end of the channel face of the Shell Oil Company's wharf at Martinez; and south of a line having a bearing of 90° from the Southern Pacific Company's water tank at Goodyear, excluding from this area, however, the Benicia Arsenal restricted area.

(27) *Suisun Bay; Anchorage No. 27 (General)*. The area in the northeast portion of Suisun Bay lying east of a line bearing 0° from Seal Island Echo Board; north of a line bearing 82° from Seal Island Echo Board to the most southerly point of Roe Island Light; thence bearing 101° to Middle Ground Light; thence bearing 88° to Chipps Island.

(28) *San Joaquin River; Anchorage No. 28 (General)*. The area adjacent to Lower Sherman Island lying southeasterly of a line 1,350 feet long bearing 238° from the Sherman Island North End Light; easterly of a line bearing $163\frac{1}{2}^\circ$ from the west end of said 1,350 foot line; and northerly of a line bearing 27° from the New York Slough (east end) Light to Sherman Island.

(29) *San Joaquin River; Anchorage No. 29 (General)*. The entire water area southerly of West Island between West Island and the mainland lying between lines bearing 180° from the eastern extremity of West Island and 211° from the western extremity of West Island.

(b) *The Regulations and Special Limitations*—(1) *Anchorage No. 1*. Except as described below in this paragraph, this anchorage is a temporary anchorage reserved for the use of vessels entering port while undergoing examination by quarantine, customs or immigration authorities. Upon completion of these examinations vessels shall promptly move out of this anchorage. Yachts may anchor in that portion of this area lying south of a line between Anita Rock Buoys and the northern extremity of

Pier 45; west of Steiner Street extended; and east of Lyon Street extended. No permanent moorings shall be placed in the above described area.

(2) *Anchorage No. 5.* Vessels may anchor in this anchorage immediately adjacent to the channel to Richmond Inner Harbor; *Provided, however,* That ships obstructing the said channel must move from their positions immediately if and when the fairway is required by vessels navigating the channel.

(3) *Anchorage No. 10.* (i) This anchorage is for the use of public vessels of the United States, but may be used by yachts when not required for use by public vessels.

(ii) All yachts making use of this anchorage shall be prepared to move immediately upon notice, should the anchorage be required for public vessels.

(iii) With the permission of the captain of the port, permanent yacht moorings may be placed within this anchorage, not more than 900 feet from the shore and not outside of the limiting lines of the anchorage.

(3) *Anchorage No. 11.* This anchorage is reserved for the exclusive use of vessels and seaplanes of the United States Navy.

(4) *Anchorage No. 12.* This anchorage is reserved for the use of vessels of the United States or foreign navies and for other public vessels of the United States. With the permission of the captain of the port this anchorage may be used temporarily by vessels other than public vessels, but vessels availing themselves of this privilege must hold themselves in readiness to shift berth immediately upon receiving notice to do so.

(5) *Anchorage Nos. 13, 14, 19-A, 22 and 23.* (i) These anchorages are for use of vessels loaded with, loading, or unloading explosives, and these anchorages shall not be used by any other vessels.

(ii) Subdivision (i) of this subparagraph is not intended to prohibit lighters and barges from tying up alongside of ships for the transfer of cargo.

(iii) The circular zone 1,500 feet wide surrounding the Explosives Anchorage Nos. 13, 14 and 19-A are forbidden anchorages and no vessel shall anchor therein.

(iv) Except as provided in subdivision (ii) of this subparagraph, vessels carrying explosives or other dangerous articles, including inflammable liquids, inflammable solids, oxidizing materials, corrosive liquids, compressed gases, and poisonous substances, shall be anchored within Anchorages Nos. 13, 14, 15, 16, 19-A, 22, and 23 only.

(v) Whenever any water craft not fitted with mechanical power anchors in Anchorages Nos. 13, 14, and 19-A while carrying explosives, the Captain of the Port may require the attendance of a tug upon such water craft when, in his judgment, such action is deemed necessary.

(6) *Anchorage Nos. 15 and 16.* (i) These anchorages are for the purpose of storage of explosives.

(ii) Barges and vessels shall be anchored so as not to approach one another closer than 500 feet.

(iii) All barges using these anchorages for storage purposes shall anchor with two or more anchors.

(iv) The captain of the port may authorize the placing of moorings within these areas, provided these moorings be so placed that barges at one mooring shall at all times be not less than 500 feet from barges at an adjacent mooring.

(v) The square zones 1,500 feet wide surrounding Explosives Storage Anchorages Nos. 15 and 16 are forbidden anchorages and no vessel shall anchor therein.

§ 6.12-10 *Special anchorage regulations applying to the San Joaquin deepwater channel and the Stockton turning basin.* (a) Vessels anchored in San Joaquin deepwater channel or the Stockton turning basin because of distress of heavy fog shall be placed as near the edge of the channel or turning basin as possible, so as not to interfere with the free navigation thereof, nor obstruct the approach to any pier. They shall move from such position as soon as the emergency ceases or when so ordered by the captain of the port or by his duly authorized representative.

(b) No vessel shall be permanently moored in areas adjacent to the deepwater channel or in any stream tributary to said deepwater channel within one half mile of its junction with the channel, except on permission in writing from the captain of the port or his duly authorized representative.

§ 6.12-15 *San Luis Obispo Bay, California, special anchorage area—(a) The area.* Eastward of the San Luis Obispo County Wharf, northward of a line bearing 116° true from the southeast corner of San Luis Obispo County Wharf, westward of a line bearing 210° true from the most seaward extremity of Fossil Point (See U. S. C. & G. S. Chart No. 5386).

(b) *The Regulations.* (1) This special anchorage area shall be available for anchorage of all types of craft.

(2) Temporary floats or buoys for marking anchors in place will be permitted in this area: *Provided,* That the visible portion of any such float or buoy is painted white, to improve visibility at night.

(3) No vessel of less than sixty-five feet in length will be required to carry or exhibit the white light required by the River and Harbor Act approved June 7, 1897, as amended by the River and Harbor Act approved April 22, 1940.

(4) The provisions of subparagraphs (2) and (3) of this paragraph shall apply only to vessels whose anchors, hulls, and rigging are at all times wholly within the special anchorage area as defined.

(5) The instructions of the captain of the port requiring vessels to anchor bow and stern, or with two bow anchors, or requiring shifting the anchorages of any vessel within the anchorage grounds for the common safety or convenience; or for otherwise enforcing this paragraph shall be promptly complied with by owners, masters, and persons in charge of vessels.

(6) Nothing in this paragraph shall be construed as relieving the owner or person in charge of any vessel or plant from the penalties of the law for obstructing navigation or for obstructing or interfer-

ing with range lights, or for not complying with the navigation laws in regard to lights, fog signals, or for otherwise violating law.

Restricted Areas

§ 6.12-100 *Restricted area for naval operations—(a) The area.* The area in San Francisco Bay, California, inclosed within the following lines is hereby designated as a restricted area for Naval operations: From Bluff Point 53° true, 1,300 yards to lighted buoy "1" located 2,110 yards, 101° true, from Stand Pipe, Naval Net Depot; thence 323° true, 1,800 yards to lighted buoy "3"; thence 3,000 yards, 270° true, to the shore line; thence southeasterly along the shore line to Bluff Point.

(b) *The regulations.* (1) No vessels except those engaged in Naval operations shall cross, navigate, or anchor in the above-described area without the permission of the captain of the port.

(2) The regulations in this paragraph will be enforced by the Captain of the Port, United States Coast Guard, San Francisco.

§ 6.12-105 *Restricted naval aircraft area—(a) The area.* The area in General Anchorage No. 9, San Francisco Bay, inclosed within the following lines is hereby designated as a restricted area for Naval aircraft operations: That portion of an area within General Anchorage No. 9 the corners of which are the following distances and true bearings from the Hunter's Point Light "LL 386": 1,800 yards, 74° true; 4,650 yards, 13° true; 5,700 yards, 17° true; 6,650 yards, 36.5° true; 9,300 yards, 70.5° true; 9,160 yards, 73° true; and 7,075 yards, 86° true.

(b) *The regulations.* (1) Except as provided in subparagraph (2) of this paragraph, no surface watercraft shall operate or anchor in the above-described area except those attendant upon seaplane operations of the United States Navy or such other watercraft as have been given specific permission by the Commander, Naval Air Station, Alameda, California.

(2) Surface watercraft may pass through the northerly part of the restricted area in a channel-way 800 feet wide adjacent to the southerly side of the breakwater protecting the turning basin at the Naval Air Station, Alameda, turning at the western end of said breakwater, in a northwesterly direction, and connecting with the channel to said turning basin. Craft navigating this channel-way shall pass directly through and shall obey such verbal instructions regarding passage as may be given from the control tower on said breakwater.

(3) The regulations in this paragraph shall be enforced by the Commander, Naval Air Station, Alameda, California, or his authorized representative.

§ 6.12-110 *Restricted seaplane area; San Francisco Bay at South San Francisco, California—(a) The area.* Beginning at a point which point is 2,416 yards 3° true from Aviation Beacon "Aero" at San Francisco Airport; thence 4,967 yards 75.5° true to a point which point is 6,120 yards 53° true from Aviation Beacon "Aero"; thence 4,333 yards 147°

true to a point which point is 7,290 yards 270° true from Aviation Beacon "Aero"; thence 3,533 yards 134.5° true to a point which point is 10,100 yards 104° true from Aviation Beacon "Aero"; thence 8,333 yards 270° true to the highwater shore line; thence following the highwater shore line in a general northwesterly direction to the point of beginning.

(b) *The regulations.* (1) No surface watercraft shall be operated or anchored in this area except by specific permission of the Commanding Officer, Coast Guard Air Station, South San Francisco, California.

(2) Persons desiring to navigate vessels across the restricted area shall give advice of their intention to do so and make the request to the Commanding Officer, Coast Guard Air Station, South San Francisco, not less than four hours in advance of the time they desire to take the vessel across the restricted area.

(3) These regulations shall be enforced by the Commanding Officer, Coast Guard Air Station, South San Francisco, California.

NOTE: The area is marked by the U. S. Coast Guard in accordance with standard practice for the designation of anchorage areas and such other buoys as may be selected by the U. S. Coast Guard and the Civil Aeronautics Authority for the guidance of seaplanes.

§ 6.12-115 *Restricted area; San Francisco Bay, Alcatraz Island, California—*(a) *The area.* All the waters within 200 yards of the shore line of Alcatraz Island.

(b) *The regulations.* (1) The use and navigation of the waters within 200 yards of the shore line of Alcatraz Island, in San Francisco Harbor, by any vessel or craft other than vessels controlled and operated by the United States is prohibited unless authorized by an officer of the Department of Justice empowered by the Attorney General of the United States to grant such authority.

(2) The regulations in this paragraph shall be enforced by the Captain of the Port, United States Coast Guard.

§ 6.12-120 *Port Chicago Naval Magazine restricted area; Suisun Bay at Port Chicago, California—*(a) *The area.* The following area in Suisun Bay, Port Chicago, California, is hereby defined and established as a restricted area: Beginning at a point on the shore and on the easterly side of the mouth of a small slough, 2,133 yards 98½° from Point Edith Light; thence running 400 yards 340½° to the highwater shore line of the most southerly of Seal Islands; thence 2,050 yards 69½°; thence 866 yards 83½°; thence 2,000 yards 102½°; thence 1,365 yards 98°; thence 400 yards 180° to the highwater shoreline; thence following the highwater shoreline in a general southwesterly direction to the point of beginning.

(b) *The regulations.* (1) Vessels not operating under the supervision of the local military or naval authority shall not enter this area except by specific permission of the Captain of the Port, San Francisco.

(2) The regulations in this paragraph shall be enforced by the Captain of the Port, United States Coast Guard.

§ 6.12-125 *Benicia Arsenal restricted area; Carquinez Strait and Suisun Bay at Benicia, California—*(a) *The area.* The area in Carquinez Strait and Suisun Bay at Benicia, California, is hereby defined and established as a restricted area: Beginning at the North Siren on the Southern Pacific Bridge, Suisun Bay, California, running thence 1,375 yards 232½°; thence 1,075 yards 314° to a point on the shore line of Benicia, which point is 1,850 yards 268½° from the North Siren; thence following the shore and tule line in a general easterly and northeasterly direction to the mouth of a creek which bears 2,600 yards 15½° from the North Siren; thence 550 yards 122½°; thence 2,500 yards 206° to the North Siren or point of beginning.

(b) *The regulations.* (1) Vessels not operating under the supervision of the local military or naval authority shall not enter this area except by specific permission of the Captain of the Port, San Francisco.

(2) The regulations in this paragraph shall be enforced by the Captain of the Port, United States Coast Guard.

§ 6.12-130 *Restricted naval fueling depot; San Francisco Bay at Point Molate, California—*(a) *The area.* The following area in San Francisco Bay at Point Molate, California, is hereby defined and established as a restricted Naval Fueling Depot area: Beginning at a point on the highwater shoreline which point bears 800 yards 17° true from "Tree" at Molate Point; thence 866 yards 270° true to a point; thence 1,100 yards 180° true to a point; thence 1,766 yards 123° to a point on the highwater shoreline; thence along said highwater shoreline in a general northwesterly direction to the point of beginning.

(b) *The regulations.* (1) Vessels not operating under supervision of the local military or naval authority or public vessels of the United States shall not enter this area except by specific permission of the captain of the port.

(2) The regulations in this paragraph shall be enforced by the Captain of the Port, United States Coast Guard.

§ 6.12-135 *Magnetic range restricted area; San Francisco Bay at Treasure Island, California—*(a) *The area.* The following area in San Francisco Bay westward of Treasure Island, California, is hereby defined and established as a Magnetic Range restricted area: Beginning at a point on the westerly shoreline of Treasure Island, which point bears 4,133 yards 89½° from Alcatraz Island Light; thence following the shoreline in a general southeasterly direction a distance of 400 yards to a point; thence 750 yards 242½° to a point; thence 400 yards 332½° to a point; thence 750 yards 62½° to the point of beginning.

(b) *The regulations.* Vessels not operating under the supervision of the local military or naval authority shall not enter this area except by specific permission of the captain of the port.

(2) All vessels and small craft when not engaged in ranging, calibrating, or contacting vessels so engaged, shall avoid the above area.

(3) The regulations in this paragraph shall be enforced by the United States Coast Guard captain of the port.

§ 6.12-140 *San Pablo Bay, California; Mare Island; danger area—*(a) *The area.* Beginning at a point about 3,605 yards 316° from Mare Island Dike 14 Light, thence 3,900 yards to a point about 5,066 yards 267° from Mare Island Dike 14 Light, thence along an arc of a circle of 3,900 yards radius from point of beginning to a point about 6,733 yards 290° from Mare Island Dike 14 Light, thence to point of beginning.

NOTE: The Commanding Officer, Mare Island Navy Yard, will conduct target practice in the above described area at intervals of which the public will be duly notified.

§ 6.12-145 *Maneuvering area; San Francisco Bay at Treasure Island, Cal.—*(a) *The area.* Beginning at the most westerly point of Yerba Buena Island; thence 430 yards 252° true; thence 3,560 yards 332° true; thence 400 yards 66° true; thence 1,700 yards 137° true; thence along the shore line to the point of beginning.

(b) *The regulations.* (1) Vessels passing through the above area when maneuvering shall display the International Code Flags "J K" ("Am swinging ship").

(2) All vessels not so maneuvering and displaying the International Code Flags "J K" shall regulate their courses and speeds so as to give such maneuvering vessels the right of way.

(3) As between vessels maneuvering in the above area and displaying the International Code Flags "J K," the maneuvering vessel going with the current shall have the right of way over the maneuvering vessel going against the current and the maneuvering vessel going against the current shall regulate its course and speed so as to give the maneuvering vessel going with the current the right of way.

(4) All vessels including small boats are forbidden to anchor in the above area except in an emergency.

(5) The regulations in this paragraph shall be enforced by the United States Coast Guard captain of the port.

§ 6.12-150 *Danger area in Monterey Bay, California, at Fort Ord, California—*(a) *The area.* The sector in Monterey Bay, California, the southerly limit of which is a line bearing 265°20' true, 14,000 yards from the shore line of said bay at Indian Harbor Beach, 5.1 miles south of the mouth of the Salinas River, and the northeasterly limit of which is a line bearing 327°20' true, 14,000 yards from the shoreline of said bay opposite Marine, 3.75 miles south of the mouth of the Salinas River. The above area is divided into a short range area, extending from the shoreline seaward for a distance of 7,500 yards, and a long range area, embracing the entire danger zone.

(b) *The regulations.* (1) Except when notified to the contrary as prescribed in subparagraph (4) of this paragraph, any ship, vessel, or boat may proceed through the above danger zone without restriction.

(2) Fishermen desiring to fish in the danger zone shall first obtain written

permits which will be issued by the Commanding General, Fort Ord, California. Application for permits may be made direct to the Commanding General, Fort Ord, California.

(3) When firing over the water is in progress, no vessel or boat, except public vessels of the United States, or vessels authorized by the Commanding General, Fort Ord, California, shall enter or remain in the above danger zone.

(4) In all cases where firing will extend over the water, notice of such firing will be given by the Commanding General, Fort Ord, by the use of one or more of the following means. The notice will state whether the firing will be over the short-range or long-range area.

(i) Notice published in the Monterey daily papers.

(ii) Display of red flags at Indian Beach Harbor for firing over the long range area.

(iii) Radio broadcast.

(iv) Telephone advice to such fishermen's organizations as may request, in writing, that such advice be given.

(v) Notice to individual craft by a visit of a United States vessel.

(5) The regulations in this paragraph will be enforced by the Commanding General, Fort Ord, California.

§ 6.12-155 *Danger area in Tomales Bay, California*—(a) *The area.* An area in Tomales Bay, California, described as follows, is designated as a Naval Aircraft Bombing Area Danger Zone: The circular area having a radius of 750 yards, the center of which is 2,000 yards, 129° true from the southwesterly extremity of Tom Point.

(b) *The regulations.* (1) No vessel shall enter or remain in the danger zone excepting vessels of the United States.

(2) The regulations in this paragraph shall be enforced by the Commandant, Twelfth Naval District and Naval Operating Base, San Francisco, and such agencies as he may designate.

§ 6.12-160 *Danger area in Pacific Ocean adjacent to San Francisco, California, U. S. Military Reservations*—(a) *The area.* A danger zone is established in the Pacific Ocean adjacent to San Francisco, California, U. S. Military Reservations, described as follows: The area in the Pacific Ocean, located between an east-west line through Point Reyes on the north, and an east-west line through Pillar Point on the south, and extending from shore (including a line across the Golden Gate between Point Bonita and Point Lobos) to a north and south line through the lighthouse on the Southeast Farallon Island, and divided into four firing ranges, as follows:

(1) North long range: So much of the above danger zone as lies north of the center line of the main ship channel across the San Francisco bar prolonged easterly and westerly.

(2) North short range: The area lying north of the center line of the main ship channel prolonged and shoreward of a north and south line through Double Point.

(3) South long range: All of the danger zone south of the center of the main ship channel prolonged.

(4) South short range: The area lying south of the center line of the main ship channel prolonged, north of an east and west line through Point San Pedro, and east of a north and south line through Double Point.

(b) *The regulations.* (1) Any vessel propelled by mechanical power at a speed greater than five (5) knots may proceed through the above areas to and from points beyond (but not from one point in the above danger zone to another) without restriction, except when notified to the contrary.

(2) Fishermen desiring to fish in the above danger zone shall first obtain written permits which will be issued by the Commanding Officer, Harbor Defenses of San Francisco. Applications for permits may be made direct to the Commanding Officer, Fort Winfield Scott, San Francisco, or may be made at the office of the California State Fish and Game Commission, Ferry Building, San Francisco.

(3) On days and nights when firing is in progress, no boat or vessel shall enter or remain in the danger zone, except vessels of the United States, or vessels proceeding across the zone as provided in subparagraph (2) of this paragraph.

(4) Notice of target practice within any of the firing ranges will be given by the Commanding Officer by one or more of the following methods:

(i) Notice published in a San Francisco daily paper.

(ii) A display of a red flag at Point Cavallo from daylight of the day of firing until the firing for that day is over.

(iii) Radio broadcast.

(iv) Telephone advice to such fishermen's organizations as may request, in writing, that such direct advice be given.

(v) Notice to individual craft by a visit of a United States vessel.

(5) The regulations in this paragraph will be enforced by the Commanding Officer, Harbor Defenses of San Francisco, or his authorized representative.

§ 6.12-165 *Regulations for California naval areas.* The following regulations are hereby prescribed to govern the use, administration, and navigation of the waters of Mare Island Strait, Carquinez Strait, and San Pablo Bay in the vicinity of the United States Navy Yard, Mare Island, California; and of San Francisco Bay and Oakland Harbor in the vicinity of the United States Naval Air Station, Alameda, California, and the Naval Supply Depot, Oakland, California.

(a) No vessel or other craft except vessels of the United States Government or vessels duly authorized by the Commandant, United States Navy Yard, Mare Island, California, shall navigate, anchor, or moor in the waters of Mare Island Strait, Carquinez Strait, and San Pablo Bay, California, within one hundred yards of the shoreline of that part of the Navy Yard, Mare Island, south of the causeway between the city of Vallejo and Mare Island and extending continuously therefrom southeasterly, southwesterly, and northwesterly around said Navy Yard to its northwesterly limit on the waters of San Pablo Bay, and the waters within fifty yards of any part of the berthing piers at said Navy Yard.

(b) No vessel or other craft, except vessels of the United States Government or vessels duly authorized by the Commandant, United States Naval Air Station, Alameda, California, shall navigate, anchor, or moor in the waters of San Francisco Bay within one hundred yards of said Naval Air Station.

(c) No vessel, without special authority from the Captain of the Port, shall lie, anchor, or moor in the waters of the entrance channel to Oakland Inner Harbor (San Antonio Estuary) between the westerly end of the rock wall on the south side of said channel and the easterly boundary of the Alameda Naval Air Station. Vessels may proceed through said channel in process of ordinary navigation or may moor alongside wharves on the Oakland side of said channel.

(d) No vessel other than a vessel of the United States Government or vessel duly authorized by proper Federal authority shall traverse the waters of San Francisco Bay within 100 yards of the Naval Supply Depot, Oakland, nor lie, anchor, or moor within said waters, except that this order shall not apply to the use by the Southern Pacific Company and the Western Pacific Railroad Company of their piers, slips, and wharves, adjacent to the Naval Supply Depot.

§ 6.12-170 *Explosives anchorages*—

(a) *The areas.* Explosives anchorages have been designated in Honker Bay north of Stake Point; in San Pablo Bay in locations approximately 1,000 yards west and 1,300 yards north of Channel Buoy "1" of the dredged channel crossing Pinole Shoal; off California City and off Hunters Point. Explosives are transferred from barges to vessels at Richmond Terminal No. 4, San Pablo Point.

(b) *The regulations.* When vessels are conducting loading operations from barges, and indicated by display of the explosive flag (International Code Flag "B"), at any of the above locations, passing vessels of over 100 tons displacement will reduce speed to six knots over the ground.

§ 6.12-175 *Oakland Estuary inbound traffic; San Francisco Bay.* To insure safety in the movement of hazardous cargo on the waters of the Oakland Estuary, all vessels over 1000 gross tons shall observe the following regulations before entering the Oakland Estuary: Upon approaching the Oakland Harbor Light, maintain a lookout for a three flag signal on the signal mast of the south side of the Oakland Harbor Light Station. If the International Code Flag Signal "C F E" (meaning "stop" (halt)) is observed the vessel shall stand by and is forbidden to enter the Oakland Estuary while this signal is up. When the hazardous operations are concluded, the signal will be lowered and vessels may enter the Oakland Estuary. If no signal is observed, the ship may enter the Oakland Estuary.

§ 6.12-180 *Fruitvale Bridge.* All vessels, whether towing or being towed, or acting singly, including barges, but excepting motor boats not engaged in towing, are forbidden to approach the Fruitvale Avenue Bridge of the Tidal Canal of Oakland Harbor, except during slack water or when an ebb tide may be

expected. Vessels and barges are forbidden to attempt passage through the draw while running with a fair tide and the bridge will not be opened for vessels under such conditions.

§ 6.12-185 *Oakland Harbor; Naval Supply Depot, Oakland, California.* All vessels over 1000 tons, when bound for Naval Supply Depot, Oakland, California, must heave to well outside the channel, and wait to be boarded by a Naval Supply Depot pilot in order to safeguard outbound vessels. The Naval Supply Depot Pilot will advise and assist the regular master. Whistle signal for the Naval Supply Depot pilot is one long, one short, followed by three short blasts (—).

THIRTEENTH NAVAL DISTRICT

General Anchorages

§ 6.13-5 *Puget Sound; Elliott Bay anchorages.* (1) Beginning at the Northeast corner of Harbor Island; thence due north to a point at latitude 47°36' N., longitude 122°20'45" thence west along said latitude to a point intersecting the east line of the west waterway; thence along said east line to the northwest corner of Harbor Island.

(2) Beginning at a point of intersection of the outer harbor line with a straight line drawn along the west side of the west waterway north to a point at latitude 47°36' N., longitude 122°21'38" thence westward along this latitude to a point directly north of Duwamish Head Light; thence south to the shoreline.

§ 6.13-10 *Puget Sound; Smith Cove anchorages.* (1) Beginning at a point 675 yards, 180° from the southwest corner of Pier 88; thence in a southeasterly direction to a point 1,850 yards, 268° from Flashing Red Aero Beacon; thence in a northeast direction to a point 1,450 yards, 284° from above named Aero Beacon; thence northwest to a point 500 yards, 121° from southwest corner of Pier 88; thence to point of beginning.

(2) Beginning at Fourmile Rock Light to a point 1,100 yards, 207° from Fourmile Rock Light; thence southeasterly to a point 2,075 yards, 006°30' from Duwamish Head; thence 000° to the shoreline of Smith Cove.

§ 6.13-15 *Puget Sound, Orchard Point anchorage area.* Beginning at Orchard Point Light; thence 106° true—2 miles; thence 180° true to the northern shore of Blake Island; thence west and south along the shoreline to southern end of Blake Island; thence beginning approximately at a point 122°29'16" on South End Blake Island in a 250° direction to dock at Harper; thence along the shoreline in westerly and northerly direction to Orchard Point Light.

§ 6.13-20 *Puget Sound; Port Madison anchorage area.* That part of Pt. Madison bounded by a line drawn from Pt. Monroe Light, 090° true a distance of 1,500 yards; thence 000° true to the mainland.

§ 6.13-25 *Admiralty Inlet; Oak Bay anchorage area.* All of Oak Bay lying westerly of a line drawn 000° true from

Olele Point (47°58'18" N., 122°40'55" W.) to Marrowstone Island.

§ 6.13-30 *Admiralty Inlet; Port Townsend anchorage area.* All of Admiralty Inlet and Port Townsend lying westerly and southerly of a line drawn 305° true from Marrowstone Point Light to Quimper Peninsula (C&CS Chart 6450).

§ 6.13-35 *Possession Sound; Port Gardner anchorage area.* Starting at a point 560 yards 211° from Everett Jetty Light (LL No. 1710) running 675 yards 180°; thence 250 yards 216°; thence 800 yards 254°; thence 1700 yards 302°; thence 1280 yards 049°; thence approximately 1525 yards 115° to the point of beginning. U. S. Coast and Geodetic Survey Chart Nos. 6448 and 6450.

§ 6.13-40 *Columbia River; Upper Tongue Point anchorage area.* The area included is within the following points: 675 yards, 253½° true from Tongue Point Light; 950 yards, 284° true from Tongue Point Light; 1425 yards, 024° true from Tongue Point Light; 1200 yards, 042° true from Tongue Point Light.

§ 6.13-45 *Columbia River; Lower Tongue Point anchorage area.* A rectangular area bounded by the following points: 675 yards, 253½° true from Tongue Point Light; 950 yards, 284° true from Tongue Point Light; 2125 yards, 261° true from Tongue Point Light; 2015 yards, 247½° true from Tongue Point Light.

(a) *The regulations—*(1) *Permission to anchor.* No vessel shall anchor in anchorages described in §§ 6.13-5 to 6.13-40, inclusive, without prior permission from the Coast Guard captain of the port, or his authorized representative.

(2) *Use of anchorage area restricted.* No vessel shall occupy for a period longer than thirty days, unless a permit is obtained from the captain of the port for that purpose, any anchorage for which the time of occupancy is not otherwise prescribed in any applicable regulations. No vessel in a condition such that it is likely to sink or otherwise become a menace or obstruction to the navigation or anchorage of other vessels shall occupy an anchorage except in an emergency and then only for such period as may be permitted by the captain of the port.

(3) *Assignment and use of anchorage berth.* A berth in an anchorage, if available, shall be assigned to any vessel by the captain of the port upon application and he may grant revocable permits for the continuous use of the same berth.

(4) *Condition of vessel a danger to waterfront facility.* Whenever the captain of the port finds that the mooring of any vessel to a wharf, dock, pier, or other waterfront structure would endanger such vessel, or any other vessel, or the harbor, or would be inimical to the maritime interests of the United States by reason of conditions existing on or about such wharf, dock, pier, or other waterfront structure including machinery, internal disturbance, or unsatisfactory operation, he may prevent the mooring of any vessel to such wharf, dock, pier or other waterfront structure until the unsatisfactory condition or conditions so found are corrected and he may,

in the case of a like finding after any vessel has been moored, compel the shifting of such vessel from any such wharf, dock, pier or other waterfront structure.

Explosives Anchorages

§ 6.13-50 *Puget Sound; Blake Island explosives anchorage area.* The anchorage area is bounded by the following lines; a line bearing 090° from the south tangent of Blake Island for a distance of 2,000 yards; thence 360° for 1,400 yards; thence 270° for 1,300 to east point of Blake Island.

§ 6.13-55 *Puget Sound; Kingston explosives anchorage area.* The anchorage area is within the segment of a circle struck from a point 2,300 yards 144° from Apple Cove Point Light with a radius of 1,500 yards and extending from 217° true to 324° true.

§ 6.13-60 *Hood Canal; Thorndike Bay Emergency explosives anchorage area.* Bounded by a line starting at a point 3500 yards 267° from Hood Canal Light No. 1 (1945 L. L. No. 1599) and running 1000 yards 180° to a point 3725 yards, 251° from Hood Canal Light No. 1; thence 1350 yards, 270° to a point approximately 5000 yards 256° from Hood Canal Light No. 1; thence 1000 yards 000° to a point approximately 4900 yards 268° from Hood Canal Light No. 1; thence approximately 1350 yards, 090° to the point of beginning.

§ 6.13-65 *Seabeck Bay emergency explosives anchorage area.* Bounded by a line starting at a point approximately 860 yards 355° from Seabeck Dock, running approximately 920 yards 052° to a point approximately 1600 yards 024½° from Seabeck Dock; thence 1575 yards 000° to a point approximately 3075 yards, 013° from Seabeck Dock; thence 3300 yards, 090° to a point approximately 4950 yards 053° from Seabeck Dock; thence approximately 4500 yards, 232½° to a point approximately 480 yards, 057° from Seabeck Dock; thence approximately 750 yards 322° to the point of beginning.

§ 6.13-70 *Squamish Harbor explosives anchorage area.* Bounded by a line starting at a point 330 yards 207° from Sister's Rock Light (1945 L.L. No. 1597), running approximately 2260 yards 207° to a point approximately 2590 yards 207° from Sister's Rock Light; thence 1000 yards 270° to a point approximately 3180 yards 223° from Sister's Rock Light; thence 2900 yards 000° to a point approximately 2250 yards 286° from Sister's Rock Light; thence approximately 2200 yards 114° to the point of beginning.

§ 6.13-74 *Possession Sound; Southwest Gedney Island emergency anchorage area.* The southeast boundary to be formed by a line running 900 yards, 036° true from a point 5680 yards, 348° from Mukilteo Light (LL 1266); thence 1500 yards 306° true to form the northeast boundary; thence 900 yards, 216° true to form the northwest boundary; thence 126° true to the point of beginning to form the southwest boundary.

NOTE: This area does not constitute a new explosive anchorage for loading explosives but is intended solely for use in the event

of imminent air raid, fire, or other catastrophe wherein those vessels which may be explosive-laden could proceed to a safe anchorage.

§ 6.13-75 *Possession Sound; Northeast Gedney Island explosives anchorage area.* A triangular-shaped area, the eastern boundary of which is formed by a line starting at a point 6925 yards, 005° 45' true from Mukilteo Light (LL 1266) running 2000 yards 000°, thence 2000 yards 270° true to form the northern boundary; thence 135° true back to the point of origin to form the southwestern boundary.

§ 6.13-80 *Puget Sound; Port Discovery explosives anchorage area.* All of Port Discovery lying southerly of a line drawn 105° true from Clallam (Diamond Point) to the westerly shore of Quimper Peninsula.

NOTE 1: This area does not constitute a new explosive anchorage area for loading or discharging explosives, but is established solely for the use of vessels with cargoes of explosives aboard while awaiting accommodations at explosive handling facilities to effect discharge thereof.

NOTE 2: Vessels in excess of 100 gross tons are prohibited from anchoring in said area without permission of the captain of the port, Thirteenth Naval District, in advance.

§ 6.13-85 *Puget Sound; Holmes Harbor explosives anchorage area.* All of Holmes Harbor, Whidby Island lying southwesterly of a line drawn 310° true through Hackney Island, between the shores of Whidby Island.

NOTE 1: This area does not constitute a new explosive anchorage area for loading or discharging explosives but is established solely for the use of vessel with cargoes of explosives aboard while awaiting accommodations at explosive handling facilities to effect discharge thereof.

NOTE 2: Vessels in excess of 100 gross tons are prohibited from anchoring in said area without permission of the captain of the port, Thirteenth Naval District, in advance.

§ 6.13-90 *Puget Sound; Port Susan explosives anchorage area.* All of Port Susan north of a line from east shore of Camano Island at latitude 48° 07' 30" N. to the west shore mainland at latitude 48° 08' 38" N.

NOTE 1: This area does not constitute a new explosive anchorage area for loading or discharging explosives, but is established solely for the use of vessels with cargoes of explosives aboard while awaiting accommodations at explosive handling facilities to effect discharge thereof.

NOTE 2: Vessels in excess of 100 gross tons are prohibited from anchoring in said area without permission of the captain of the port, Thirteenth Naval District, in advance.

§ 6.13-91 *Strait of Juan De Fuca; Freshwater Bay emergency explosives area.* All of Freshwater Bay and adjacent waters bounded by a line drawn from Observatory Point (lat. 48° 09' 03" North, long. 123° 38' 12" west) approximately 1,150 yards 000° to a position at lat. 48° 09' 36" north, long. 123° 38' 12" west; thence approximately 6,450 yards, 090° to a position at lat. 48° 09' 36" north, long. 123° 33' 27" west; thence 180° to the mainland; thence along the shoreline to the point of beginning.

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NOTE: This area does not constitute an explosive anchorage area for loading or discharging explosives, but is established exclusively for use by explosive laden vessels enroute to the ammunition dumping area which encounter adverse weather and sea conditions and are forced to await more favorable conditions before proceeding to sea.

§ 6.13-95 *Columbia River; Beaver Ammunition Storage Point emergency explosives anchorage area.* Beginning at the south end of the dike numbered 66.4 by the U. S. Army Engineers, which point is identical with the location of Light No. 819, as described in USCO Light List, Pacific Coast (1944) known as "Cathlamet Channel Dike South End"; thence bearing 078° true a distance of 6300 feet, more or less, to the Washington Shore of the Columbia River; thence bearing 168° true a distance of 750 feet; thence bearing 258° true, a distance of 6300 feet; thence bearing 348° true a distance of 750 feet, more or less, to the point of beginning.

NOTE: This area does not constitute new explosive anchorages for loading explosives but is intended solely for use in the event of imminent air raid, fire, or other catastrophe, wherein those vessels which may be explosive-laden could proceed to a safe anchorage.

(a) *The regulations.*—(1) *Use of established explosives areas.* Explosives anchorage areas described in §§ 6.13-50 to 6.13-95, inclusive, are reserved for vessels carrying explosives as cargo. Such areas shall not be used by vessels which do not carry explosives as cargo except in cases of great emergency or by special permit from the Captain of the Port. All vessels carrying explosives as cargo shall be within explosives anchorage areas when anchored, except as provided in the following subparagraphs.

(2) *Designation of explosives loading terminal.* In the interest of port security and the commerce of the United States, the Captain of the Port may, subject to such conditions as he finds will promote those objectives, designate loading terminals outside the explosives anchorage areas, indicated in subparagraph (1) of this paragraph, where vessels may load or discharge explosives directly between vessels and shore or between vessels.

(3) *Anchorage of vessels carrying inflammable liquids.* A vessel carrying bulk inflammable liquid cargo such as petroleum products shall, when anchored, be at least 1,000 yards away from a vessel carrying explosives. The captain of the port may issue a permit to a vessel carrying inflammable or combustible liquids in bulk or other dangerous articles of cargo covered by the regulations entitled "Explosives or Other Dangerous Articles on Board Vessels" (46 CFR, Supp., Part 146) and the regulations governing tank vessels, (46 CFR and Cum. Supp., Parts 30 and 38, inclusive), to anchor in an explosive anchorages area whenever such explosive anchorages area is not in use by a vessel carrying explosives as cargo.

(4) *Assignment of anchorage berth by Captain of the Port.* No vessel carrying explosives as cargo or on which explosives as cargo are to be loaded may proceed

to an explosive anchorage area without first notifying the Captain of the Port. Upon such notification, the Captain of the Port, if he finds its to be in the interests of port security and the commerce of the United States, shall issue a revocable permit, without which no vessel may anchor in the explosives anchorage area, and shall assign to the vessel a berth in the explosives anchorage area, if one is available.

(5) *Authority to load or unload explosives.* All vessels, including tugs and stevedore boats, used in connection with loading or unloading explosives on vessels shall apply to the Captain of the Port for a permit to engage in such loading or unloading, which permit shall be granted by the Captain of the Port if he finds that such action will not be inimical to the interests of port security and the commerce of the United States. No such vessel shall enter any explosive anchorage area or engage in loading or unloading explosives without first having obtained a permit.

Berthing Areas

§ 6.13-100 *Admiralty Inlet and Puget Sound; Killisut Harbor and Scow Bay anchorage area.* All of Killisut Harbor and Scow Bay, that body of water lying between Indian Island and Narrowstone Island. U. S. Coast and Geodetic Survey Chart Nos. 6405, 6447, and 6450.

(a) *The regulations.* (1) The foregoing area under this section shall be used exclusively as sites for inactive vessels and those awaiting disposal.

(2) The regulations in this paragraph shall be enforced by the Coast Guard captain of the port or his authorized representative.

§ 6.13-105 *Dyes Inlet anchorage.*—(a) *The area.* Starting at a point latitude 47° 36' 54" N., longitude 122° 42' 18" W; thence 2,925 yards 013° approximately latitude 47° 38' 18" N., longitude 122° 41' 48" W; thence 1,020 yards 103° approximately latitude 47° 38' 11" N., longitude 122° 41' 06" W; thence 2,925 yards 193° to approximately latitude 47° 36' 47" N., longitude 122° 41' 35" W; thence 1,020 yards 283° to the point of beginning.

(b) *The regulations.* (1) The foregoing area is designated as a berthing area and shall be used exclusively as a site for inactive vessels and those awaiting disposal.

(2) The regulations in this paragraph shall be enforced by the Coast Guard captain of the port or his authorized representatives.

§ 6.13-110 *Case Inlet anchorages.*—(a) *The areas.*—(1) *Dutchers Cove anchorage.* Starting at a point latitude 47° 16' 25" N., longitude 122° 48' 54" N. approximately 600 yards 243° from tower at Herron; thence 1400 yards 281° to a point approximately 1940 yards 270° from tower at Herron; thence 3700 yards 022° to a point approximately 3500 yards 350° 30' from tower at Herron; thence 2000 yards 078° to the shoreline; thence along the shoreline in a southerly direction to the point of beginning.

(2) *Dougall anchorage.* Starting at the northeast point of Dougall Point

in latitude 47°18'03" N., longitude 122°50'45" W.; thence 1050 yards 081° to approximately latitude 47°18'07" N., longitude 122°50'00" W.; thence 4400 yards 214° to the eastern shoreline of Harstene Island; thence along shoreline in a northerly direction to the point of beginning.

(3) *McMicken anchorage.* Starting at a point in latitude 47°16'16" N., longitude 122°51'45" W.; thence 2450 yards 163°30' to approximately latitude 47°15'06" N., longitude 122°51'24" W.; thence 1300 yards 240° to the shoreline; thence in a northerly direction to the point of beginning.

(b) *The regulations.* (1) The foregoing areas are designated as berthing areas and shall be used exclusively as sites for inactive vessels and those awaiting disposal.

(2) The regulations in this paragraph shall be enforced by the Coast Guard captain of the port or his authorized representatives.

§ 6.13-115 *Budd Inlet anchorage.*—(a) *The area.* Starting at a point 2,075 yards 134° from Olympia Shoal Light; thence 1,100 yards 275° to a position approximately 1,400 yards 163° from Olympia Shoal Light; thence 5,450 yards 005° to a position approximately 1,800 yards 185° from Dofflemeyer Point Light; thence 615 yards 090° to the shoreline; thence southerly along the shoreline to the point of beginning.

(b) *The regulations.* (1) The foregoing area is designated as a berthing area and shall be used exclusively as a site for inactive vessels and those awaiting disposal.

(2) The regulations in this paragraph shall be enforced by the Coast Guard captain of the port or his authorized representatives.

§ 6.13-120 *Willamette River anchorage.*—(a) *The area.* From a point latitude 45°36'58" N., longitude 122°47'12" W. with line drawn 58° true to east bank Willamette River thence in a generally northerly direction to a point latitude 45°37'58" N., longitude 122°47'05" W. with a line from that point 120° true to aforementioned river bank. The eastern boundary follows generally the true line foot level while the western boundary parallels same at distance of 110 yards extending between shore specified points.

(b) *The regulations.* (1) The foregoing area is designated as a berthing area and shall be used exclusively as a site for inactive vessels and those awaiting disposal.

(2) The regulations in this paragraph shall be enforced by the Coast Guard captain of the port or his authorized representatives.

§ 6.13-125 *Columbia River Oregon Slough anchorage.*—(a) *The area.* From a point latitude 45°37'05" N., longitude 122°42'32" W., with a line drawn 37° true to southerly shoreline Hayden Island thence in a generally westerly direction to a point latitude 45°37'56" N., longitude 122°44'01" W. with a line from that point 37° true to aforementioned shoreline. The northern boundary is the southern shoreline of Hayden Island, while the southern boundary parallels

same at a distance of 500 feet extending between above specified points.

(b) *The regulations.* (1) The foregoing area is designated as a berthing area and shall be used exclusively as a site for inactive vessels and those awaiting disposal.

(2) The regulations in this paragraph shall be enforced by the Coast Guard captain of the port or his authorized representatives.

Restricted Areas

§ 6.13-200 *Lake Washington; naval air station.*—(a) *The area.* (1) Beginning at a point 2,800 yards 342° true from the northwest corner of the Operations Tower at the U. S. Naval Air Station, Seattle, thence 2,000 yards 347° true; thence 500 yards 77° true; thence 2,000 yards 167° true; thence 500 yards 257° true to the point of beginning.

(2) The area will be marked by special pneumatic buoys as follows: Seven on the easterly line, equally spaced, and eight on the westerly line, equally spaced, thus forming two parallel rows 500 yards apart. The end buoys in each row mark the corners of the area above described. Each corner buoy will be equipped with a green light, the next in line at either end of each row will be equipped with a red light, and the remaining others with amber lights. These lights are controlled by radio and will be lighted only during night flying operations. Each buoy will be marked in addition by black and yellow vertical stripes.

(b) *The regulations.* (1) The area heretofore described shall be restricted to seaplanes for the use of landing.

(2) No vessel shall operate or anchor in the said area excepting those attendant upon seaplane operations.

(3) All other watercraft shall exercise due caution in navigating across the waters to the North and to the South of the restricted area, as there may be danger from low flying planes.

(4) The regulations shall be enforced by the Commanding Officer, U. S. Naval Air Station, Seattle, or his authorized representative.

§ 6.13-205 *Elliott Bay, naval station.*—(a) *The area.* Starting at the southwest corner of Great Northern Railway Pier 89, Smith Cove; thence 150 yards, 180°; thence 750 yards 270°; thence 0° to the shore of Smith Cove.

(b) *The regulations.* No vessel shall enter this area without permission of the Commanding Officer, Naval Station, Seattle. The regulations in this paragraph shall be enforced by the Commanding Officer, Naval Station, Seattle.

§ 6.13-210 *Puget Sound; Sinclair Inlet.*—(a) *The area.* All the waters of Sinclair Inlet Westerly of a line drawn from the Bremerton Ferry Landing (approximately 47°33'49" N., latitude; 122°37'19" W., longitude) to the Annapolis Ferry Landing (approximately latitude 47°32'59.5" N., longitude 122°36'52" W.).

(b) *The regulations.* (1) No vessel of more than 100 gross tons shall enter this area or navigate therein without permission from the Commandant, Thirteenth Naval District or his authorized representative.

(2) The regulation in this paragraph shall be enforced by the captain of the port or his authorized representative.

§ 6.13-215 *Puget Sound; Port Orchard.*—(a) *The area.* All the waters within an area in Fort Orchard bounded as follows: Beginning at a point on the shoreline of Fort Orchard 90° true from Stack (lat. 47°42'01" N., long. 122°36'54" W.); thence 90° true a distance of approximately 190 yards to a point 350 yards from Stack; thence 165° true a distance of 6000 yards to a point 179° true 1280 yards from Battle Point Light; thence westerly to the shoreline at a point in lat. 47°39'08" N. at approximate location of the Brownsville Pier; thence northward along the shoreline to the point of beginning.

(b) *The regulations.* (1) No vessel shall, at any time, anchor or tow a drag of any kind in said area.

(2) The regulation in this paragraph shall be enforced by the captain of the port, or his authorized representative.

§ 6.13-220 *Puget Sound; Point Jefferson.*—(a) *The area.* Starting at a point 3750 yards, 186° from Apple Cove Point Light; thence 4450 yards 116°; thence 2750 yards 181°; thence 2700 yards 203½°; thence 2576 yards 270°; thence 2360 yards 358° true to the shore on the south side of Point Jefferson.

(b) *The regulations.* (1) No vessel shall enter this area or navigate therein without permission from the Commandant, Thirteenth Naval District, or his authorized representative.

(2) The regulation in this paragraph shall be enforced by the captain of the port or his authorized representative.

§ 6.13-225 *Puget Sound; Mukilteo.*—(a) *The area.* 500 yards on all sides of the Army Port of Embarkation Dock, Mukilteo, Washington.

(b) *The regulations.* (1) No vessel shall enter this area without permission from the Commanding General, Seattle Port of Embarkation, or his authorized representative.

(2) The regulation in this paragraph shall be enforced by the captain of the port, or his authorized representative.

§ 6.13-230 *Hood Canal; Bangor.*—(a) *The area.* 500 yards on all sides of the Navy pier at Bangor, Washington, and all the remaining waters on the easterly side of Hood Canal within 200 feet of the highwater line between latitudes 47°46'20" N., and 47°43'28" N.

(b) *The regulations.* (1) No vessel shall enter this area without permission from the Commanding Officer, Naval Magazine, Bangor, Washington, or his authorized representative.

(2) The regulations in this paragraph shall be enforced by the captain of the port, or his authorized representative.

§ 6.13-235 *Admiralty Inlet; entrance restricted area.*—(a) *The area.* Beginning at Point Partridge Light, in a southeasterly direction along the west shore of Whidby Island to Lagoon Point at 48°04'30" N.; thence on a line running 270° true to the east shore of Marrowstone Point; thence in a northerly direction along the east shore of Marrowstone Island to Marrowstone Point Light;

thence on a line running 305° true to the east shore of Quimper Peninsula; thence in a northerly direction along the east shore of Quimper Peninsula to Point Wilson Light; thence in a westerly direction along the north shore of Quimper Peninsula to Middle Point, thence on a line running 026° true to Point Partridge Light.

(b) *The regulations.* (1) Anchorage within the above area is prohibited. (2) Fishing by means of trawling or bottom dragging is prohibited. (3) The regulations in this paragraph shall be enforced by the Commandant of the 13ND or his duly authorized representative.

§ 6.13-240 *Strait of Juan De Fuca, western end—(a) The area.* All the waters off the westerly shore of Whidby Island lying within a line drawn due West from west point 1.9 miles to Lawson Reef Bell Buoy; thence 222° for 6.3 miles to Minor Island; thence 162° for 6.3 miles to Point Partridge on the westerly shore of Whidby Island at latitude 48°13'30" N.

(b) *The regulations.* (1) No vessels other than a Naval vessel shall enter this area or navigate therein without permission of the Commanding Officer, U. S. Naval Air Station, Whidby Island. (2) The regulations in this paragraph shall be enforced by the Commanding Officer, U. S. Naval Air Station, Whidby Island, or his authorized representative.

§ 6.13-245 *Oak Harbor and Crescent Harbor; Whidby Island—(a) The area.* All waters of Oak Harbor, Crescent Harbor and adjacent to Point Polnell lying north of a line drawn 079° from Blower Bluff to a position one-half mile south of Point Polnell; thence 045° to the shore of Whidby Island.

(b) *The regulations.* (1) No vessel shall enter this area or navigate therein without permission of the Commanding Officer, U. S. Naval Air Station, Whidby Island.

(2) The regulations in this paragraph shall be enforced by the Commanding Officer, U. S. Naval Air Station, Whidby Island, or his authorized representative.

[SEAL] FRED M. VINSON,
Secretary of the Treasury.

Approved: March 6, 1946.

HARRY TRUMAN,
The White House.

[F. R. Doc. 46-3775; Filed, Mar. 8, 1946;
11:23 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 1—AREAS ADMINISTERED BY THE NATIONAL PARK SERVICE

TOURO SYNAGOGUE, NEWPORT, R. I.; DESIGNA- TION AS NATIONAL HISTORIC SITE¹

Whereas, the Congress of the United States has declared it to be a national policy to preserve for the public use historic sites, buildings, and objects of national significance for the inspiration

and benefit of the people of the United States; and

Whereas, the Touro Synagogue situated in the city of Newport and State of Rhode Island, has been declared by the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, to be of national significance as "one of the finest surviving examples of colonial architecture and a building rich in historical associations."

Whereas, a cooperative agreement has been made between the Congregation Shearith Israel, of the city of New York, and the Congregation Jeshuat Israel, of the city of Newport, and the United States of America, providing for the designation, preservation, and use of the Touro Synagogue, Newport, Rhode Island, as a national historic site:

Now, therefore, I, Oscar L. Chapman, Acting Secretary of the Interior, by virtue of and pursuant to the authority contained in the act of August 21, 1935 (49 Stat. 666; 16 U.S.C. sec. 467), do hereby designate the following described lands, together with all historic structures thereon and all appurtenances connected therewith, to be a national historic site, having the name "Touro Synagogue National Historic Site".

All that certain tract of land with the buildings thereon situate, lying and being in the City of Newport, in the State of Rhode Island, whereon the Jewish Synagogue now stands, bounded and described as follows: Southerly on Touro Street, ninety-two and forty-six one hundredths feet; Easterly on land of the Newport Historical Society one hundred and nine and eight tenths feet; Northerly on Barney Street, ninety and sixty-five one hundredths feet; and Westerly on land of George P. Lawton, be said dimensions more or less.

The administration, protection, and development of this national historic site shall be exercised in accordance with the provisions of the above-mentioned cooperative agreement and the act of August 21, 1935.

Warning is expressly given to all unauthorized persons not to appropriate, injure, destroy, deface, or remove any feature of this historic site.

In witness whereof, I have hereunto set my hand and caused the official seal of the Department of the Interior to be affixed, at the City of Washington, this 5th day of March 1946.

[SEAL] OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

[F. R. Doc. 46-3893; Filed, Mar. 11, 1946; 9:59
a. m.]

Chapter II—Forest Service

PART 231—GRAZING

LIMITS AND PREFERENCES

By virtue of the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat., 35, 16 U.S.C. 551), and the Act of February 1, 1905 (33 Stat., 628, 16 U.S.C. 472), I, Clinton P. Anderson, Secretary of Agriculture, do hereby amend Regulation G-4 of the rules and regulations governing the occupancy, use, protection, and adminis-

tration of the National Forests, which constitutes § 231.4, Chapter II, Title 36, Code of Federal Regulations, to read as follows:

§ 231.4 *Limits and preferences.* For the purpose of equitable distribution of grazing privileges, the prevention of monopoly in the use of national-forest ranges, and contributing to the stabilization of the livestock industry, the Chief of the Forest Service shall provide for the establishment for each National Forest or portion thereof, of lower and upper limits in numbers of livestock. He shall also provide for the recognition and waiver of preferences, renewal of permits, approval of nonuse, and admission of new applicants, to an extent consistent with the objects of the grazing regulations.

The lower limit will define the number of livestock beyond which a grazing preference will not be allowed to accrue by grant, except when surplus range is available.

The upper limit will define the number of livestock up to which grazing preferences may be consolidated through purchase of base property or permitted livestock or both.

Any grazing preference may be reduced for range protection at any time in any amount justified by range conditions, but, except in extreme emergencies, notice of scheduled reductions will be given not later than the close of the summer grazing season.

No grazing preference for less than the lower limit will be reduced for wider distribution of grazing privileges.

No grazing preferences above the lower limit will be reduced for wider distribution of grazing privileges except in connection with transfer of base property or permitted livestock or both.

Subject to the upper-limit restrictions and the protection and management needs of the range, a purchaser of either the permitted livestock or the base property of a permittee with an established grazing preference may be allowed renewal of preference in whole or in part; *Provided*, the purchaser of livestock only actually owns commensurate ranch property and the person from whom the purchase is made waives his preference to the Government.

Approval of grazing preference on account of purchase of base property or permitted livestock from a permittee who has used the range under temporary permit less than five consecutive years will not be allowed.

Before a grazing preference is renewed on the basis of a waiver, satisfactory evidence must be submitted that the sale of base property or permitted livestock, or both, is bona fide.

The Chief of the Forest Service may authorize the Regional Forester in special cases to suspend the upper-limit restriction against consolidation.

Persons who are full citizens of the United States shall be given preference in the use of national-forest ranges over other persons.

A grazing preference is not a property right. Preference in the use of national-forest range are approved for the exclu-

¹Affects tabulation in § 1.13.

sive use and benefit of the persons to whom allowed.

Persons who have waived any part of a previously established grazing preference will not be recognized as grantee applicants or granted any increases where such action would (a) necessitate reduction in any established grazing preference; (b) prevent increase in any preference where the holder owns less than the lower-limit number of livestock; or (c) prevent the admission of new applicants.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 8th day of March 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-3900; Filed, Mar. 11, 1946;
11:05 a. m.]

TITLE 38—PENSION, BONUSES AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 5—ADJUDICATION: DEPENDENTS' CLAIMS

FILING OF CLAIMS AND SUPPORTING EVIDENCE; COMMENCEMENT OF ORIGINAL AWARDS OF DEATH PENSION OR COMPENSATION

§ 5.2578 *World War II; Public No. 2, 73d Congress, as amended.* No change in (a).

(b) Effective December 7, 1941, in the case of a person reported missing or missing in action, interned in a neutral country, captured by an enemy, beleaguered or besieged, where a report of death or finding of death has been made by the Secretary of War or the Secretary of the Navy as contemplated by Public No. 490, 77th Congress, as amended, an original award of death pension shall commence: No change in (1) and (2).

(58 Stat. 728)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,
Administrator of Veterans' Affairs.

FEBRUARY 19, 1946.

[F. R. Doc. 46-3905; Filed, Mar. 11, 1946;
11:08 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter I—Procurement Division Department of the Treasury

PART 4—SUPPLIES TO BE PROCURED BY THE PROCUREMENT DIVISION

EXCLUSIVE PROCUREMENT

The regulations in this part are hereby amended as follows:

1. Section 4.1 (b) *Motor trucks, truck-trailers and trailers* is revised to read as follows:

§ 4.1 *Exclusive procurement by Procurement Division, commodities.* * * *

(b) *Motor vehicles.* (1) Passenger automobiles, new, but excluding require-

ments of the War and Navy Departments, the Marine Corps and the Maritime Commission. [Proc. Div. Circ. Letter B-20, Revised, Feb. 27, 1946]

(2) Motor trucks, truck-trailers and trailers, new, except for export and requirements of the War Department, Navy Department (including the Marine Corps and Coast Guard), U. S. Maritime Commission, Panama Canal, Coast and Geodetic Survey, Civil Aeronautics Administration, National Advisory Committee for Aeronautics and Office of Scientific Research and Development. [Proc. Div. Circ. Letter 589, April 22, 1942]

2. Section 4.1, paragraph (c) *Wood office desks*, paragraph (g) *Wood files*, and paragraph (j) *Wood desks*, are revoked. [Proc. Div. Circ. Letter B-7, Revised, Feb. 27, 1946]

(Sec. 1, E.O. 6166, June 10, 1933, sec. 2, Director's Order 73, approved by the President June 10, 1939 (41 CFR 1.2, 3.2), Proc. Div. Circ. Letters B-7, Revised, and B-20, Revised, dated Feb. 27, 1946)

Date: February 27, 1946.

[SEAL] CLIFTON E. MACK,
Director of Procurement.

[F. R. Doc. 46-3889; Filed, Mar. 11, 1946;
9:50 a. m.]

PART 4—SUPPLIES TO BE PROCURED BY THE PROCUREMENT DIVISION

TYPEWRITER RENTALS

Section 4.2 *Typewriter rentals* is hereby revoked.

(Sec. 1, E.O. 6166, June 10, 1933, sec. 2, Director's Order 73, approved by the President June 10, 1939 (41 CFR 1.2, 3.2), Proc. Div. Circ. Letter B-34, dated March 6, 1946)

Date: March 6, 1946.

[SEAL] CLIFTON E. MACK,
Director of Procurement.

[F. R. Doc. 46-3888; Filed, Mar. 11, 1946;
9:50 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Production and Marketing Administration.

[Docket No. AO 85-A 1]

ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

NOTICE OF HEARING WITH RESPECT TO PROPOSED AMENDMENTS TO MARKETING AGREEMENT AND ORDER REGULATING HANDLING

Pursuant to the Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and in accordance with the applicable rules of practice and procedure (7 CFR, Cum. Supp. 900.1 et seq.), as amended, notice is hereby given of a public hearing to be held in the Assembly Room, Florida Citrus Commission Building, Lakeland, Florida, beginning at 10:00 a. m., e. s. t., March 25, 1946, with respect to proposed amendments to the marketing agreement and order regulat-

ing the handling of oranges, grapefruit, and tangerines grown in the State of Florida (7 CFR, Cum. Supp., 933.1 et seq.). These proposals have not received the approval of the Secretary of Agriculture.

Such public hearing is for the purpose of receiving evidence with respect to economic or marketing conditions relating to the proposed amendments, which are hereinafter set forth, and appropriate modifications thereof.

The following amendments have been proposed by the Growers Administrative Committee and the Shippers Advisory Committee, established pursuant to the aforesaid marketing agreement and order:

1. Delete the provisions of (e) of section 1 of the marketing agreement and of (e) of § 933.1 of the order and insert in lieu thereof the following:

(e) "Variety" means any one or more of the following classifications or groupings of citrus fruit: (1) early and mid-season oranges, including Navel and other types commonly called 'round oranges,' except Valencia, Lue Gim Gong and similar late-maturing oranges of Valencia type; (2) Valencia, Lue Gim Gong and similar late-maturing oranges of the Valencia type; (3) Temple oranges; (4) Marsh and other seedless grapefruit, excluding pink varieties of grapefruit; (5) Duncan and other seeded grapefruit, excluding pink varieties of grapefruit; (6) pink varieties of seedless grapefruit; (7) pink varieties of seeded grapefruit; and (8) tangerines.

2. Delete the provisions of (j) of section 1 of the marketing agreement and of (j) of § 933.1 of the order and insert in lieu thereof the following:

(j) "Fiscal period" means the period of time from August 1 of any year until July 31 of the following year.

3. Insert after (g) of section 1 of the marketing agreement and (g) of § 933.1 of the order the following definition of "pack" as (h) and redesignate the respective subsequent definitions so as to follow in proper alphabetical sequence:

(h) "Pack" means to wash, grade, size, or place fruit (whether or not wrapped) into any container whatsoever; but such term shall not include the harvest of fruit.

4. Delete the provisions of (b) of section 2 of the marketing agreement and (b) of § 933.2 of the order and insert in lieu thereof the following:

(b) *Growers Administrative Committee membership and term of office.* The Growers Administrative Committee shall consist of eight (8) members, each of whom shall have an alternate, all of whom shall be producers who shall not be handlers or employed by handlers. The term of office of members and alternate members shall begin on the first day of August and continue for one (1) year and until their successors are selected and have qualified. The consecutive term of office as a member shall be limited to three years. The term of office of alternate members shall not be so limited. The members, their alter-

nates, and their respective successors shall be nominated by producers and selected by the Secretary as hereinafter provided.

5. Delete the provisions of (c) (1) of section 2 of the marketing agreement and (c) (1) of § 933.2 of the order and insert in lieu thereof the following:

(c) *Nomination of members for Growers Administrative Committee.* (1) The Secretary shall give public notice of a meeting of producers in each district to be held not later than July 10 of each year, for the purpose of making nominations for members and alternate members of the Growers Administrative Committee. The Secretary shall prescribe uniform rules to govern such meetings and the balloting thereat. The chairman of each meeting shall publicly announce at such meeting the names of the persons nominated and the total number of votes cast for each, and the chairman and secretary of each such meeting shall transmit to the Secretary their certificate as to the number of votes so cast, the names of the persons nominated, and such other information as the Secretary may request. All nominations shall be submitted to the Secretary on or before the 20th day of July.

6. Delete the provisions of (c) (3) of section 2 of the marketing agreement and (c) (3) of § 933.2 of the order.

7. Delete the provisions of (e) of section 2 of the marketing agreement and (e) of § 933.2 of the order and insert in lieu thereof the following:

(e) *Shippers Advisory Committee Membership and term of office.* The Shippers Advisory Committee shall consist of eight (8) members, each of whom shall have an alternate, all of whom shall be handlers. The term of office of members of the Shippers Advisory Committee and their alternates shall begin on the first day of August and continue for one (1) year, and until their successors are selected and have qualified. The consecutive term of office as a member shall be limited to three years. The term of office of alternate members shall not be so limited. The members, alternate members, and their respective successors shall be nominated by handlers and shall be selected by the Secretary as hereinafter provided.

8. Delete the provisions of (f) of section 2 of the marketing agreement and (f) of § 933.2 of the order and insert in lieu thereof the following:

(f) *Nominations of Members for Shippers Advisory Committee.* (1) The Secretary shall give public notice of a meeting for bona fide cooperative marketing organizations which are handlers, and a meeting for other handlers, to be held not later than July 10 of each year, for the purpose of making nominations for members and alternate members of the Shippers Advisory Committee. The Secretary shall prescribe rules to govern each such meeting, and balloting thereat. The chairman of each such meeting shall publicly announce the results of the voting and the names of the nominees selected. The said chairman and the secretary of each such meeting

shall transmit to the Secretary their certificates showing the information so announced and such other information as the Secretary may request. All nominations shall be submitted to the Secretary on or before the 20th day of July. (2) Nominations of at least nine (9) persons for at least three (3) members and alternate members shall be made by bona fide cooperative marketing organizations which are handlers. Nominations of at least fifteen (15) persons for not more than five (5) members and alternate members shall be made by handlers other than bona fide cooperative marketing organizations. In voting for nominees each handler shall be entitled to cast but one (1) vote, which shall be weighted by the volume of fruit shipped by such handler during the then current fiscal period.

9. Insert at the end of (l) and (m), respectively, of section 2 of the marketing agreement, the words "or section 5".

10. Insert at the end of (l) and (m), respectively, of § 933.2 of the order, the words "or § 933.5".

11. Redesignate section 5 of the marketing agreement to read section 6 of the marketing agreement, and redesignate § 933.5 of the order to read § 933.6 of the order; and renumber the respective subsequent sections so as to follow in proper numerical sequence.

12. Insert after section 4 of the marketing agreement and § 933.4 of the order, the following new section 5 of the marketing agreement and new § 933.5 of the order.

Regulation of shipments—(a) Recommendation for Regulations. (1) Whenever the Shippers Advisory Committee deems it advisable to limit completely the shipment of any variety pursuant to this section, the said committee shall recommend the period during which the shipment of such variety shall be so limited. In making such determination, the said committee shall give due consideration to the following factors relating to citrus fruit: (i) market prices, including prices of each variety for which the complete limitation of shipment is recommended; (ii) amount on hand at the principal markets, as evidenced by supplies on track; (iii) maturity, condition, and available supply in the producing areas; (iv) other pertinent market information; and (v) the level and trend in consumer income. The Shippers Advisory Committee shall promptly report the recommendation so made, with supporting information, to the Growers Administrative Committee, which committee shall, in turn, submit the same to the Secretary, together with its own recommendation and supporting information respecting the factors hereinbefore enumerated.

(2) The failure of the Shippers Advisory Committee to make a recommendation, as aforesaid, after having received notice of the intention of the Growers Administrative Committee to meet for the purpose of receiving such recommendation with respect to regulations authorized by this section, shall not preclude the Growers Administrative Committee from submitting recommen-

dations and supporting information to the Secretary.

(3) The Growers Administrative Committee shall give at least twenty-four (24) hours notice of any meeting to consider the recommendation of regulations pursuant to this section, by publication in daily newspapers, selected by the said committee, of general circulation in the citrus producing districts of Florida. The said committee shall give the same notice of any such recommendation, at least forty-eight (48) hours before the time that it is recommended that such regulation becomes effective, and shall mail a copy of such notice to each handler who has filed his address with said committee for this purpose.

(b) *Regulation by the Secretary.* Whenever the Secretary shall find from the recommendations and reports of the Shippers Advisory Committee and the Growers Administrative Committee, or from other available information, that to limit completely, as provided in this section, the shipment of any variety would tend to effectuate the declared policy of the act, he shall so limit the shipment of such variety during a specified period or periods: *Provided*, That regulation pursuant to this section shall not be effective, with respect to any variety, for more than two periods aggregating a total of more than fourteen (14) days during the period December 20 to January 20, both dates inclusive, of the then current season. Prior to the beginning of any such regulation the Secretary shall notify the Growers Administrative Committee of the regulation issued by him, which committee shall notify all handlers, by publication in daily newspapers, selected by said committee, of general circulation in the citrus producing districts of Florida; *Provided*, That when the regulation, as issued, is different from the recommendation of the committee, notice thereof shall be given also by mailing a copy thereof to each handler who has filed his address with said committee for this purpose.

(c) *Fruit packed during regulations.* In the event that any variety is regulated pursuant to this section, no handler shall ship, after the effective time of termination of such regulation, any fruit of such variety which was packed during the effective period of such regulation.

13. Delete (a) of section 5 of the marketing agreement and (a) of § 933.5 of the order, redesignated in accordance with the proposed amendment 11 as section 6 and § 933.6, respectively, and redesignate (b) and (c) of each such section as (a) and (b) respectively.

14. Delete the provisions of section 7 of the marketing agreement, redesignated in accordance with the proposed amendment 11 as section 8 of the marketing agreement, and insert in lieu thereof the following: "Except as provided herein, no person shall ship fruit (1) the shipment of which has been prohibited by the Secretary in accordance with the provisions of section 4 hereof, or (2) the shipment of which has been limited completely by the Secretary in accordance with the provisions of section 5 hereof."

15. Delete the provisions of § 933.7 of the order, redesignated in accordance with the proposed amendment 11 as § 933.8 of the order, and insert in lieu thereof the following: "Except as provided herein, no person shall ship fruit (1) the shipment of which has been prohibited by the Secretary in accordance with the provisions of § 933.4 hereof, or (2) the shipment of which has been limited completely by the Secretary in accordance with the provisions of § 933.5 hereof."

The Fruit and Vegetable Branch, Production and Marketing Administration, has proposed the following:

1. That consideration be given to other changes in the provisions of the marketing agreement and order, to the extent as may be required, to make the entire marketing agreement and order conform with the proposals herewith submitted.

Copies of this notice of hearing may be obtained from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington 25, D. C., or from the Fruit and Vegetable Branch, Production and Marketing Administration, Drane Building, Lakeland, Florida, or may be there inspected.

Dated: March 9, 1946.

[SEAL] G. T. PEYTON,
Acting Assistant Administrator
for Regulatory and Marketing
Service Matters.

[F. R. 46-3902; Filed, Mar. 11, 1946; 11:05 a. m.]

[Docket No. AO 170-A1]

ST. JOSEPH COUNTY, IND., MILK MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to the tentatively approved marketing agreement and order regulating the handling of milk in the St. Joseph County, Indiana, milk marketing area, including a proposal to enlarge the marketing area by adding certain areas in Michigan.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR, Cum. Supp. 900.1 et seq.; 10 F.R. 11791), notice is hereby given of a public hearing to be held in the Gold Room, Oliver Hotel, South Bend, Indiana, beginning at 10:00 a. m., c. s. t., on March 28, 1946, with respect to proposed amendments to the tentatively approved marketing agreement and order regulating the handling of milk in the St. Joseph County, Indiana, milk marketing area (7 CFR, 1943 Supp. 967.0-967.13). These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to economic or marketing conditions which relate to the proposed amendments which are hereinafter set forth.

The following amendments have been proposed:

In § 967.1:

By the Dairy Branch, Production and Marketing Administration:

1. Delete the provisions of § 967.1 (b) and substitute therefor the following:

(b) "Secretary" means the Secretary of Agriculture of the United States or any other officer or employee of the United States authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

2. Delete the term "War Food Administrator" wherever it appears and substitute therefor the term "Secretary."

3. Make such changes in the definition of a "handler" in § 967.1 (g) as may be necessary to make the definition conform to other changes in the marketing agreement and order.

By the Reliable Dairy Company, Inc.; Producers Dairy, Inc.; City Dairy Company, Inc.; Suabedissen-Wittner Dairy, Inc.; National Milk Company, Inc.; Mishawaka Farmers Dairy, Inc.; Best Eber Dairy, Inc.; O. J. Wittner Dairy, Inc.; Fertile Acres Dairy; Indiana Dairy Company; Debeck's Sanitary Dairy; West End Dairy; Riverside Dairy Company; South Bend Pure Milk Company; South Side Dairy; Matthew's Dairy; Coussen's Dairy; Oak Ridge Dairy and Creamery; (hereinafter referred to as the Reliable Dairy Company, Inc. et al.):

4. Amend the provisions of § 967.1 (c) by deleting the period at the end thereof and adding immediately thereafter the following: ", and all of the territory in Bertrand and Niles Townships, Berrien County, Michigan, and Milton Township and Ontwa Township, Cass County, Michigan, excepting all territory within the corporation limits of Niles, Michigan."

5. Delete the provisions of § 967.1 (e), (f), and (j) and substitute therefor the following:

(e) "Plant" means any plant which disposes of milk in the marketing area.

(f) "Producer" means any person who produces milk which is received at a plant.

(j) "Supplementary milk" means milk, skim milk, or cream received from sources other than producers or handlers.

6. Add a new paragraph at the end of § 967.1 to read as follows:

(k) "Milk" means the lacteal secretion obtained by the milking of one or more cows, whether in the original or in any processed form, including cream, butter-milk, and skim milk intended for human consumption.

By the Osceola Dairy, Osceola, Indiana:

7. Amend the provisions of § 967.1 (c) so as to exclude the municipality of Osceola, Indiana, from the marketing area:

In § 967.4:

By the Pure Milk Association, Inc.:

1. Delete the provisions of § 967.4 (d) (7) (ii) and (iii) and substitute therefor the following:

(ii) Subtract from the lowest class in which the handler has milk, the total pounds of milk which were received from sources other than producers and handlers;

(iii) Subtract pro rata from the remaining pounds of milk in each class the pounds of emergency milk received;

By the Reliable Dairy Company, Inc., et al.:

2. Delete the provisions of § 967.4 (b) (1), (2), and (3) and substitute therefor the following:

(1) Class I milk shall be all milk disposed of in the form of milk or milk drinks, whether plain or flavored, having a butterfat content of not less than 3.25 percent, and all milk not accounted for as Class II milk, Class III milk, and Class IV milk.

(2) Class II milk shall be all milk, the butterfat from which is disposed of as sweet or sour cream.

(3) Class III milk shall be all milk, the butterfat from which is used to produce a milk product other than one of those specified in Class II or Class IV and including frozen cream, ice cream, cheese, and ice cream mix, and any milk sold as fluid milk and cream to bakery, soup or candy manufacturing establishments.

3. Add a new subparagraph at the end of § 967.4 (b) to read as follows:

(5) Class V milk shall be all milk in excess of the actual and complete requirements of each plant determined as follows: any plant whenever they shall notify the Pure Milk Association or the market administrator not less than 24 hours previous to dispose of all milk above the actual and complete requirements, and said Pure Milk Association or market administrator shall fail to accept delivery of said milk or to dispose of the same and which milk the handler takes into his plant on account of their said failure to accept said delivery or to dispose of said milk.

4. Delete the provisions of § 967.4 (d) (3) and substitute therefor the following:

(3) Determine the total pounds of milk in Class I as follows: (i) convert to quarts the quantity of milk disposed of in the form containing not less than 3.25 percent butterfat and multiply by 2.15 and convert to quarts the quantity of flavored milk drinks containing not less than 3.25 percent butterfat and multiply by 1.935 and add the total thus received, (ii) multiply the result by its average butterfat test, and (iii) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II milk, Class III milk, and Class IV milk, computed pursuant to (4) (ii), and (6) (ii) of this paragraph, is less than the total pounds of butterfat received, computed in accordance with (2) of this paragraph, an amount equal to the difference shall be divided by 4 percent and shall be added to the quantity of milk determined pursuant to (i) of this subparagraph.

5. Delete the provisions of § 967.4 (d) (7) and substitute therefor the following:

(7) Determine the classification of milk received from producers as follows:

(i) Subtract from the total pounds of milk in Class IV the total pounds of milk which were received from other handlers;

(ii) Subtract pro rata from the remaining pounds of milk in each class the pounds of supplementary milk received;

(iii) Except as set forth in (e) of this section, the result shall be known as the "net pool milk" in each class.

6. Delete the provisions of § 967.4 (e) (2) and substitute therefor the following:

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) of this section, is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Classes IV, III, II, and in that order for such handler only to the extent that such handler has milk in said respective class by an amount equal to the difference between the receipts of milk from producers, and the total utilization of milk by classes for such handler, provided that from Class IV first shall be deducted the allowable plant shrinkage, which result shall be known as "net pool milk" in each class.

By the Dairy Branch, Production and Marketing Administration:

7. Delete from § 967.4 (e) (1) and (2) the last two words "each class" in each of such subparagraphs and substitute therefor the words "Class IV milk."

In § 967.5:

By the Pure Milk Association, Inc.:

1. Delete the provisions of § 967.5 (a) (1) and substitute therefor the following:

(1) *Class I milk.* The price per hundredweight for Class I milk shall be the price determined pursuant to paragraph (b) of this section (for Class III milk), plus the following premiums:

During the delivery periods of January, February, March, and April.....	\$0.65
During the delivery periods of May and June.....	.50
During the delivery periods of July, August, September, October, November, and December.....	1.00

2. Delete the provisions of § 967.5 (a) (2) and substitute therefor the following:

(2) *Class II milk.* The price per hundredweight for Class II milk shall be the price determined pursuant to paragraph (b) of this section (for Class III milk), plus the following premiums:

During the delivery periods of January, February, March, and April.....	\$0.40
During the delivery periods of May and June.....	.30
During the delivery periods of July, August, September, October, November, and December.....	.60

3. Delete the provisions of § 967.5 (a) (3) prior to the listing of certain concerns contained in the proviso therein and substitute therefor the following:

(3) *Class III milk.* The price per hundredweight for Class III milk shall be the average as computed by the market administrator of the lowest and highest prices ascertained to have been paid for milk of 4 percent butterfat received during the delivery period at the following places for which prices are reported to the market administrator by the three

companies listed, or by the United States Department of Agriculture, i. e.;

Goshen Milk Condensing Co. Goshen, Ind.
Litchfield Creamery Co. Warsaw, Ind.
New Paris Creamery Co. New Paris, Ind.

Provided, That if any one of the above companies fails to report the prices for milk so received, the price per hundredweight for Class III milk shall be the average, as computed by the market administrator, of the prices ascertained to have been paid for milk of 3.5 percent butterfat received during the delivery period at the following places for which prices are reported to the market administrator by the listed companies or by the United States Department of Agriculture, plus an amount equal to the average price so computed by the market administrator, divided by 7, i. e., $(1/10\text{th average price} \div 3.5 \times 5)$: *Provided, further,* That in no event shall the price for Class III milk be less than the price computed for Class IV milk:

4. Delete from § 967.5 (a) (4) the figure "3½" (line 8 in the printed order) and substitute therefor "3¾"; the figure "5½" (line 10) and substitute therefor "5"; the figure "7½" (line 24) and substitute therefor "6½"; and the figure "5½" (line 25) and substitute therefor "5".

By the Reliable Dairy Company, Inc., et al.:

5. Delete the provisions of § 967.5 (a) (1), (2), (3), and (4) and substitute therefor the following:

(1) *Class I milk.* The price per hundredweight for Class I milk during each delivery period shall be 88.1 cents per pound of butterfat: *Provided, however,* That no handler shall compute his milk in determining utilization as Class I milk as containing less than 3.6 pounds of butterfat in 100 pounds of milk.

(2) *Class II milk.* The price per hundredweight for Class II milk during each delivery period shall be 81.9 cents per pound of butterfat.

(3) *Class III milk.* The price per hundredweight for Class III milk during each delivery period shall be 71.9 cents per pound of butterfat.

(4) *Class IV milk.* The price per hundredweight for Class IV milk during each delivery period shall be 69.4 cents per pound of butterfat.

6. Add a new paragraph at the end of § 967.5 (a) to read as follows:

(5) *Class V milk.* The price of Class V milk shall be the net price actually received less 20 cents per hundredweight, as and for a handling charge, f. o. b. the handler's plant.

7. Delete the provisions of § 967.5 (b).

8. Delete the provisions of § 967.5 (d).

9. Add a new paragraph at the end of § 967.5 to read as follows:

Sales outside the marketing area. The price to be paid by a handler for milk disposed of outside the marketing area, in lieu of the price otherwise applicable pursuant to this section shall be the price, as ascertained by the market administrator, which is being paid for

milk of equivalent use in the market where such milk is disposed of.

10. Add a new paragraph at the end of § 967.5 to read as follows:

Degraded milk. Whenever the duly constituted authorities find that any producer is not producing the highest quality milk for sale in accordance with regulations for the sale of fluid milk in the marketing area, or any part thereof, then said producer shall be paid a sum as herein provided less 20 cents per hundredweight so long as he is not producing milk in said highest quality.

By the Dairy Branch, Production and Marketing Administration:

11. Renumber § 967.13 as § 967.5 (e).

In § 967.6:

By the Pure Milk Association, Inc.:

1. Delete the provisions of § 967.6 (b) and substitute therefor the following:

(b) *Payment for milk received from sources determined as other than producers or other handlers.* If any handler has received milk or butterfat from sources determined as other than producers or other handlers, the market administrator, in computing the value of milk for such handler pursuant to § 967.7 shall consider such milk or the milk equivalent of such butterfat as being in the lowest class in which the handler has milk. This provision shall not apply to milk or butterfat from sources determined as other than producers or handlers, if such handler can prove to the market administrator that such milk or butterfat was used for purposes which did not violate any regulations issued by the health authorities as referred to in § 967.1 (e).

In § 967.7:

By the Dairy Branch, Production and Marketing Administration:

1. Delete the provisions of § 967.7 (b) (1) and substitute therefor the following:

(1) Combine into one total the net pool obligations computed pursuant to (a) of this section of all handlers except those who did not make the payments required pursuant to § 967.8 (d) for the delivery period immediately preceding;

In § 967.8:

By the Dairy Branch, Production and Marketing Administration:

1. Amend the provisions of § 967.8 (e) by deleting the period at the end thereof and adding immediately thereafter the following: "": *Provided,* That the handler shall make such balance of payment uniformly to those producers to whom it is due on or before the date for making payments pursuant to this paragraph next following that on which such balance of payment is received from the market administrator."

In § 967.9:

By the Osceola Dairy, Osceola, Indiana:

1. Delete from § 967.9 (a) the words "and from his own production" which appear immediately before the proviso therein.

In § 967.10:

By the Osceola Dairy, Osceola, Indiana:

1. Amend the provisions of § 967.10 (a) by inserting the words "excepting such handler's own production" between the words "producer" and "during" in the first sentence thereof.

In § 967.14:

By the Dairy Branch, Production and Marketing Administration:

1. Add a new section to read as follows:

Separability of provisions. If any provision of this order, or the application thereof to any person or circumstances, is held invalid, the remainder of the order, and the application of such provision to other persons or circumstances, shall not be affected thereby.

General Proposals by the Dairy Branch, Production and Marketing Administration:

1. Make such other changes as may be required to make the entire marketing agreement and order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and of the tentatively approved marketing agreement and order, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Agriculture Building, Washington 25, D. C., or may be there inspected.

Dated: March 8, 1946.

[SEAL] G. T. PEYTON,
Acting Assistant Administrator
for Regulatory and Marketing
Service Matters, Production
and Marketing Administration.

[F. R. Doc. 46-3903; Filed, Mar. 11, 1946;
11:06 a. m.]

Rural Electrification Administration.

[Administrative Order 1011]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 19, 1946.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Delaware 2N Sussex.....	\$100,000
Georgia 45K Sumter.....	350,000
Idaho 10K Nez Perce.....	590,000
Iowa 71K Buchanan.....	211,000
Michigan 42F Mason.....	300,000
South Carolina 38F Oconee.....	190,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 46-3863; Filed, Mar. 8, 1946;
5:05 p. m.]

[Administrative Order 1006]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 6, 1946.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as

amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Alabama 29D Greene.....	\$130,000
Georgia 84G Cobb.....	156,000
Kentucky 50K Graves.....	142,000
Oklahoma 34A Texas.....	290,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 46-3869; Filed, Mar. 8, 1946;
5:05 p. m.]

[Administrative Order 1007]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 11, 1946.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Florida 34B Bay.....	\$295,000
Kentucky 20H McCracken.....	50,000
Mississippi 21N Coahoma.....	445,000
Texas 47M Deaf Smith.....	198,000
Texas 100K Washington.....	250,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 46-3870; Filed, Mar. 8, 1946;
5:06 p. m.]

[Administrative Order 1008]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 11, 1946.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Mississippi 17E Pontotoc.....	\$135,000
Oregon 4G Lincoln.....	365,000
Texas 59H Lamb.....	50,000
Texas 106E Taylor.....	70,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 46-3871; Filed, Mar. 8, 1946;
5:06 p. m.]

[Administrative Order 1009]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 12, 1946.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	Amount
Wisconsin 65A Amery.....	\$5,550,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 46-3873; Filed, Mar. 8, 1946;
5:06 p. m.]

[Administrative Order 1010]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 19, 1946.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Alabama 26G Barbour.....	\$190,000
Kentucky, 21L Nelson.....	27,000
Mississippi 23 P. Copiah.....	160,000
South Carolina 37H Lexington.....	48,000
Texas 99G Jones.....	68,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 46-3872; Filed, Mar. 8, 1946;
5:06 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1242]

ILLINOIS POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of March 1946.

Notice is hereby given that an application and declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder by Illinois Power Company, a registered holding company and a direct subsidiary of North American Light & Power Company and an indirect subsidiary of The North American Company, both registered holding companies. All interested persons are referred to said application and declaration, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized below:

Illinois Power Company proposes (a) to issue and sell \$45,000,000 principal amount of new First Mortgage Bonds, ____% Series due 1976, and \$9,000,000 principal amount of Sinking Fund Debentures, ____%, due 1966, and publicly to invite sealed, written proposals for their purchase in accordance with the provisions of Rule U-50; and (b) to use the proceeds from the issuance and sale of the aforesaid Bonds of the 1976 Series and Debentures, together with other cash, to redeem its presently outstanding First Mortgage and Collateral Trust Bonds, 4% Series due 1973, in the principal amount of \$43,400,000, 30-year 5½% Sinking Fund Debentures in the principal amount of \$5,842,500, and 2¾% Serial Notes in the principal amount of \$3,500,000, at their redemption prices plus accrued interest.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said application and declaration shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on said matters under the applicable provisions of said act and rules of the Commission thereunder be held on March 21, 1946, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That any person desiring to be heard or otherwise to participate in the proceedings, shall file with the Secretary of the Commission on or before March 19, 1946, his application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of this Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to the Illinois Power Company and to the Illinois Commerce Commission by registered mail; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER:

It is further ordered, That without limiting the scope of the issues presented by said application and declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issuance and sale by Illinois Power Company of \$45,000,000 principal amount of new First Mortgage Bonds, ---% Series due 1976, and \$9,000,000 principal amount of Sinking Fund Debentures, ---%, due 1966, are solely for the purpose of financing the business of the issuer and have been expressly authorized by the Illinois Commerce Commission;

(2) Whether the accounting treatment accorded the loss sustained by Illinois Power Company in the disposition of its investments in Illinois Terminal Railroad Company, including the charge to the account, "Paid-In Surplus Reserved for Dividend Arrears Certificates," is in accordance with sound accounting principles and in conformity with the requirements of the act, prior orders of this Commission and the provisions of the Dividend Arrears Certificates.

(3) Whether the fees, commissions, or other remuneration to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount;

(4) Whether the proposed transactions comply with the applicable provisions of the act and the rules and regulations promulgated thereunder;

(5) What terms or conditions, if any, with respect to the proposed transactions should be prescribed in the public inter-

est or for the protection of investors or consumers.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-3898; Filed, Mar. 11, 1946;
9:59 a. m.]

[File No. 812-412]

AMERICAN FOUNDRY EQUIPMENT CO. ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of March A. D., 1946.

In the matter of American Foundry Equipment Company, Commercial Controls Corporation, First York Corporation and Utility Equities Corporation, File No. 812-412.

An application has been filed by American Foundry Equipment Company and Commercial Controls Corporation pursuant to section 17 (b) of the Investment Company Act of 1940 for an order granting an exemption from section 17 (a) so as to permit the applicants to enter into certain contracts, under which Electromode Corporation (at present a wholly owned subsidiary of Commercial Controls Company) will manufacture and sell "Electromode" heaters under certain patents and trademarks owned by Electromode Company, Inc. (a wholly owned subsidiary of American Foundry Equipment Company). Under such contracts, Electromode Corporation also will purchase from Electromode Company, Inc. all of the inventory and equipment used by Electromode Company, Inc. exclusively in the manufacture of "Electromode" heaters at the net depreciated book value thereof, and Electromode Company, Inc. will purchase 40% of the capital stock of Electromode Corporation. American Foundry Equipment Company is an affiliated person of First York Corporation and Utility Equities Corporation, both of which are registered investment companies which are affiliated persons of each other. Commercial Controls Corporation is an affiliated person of First York Corporation.

It is ordered, Pursuant to section 40 (a) of said act that a hearing on the aforesaid application be held on March 20, 1946 at 10:00 a. m., eastern standard time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered, That Allen MacCullen, Esquire, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to American Foundry Equipment Com-

pany, Commercial Controls Corporation, First York Corporation and Utility Equities Corporation and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-3894; Filed, Mar. 11, 1946;
10:00 a. m.]

[File Nos. 54-116, 54-66, 59-61]

SCRANTON-SPRING BROOK WATER SERVICE
CO. ET AL.

ORDER APPROVING PLAN, GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of March, A. D. 1946.

In the matters of Scranton-Spring Brook Water Service Company, Pennsylvania Water Service Company, Federal Water and Gas Corporation, File No. 54-116; Federal Water and Gas Corporation and subsidiary companies, File No. 54-66; Federal Water and Gas Corporation and subsidiary companies, Respondents, File No. 59-61.

Federal Water and Gas Corporation ("Federal"), a registered holding company, Pennsylvania Water Service Company ("Pennsylvania"), a subsidiary of Federal, and Scranton-Spring Brook Water Service Company ("Scranton"), a subsidiary of Pennsylvania and of Federal, having filed an application and amendments thereto for the approval of a plan, as amended, for the recapitalization of Scranton and the liquidation and dissolution of Pennsylvania pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("amended plan") and applications and declarations pursuant to applicable sections of the Act for approval of related transactions;

Said amended plan and the applications and declarations with respect thereto providing, among other things, for the following:

1. Scranton will issue 1,000,000 shares of new no par value common stock, with a stated value of \$10,000,000, on the following basis:

(a) Each share of the 39,539 shares of Scranton's \$6 preferred stock held by the public, and each of 779 shares of the 979 shares held by Pennsylvania, will be converted into 13½ shares of the new common stock of Scranton, and Scranton will issue 544,293 shares of its new common stock to effectuate this conversion;

(b) Each share of the 12,075 shares of Scranton's \$5 preferred stock will be converted into 11.995695 shares of new common stock; a cash adjustment will be made by Scranton in lieu of issuing fractional shares, based upon an assumed equivalent of \$13.685 per share; and Scranton will issue 144,845 shares of its new common stock and pay \$41.29 cash to effectuate this conversion;

(c) Pennsylvania will be liquidated and dissolved. Each share of the 779 shares of Pennsylvania's \$6 preferred stock held by the public will be exchanged directly or indirectly for 13½ shares of Scranton's new common stock. Federal will surrender to Pennsylvania 200 shares of Pennsylvania's \$6 preferred stock and all of its common stock, and cancel the debt due from Pennsylvania in the amount of \$91,500, and will receive in consideration therefor 200 shares of Scranton's \$6 preferred stock and all of Scranton's presently outstanding common stock. Federal will then hold 16,233 shares of Scranton's \$6 preferred stock, all of Scranton's presently outstanding common stock and indebtedness of Scranton in the principal amount of \$1,446,502.47. All these holdings will be converted into 310,862 shares of new common stock of Scranton;

2. Scranton will issue and sell pursuant to the competitive bidding requirements of Rule U-50 \$23,500,000 principal amount of 30-Year First Mortgage Bonds and \$10,000,000 par value of Cumulative Preferred Stock, represented by 100,000 shares of the par value of \$100 per share, provided that the proposed annual interest charges and preferred dividend requirements on the new securities, adjusted for premiums, if any, received, shall not aggregate more than \$1,130,000 (equivalent to annual interest and preferred dividend rates of 3% and 4¼%, respectively); coincident with the issue and sale of said bonds and preferred stock, Scranton will also issue to a bank a two-year 2% note in the principal amount of \$1,000,000;

3. If the new securities described in paragraph 2 above are issued and sold, Scranton will use the proceeds thereof, and, to the extent necessary, treasury funds, to retire its presently outstanding mortgage bonds at their respective redemption prices;

4. If the new securities described in paragraph 2 above are issued, Federal will send a notice addressed to all holders of the \$6 and \$5 Preferred Stock of Scranton and to the holders of the \$6 Preferred Stock of Pennsylvania, designating a 15-day period within which they may, if they so desire, sell the new common stock, to be acquired by them, to Federal at \$13.685 per share. Federal will purchase all shares so tendered at \$13.685 per share within such designated period;

5. The 689,138 shares of new common stock proposed to be allocated to the publicly-held \$6 and \$5 preferred stocks will, in any event, be distributed to such stockholders upon the surrender of their preferred stock certificates. If the purchase offer described in paragraph 4 above is not made, Federal will not receive the 310,862 shares of new common stock proposed to be allocated to it pending a final determination of the Commission and, if necessary, the United States District Court, as to whether this allocation to Federal is proper or should be modified, and if so the extent of such modification;

6. If the purchase offer described in paragraph 4 above is made, Federal will borrow from two banks a sum not in

excess of \$6,700,000 upon notes bearing interest at the rate of 2¼%, to mature in one year, with the right of extension for an additional year, and to be secured by the shares of new common stock of Scranton to be acquired by Federal pursuant to the amended plan. Federal proposes to sell such shares of the new common stock of Scranton as may be necessary to provide funds with which to repay the bank loan herein provided, and Federal proposes to sell, or distribute to its stockholders, any remainder of such new common stock of Scranton which Federal may then own; and

7. Scranton will pay such fees and reimburse such expenses incurred or to be incurred in connection with the amended plan, the transactions incident thereto, and the consummation thereof, as are approved, allocated or awarded by order or orders of the Commission.

* The applicants having requested that the Commission enter an order finding that the transactions proposed in said amended plan are necessary or appropriate to effectuate the provisions of section 11 (b) of the act, and that said order conform to the requirements specified in sections 371, 372, 373 and 1808 of the Internal Revenue Code, as amended; and

The applicants having requested the Commission upon its approval of said amended plan to apply to an appropriate District Court of the United States for an order approving and enforcing said amended plan; and

The proceedings instituted in respect of the said amended plan (File No. 54-116) having been consolidated with pending proceedings under section 11 and other sections of the act involving Federal and its subsidiary companies (File Nos. 54-66 and 59-61); public hearings having been held, after appropriate public notice, in respect of such consolidated proceedings; the Commission having considered the record and having this day issued its findings and opinion herein; on the basis of said findings and opinion.

It is ordered, pursuant to section 11 (e) and other applicable sections of the act that said amended plan be, and it hereby is, approved, that said applications be, and the same hereby are, granted and that said declarations be, and the same hereby are, permitted to become effective, subject, however, to the conditions specified in Rule U-24 and the following additional terms and conditions:

(1) That the order entered herein shall not be operative to authorize the consummation of the transactions proposed in the amended plan until an appropriate United States District Court shall, upon application thereto, enter an order enforcing said amended plan;

(2) That jurisdiction is generally reserved to the Commission to entertain such further proceedings, and to make such supplemental findings and to take such further action as it may deem appropriate in connection with the amended plan, the transactions incident thereto and the consummation thereof; and that jurisdiction is specifically reserved to determining the following matters:

(a) If Federal does not consummate its offer to purchase at \$13.685 per share

from the public holders of Scranton's \$6 and \$5 preferred stocks and Pennsylvania's \$6 preferred stock the new common stock of Scranton allocated to such public preferred stockholders under the amended plan, the fairness under section 11 (e) to the persons affected of the proposed allocation to Federal of 310,862 shares of Scranton's new common stock, and whether and the extent to which, said allocation to Federal of Scranton's new common stock should be modified;

(b) The reasonableness of the prices to be paid for Scranton's new bonds and preferred stock, the underwriting spreads, and the fees and expenses in connection therewith;

(c) The appropriateness of any communications which Federal proposes to mail to the public preferred stockholders of Scranton and Pennsylvania containing the purchase offer hereinabove described;

(d) The reasonableness, and appropriate allocation, of all fees, expenses and other remuneration incurred and to be incurred by Scranton, Pennsylvania and Federal in connection with the amended plan and the transactions incident thereto;

(e) The appropriateness of the terms of Federal's proposed sale, or distribution to its stockholders, or both, of the new common stock of Scranton which Federal proposes to acquire under the terms of the amended plan;

It is further ordered, That jurisdiction be, and it hereby is, released in respect of the proposed accounting entries of Scranton.

It is further ordered, pursuant to Rule U-100 (a) that the application of Scranton and Pennsylvania for an exemption from the provisions of Rule U-62 (c) be, and it hereby is, granted.

It is further ordered, That the findings and opinion of the Commission herein be, and it hereby is, adopted as the report of the Commission pursuant to section 11 (g) of the act.

It is further ordered and recited, That the issues, transfers, exchanges, and purchases of securities, the cash payments and the transactions specified and itemized below, all as provided in the amended plan, are necessary or appropriate to the integration and simplification of the holding company system of which Scranton-Spring Brook Water Service Company, Pennsylvania Water Service Company and Federal Water and Gas Corporation are members, and are necessary and appropriate to the effectuation of the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

(a) The distribution by Pennsylvania Water Service Company in liquidation of 100,000 shares of common capital stock of Scranton-Spring Brook Water Service Company and 200 shares of \$6 cumulative preferred stock of Scranton-Spring Brook Water Service Company to Federal Water and Gas Corporation upon the surrender by Federal Water and Gas Corporation of 123,000 shares of common stock of Pennsylvania Water Service Company and the cancellation of the debt of \$91,500 recorded on the books of Pennsylvania Water Service Company as

due to Federal Water and Gas Corporation;

(b) The surrender by Federal Water and Gas Corporation to Scranton-Spring Brook Water Service Company of (1) 16,233 shares of Scranton-Spring Brook Water Service Company's \$6 cumulative preferred stock, (2) all of Scranton-Spring Brook Water Service Company's presently outstanding shares of common stock, consisting of 100,000 shares, and (3) the special indebtedness of Scranton-Spring Brook Water Service Company in the amount of \$1,446,502.47 to Federal Water and Gas Corporation, all in exchange for 310,862 shares of new common stock or such lesser number of shares as may subsequently in accordance with the amended plan be determined to be fair and equitable by the Securities and Exchange Commission;

(c) The recapitalization of Scranton-Spring Brook Water Service Company and the exchange by security holders of shares of \$6 and \$5 cumulative preferred stock of Scranton-Spring Brook Water Service Company and \$6 cumulative preferred stock of Pennsylvania Water Service Company in exchange for shares of no par value common stock of Scranton-Spring Brook Water Service Company; and, more specifically, the issuance by Scranton-Spring Brook Water Service Company of 689,138 shares of no par value common stock to the public holders of the \$6 and \$5 cumulative preferred stocks of Scranton-Spring Brook Water Service Company and \$6 cumulative preferred stock of Pennsylvania Water Service Company in exchange for said preferred stocks, on the basis of 13½ shares of said common stock for each share of said \$6 preferred stocks and 11.995695 shares of said common stock for each share of said \$5 preferred stock, and also the issuance by Scranton-Spring Brook Water Service Company to Federal Water and Gas Corporation of shares of said common stock described in paragraph (b) above;

(d) The purchase by Federal Water and Gas Corporation of shares of the no par value common stock of Scranton-Spring Brook Water Service Company pursuant to the offer of Federal Water and Gas Corporation to the public holders of the \$6 and \$5 cumulative preferred stocks of Scranton-Spring Brook Water Service Company and \$6 cumulative preferred stock of Pennsylvania Water Service Company, if made pursuant to the provisions of the amended plan, to purchase at \$13.685 per share the no par value common stock to be issued to said preferred stockholders under the terms of the amended plan.

It further appearing that the record has not been completed with respect to certain further recitals and findings requested by the applicants, pursuant to the provisions of sections 371, 372, 373 and 1808 of the Internal Revenue Code, as amended, in connection with the proposed transactions.

It is further ordered, That jurisdiction is reserved to make further appropriate recitals and findings in conformity with the provisions of sections 371, 372, 373

and 1808 of the Internal Revenue Code, as amended.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-3895; Filed, Mar. 11, 1946;
10:00 a. m.]

[File No. 30-71]

AMERICAN UTILITIES SERVICE CORP.

NOTICE OF FILING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of March 1946.

Notice is hereby given that an application, and amendment thereto, have been filed with this Commission, pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935, by American Utilities Service Corporation ("American"), a registered holding company, for an order under said Act finding that American has ceased to be a holding company.

Notice is further given that any interested person may request the Commission in writing, not later than the 25th day of March 1946 at 5:30 p. m., e. s. t., that a hearing be held on such matter stating the reason for such request and the nature of his interest or require that he be notified if the Commission should order a hearing thereon; at any time thereafter such application, as amended, may be granted. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application, and amendment thereto, which are on file in the office of this Commission, for a complete statement of the requested finding and order, which may be summarized as follows:

American represents that it has disposed of the possession, ownership and control of all of the voting securities of public utility companies formerly held by it and that it does not now, directly or indirectly, own, control or hold with power to vote or otherwise, any of the outstanding voting securities of a public utility company or of a company which is a holding company within the meaning of the provisions of the act.

The Commission, by order of March 13, 1945, reserved jurisdiction to approve, disapprove, modify, allocate or award all fees and expenses incurred or to be incurred in connection with the amended plan of recapitalization of American (American Utilities Service Corporation, — S. E. C. —, Holding Company Act Release No. 5662). American filed an application with this Commission for waiver of jurisdiction with respect to the fees and expenses incurred in connection with its amended plan of recapitalization which application is pending before the Commission. American agrees, in the instant filing, that it will not pay any fees and expenses incurred in connection with its amended plan of recapitalization other than such fees and expenses as may be allowed by the Commission.

American requests the entry of an order by the Commission, pursuant to the provisions of section 5 (d) of the act, finding and declaring that American has ceased to be a holding company, and, subject to the condition that the entry of such an order shall not constitute a waiver of jurisdiction by the Commission with respect to the approval of the payment of fees and expenses incurred in connection with the amended plan of recapitalization of American, declaring the registration of American as a holding company to cease to be in effect.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-3896; Filed, Mar. 11, 1946;
10:00 a. m.]

[File No. 70-1228]

AMERICAN STATES UTILITIES CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of March A. D. 1946.

American States Utilities Corporation, a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, relating to the proposed acquisition of such number of shares of its own preferred stock, \$25 par value, as may be purchased in the open market, with the funds now set aside in a sinking fund for that purpose, in the amount of \$16,538.56; and

Said declaration having been filed on the 31st day of January 1946, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to the Act, and the Commission not having received a request for a hearing with respect said declaration within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the proposed transactions are not in contravention of the act or any rules or regulations promulgated thereunder, that the proposed transactions satisfy the requirements of section 12 (c) of the act and the Rules thereunder insofar as they are applicable, and that it is appropriate in the public interest and in the interests of investors and consumers that said declaration be permitted to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-3897; Filed, Mar. 11, 1946;
10:00 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

KORN, FREMONT, NEBR.¹

PUBLIC NOTICE CONCERNING PROPOSED ASSIGNMENT OF LICENSE

The Commission hereby gives notice that on January 14, 1946, there was filed with it an application (B4-AL-519) for its consent under section 310 (b) of the Communications Act (47 U. S. C. A. 310) to the proposed assignment of license of standard broadcast station KORN, Fremont, Washington, from the Nebraska Broadcasting Corporation to the Inland Broadcasting Company, 2027 - Dodge Street, Omaha, Nebraska. The proposal to assign said license is based upon an agreement of November 5, 1945, between the licensee, Nebraska Broadcasting Corporation and Inland Broadcasting Company, pursuant to which the former would sell to the latter all the equipment, property and facilities of KORN for a total purchase price of \$20,000, \$4,000 of which is to be paid in cash upon signing the agreement; \$4,000 by issuance of 40 shares of the common capital stock of purchaser, and the remaining \$12,000 by issuance of 120 shares of 4% cumulative preferred capital stock of purchaser.

The agreement specifically provides that it is contingent upon approval by the Commission of application for removal of the station to Lincoln, Nebraska, and the installation in Lincoln, Nebraska, of a station operating on 1400 kc. with 250 watts power, and approval of an application for installation of a station at Fremont, Nebraska, to operate with a power of 100 watts on 1340 kc. The agreement is further contingent upon Commission approval of the arrangements set out in the application, further details as to which may be obtained from an inspection of the papers on file at the offices of the Commission.

In the Commission's decision of September 6, 1945, granting the application for transfer of control of the Crosley Corporation (Docket No. 6767), it was announced that public hearings would be held to consider proposed new rules and regulations for the handling of assignment and transfer applications including provision for public notice by the applicant and the Commission of the filing of such applications and pertinent detail in cases where a controlling interest is involved. Thereafter on October 3, 1945, the Commission also gave public notice (10 F.R. 12926) that pending the issuance of such proposed new rules, hearing thereon and final adoption, such applications would be deferred unless applicants desired to follow the procedure proposed in the WLW decision, and supplement their applications so as to come within the framework of the announced procedure including the provision for public notice. Pursuant thereto the Commission was advised on February 25, 1946, that notice would be inserted in the "Fremont Tribune" a newspaper of general circulation in Fremont, Nebraska, once a week for three weeks beginning February 26, 1946, of

the proposed assignment of the license and acquisition by assignee of the properties of KORN.

In accordance with the procedure proposed in the WLW decision and that announced in the Commission's release no action will be had upon the KORN application for a period of 60 days from February 26, 1946, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above-described contracts.

(Sec. 310 (b), 48 Stat. 1086; 47 U.S.C. 310 (b))

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3800; Filed, Mar. 8, 1946;
12:09 p. m.]

[Docket No. 6040]

MID-AMERICA BROADCASTING CORP.

NOTICE OF HEARING

In re application of Mid-America Broadcasting Corporation (New), date filed, February 15, 1940, for construction permit; class of service, broadcast; class of station, broadcast; location, Louisville, Kentucky; operating assignment specified: Frequency, 1080 kc; power, 1 kw N¹ 5 kw day¹; hours of operation, unlimited; Docket No. 6040, File No. B2-P-2760.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Kentucky Broadcasting Corporation (WINN), Louisville, Kentucky (File No. B2-P-4169), upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

¹ DA—night and day.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Mid-America Broadcasting Corporation, 234 Starks Building, Louisville, Kentucky.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3820; Filed, Mar. 8, 1946;
12:12 p. m.]

[Docket No. 6699]

MOLINE BROADCASTING CO.

NOTICE OF HEARING

In re application of Bruff W. Olin, Jr., G. Decker French and Howard P. Eckerman, a partnership, d/b as Moline Broadcasting Company (New), date filed August 18, 1944, for construction permit; class of service, broadcast; class of station, broadcast; location, Moline, Illinois; operating assignment specified: frequency, 1230 kc; power, 250 w night and day; hours of operation, unlimited; Docket No. 6699, File No. B4-P-3678.

You are hereby notified that the Commission has re-examined the application in the above-entitled case and has designated the matter for hearing on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership, and of its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine the qualifications of the personnel to be employed in the operation of the proposed station.

¹ Section 1.384, Part I, Rules of Practice and Procedure.

5. To determine whether the operation of the proposed station would involve objectionable interference with Station WJBC, Bloomington, Illinois, Station KFJB, Marshalltown, Iowa, Station WCLO, Janesville, Wisconsin, and/or any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules, and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with existing Civil Aeronautics Administration requirements and whether such antenna would create an undue aeronautical hazard.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141, and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Bruff W. Olin, Jr., G. Decker French and Howard P. Eckerman, a partnership d/b as Moline Broadcasting Company, c/o Bruff W. Olin, Jr., 28 Arnold Road, Poughkeepsie, New York.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3827; Filed, Mar. 8, 1946;
12:13 p. m.]

[Docket No. 6737]

SOUTHERN CALIFORNIA BROADCASTING CO.
(KWKW)

NOTICE OF HEARING

In re application of Marshall S. Neal, Paul Buhlig, E. G. Foley and Edwin Earl, d/b as Southern California Broadcasting Company (KWKW), date filed, September 29, 1944, for construction permit to change frequency, increase power and install new transmitter and antenna, and move transmitter; class of service, broadcast; class of station, broadcast; location, Pasadena, California; operating assignment specified: frequency, 830 kc; power, 5 kw day; hours of operation, daytime; Docket No. 6737; File No. B5-P-3710.

You are hereby notified that the Commission has examined the application in

the above-entitled case and has designated the matter for hearing in consolidation with the application of David H. Cannon, Reed E. Callister, and Carroll R. Hauser, d/b as Orange County Broadcasting Company, Santa Ana, California (File No. B5-P-4242), upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the partnership and the partners to construct and operate Station KWKW, as proposed herein.

2. To determine the areas and populations which may be expected to gain primary service from the proposed operation of Station KWKW, and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the proposed operation of Station KWKW would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the area and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the proposed operation of Station KWKW would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the proposed installation and operation of Station KWKW would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Southern California Broadcasting Company, Radio Station KWKW, 425 East Green Street, Pasadena 1, California.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3826; Filed, Mar. 8, 1946;
12:13 p. m.]

[Docket No. 6786]

PRESS WIRELESS, INC., AND WESTERN
UNION TELEGRAPH CO.

ORDER ENLARGING SCOPE OF INVESTIGATION

In the matter of increased charges for deferred press telegraph communications between New York, N. Y. and France and Germany.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of February, 1946;

The Commission, having under consideration its order of October 24, 1945, herein; and having also under consideration the non-uniformity in differentials in charges for press messages handled in whole or in part over the facilities of Press Wireless, Inc., as between messages delivered at the offices of Press Wireless, Inc., and those delivered at other places in the cities where Press Wireless, Inc., has offices, such differentials varying depending upon the particular country where the message originates;

It appearing, that these differentials may be unjust and unreasonable, and unjustly and unreasonably discriminatory, contrary to the provisions of the Communications Act of 1934, as amended;

It is ordered, That the order of October 24, 1945, herein, be and it is hereby, amended to provide that, in addition to the investigation thereby provided for, an investigation be, and the same is hereby, instituted into the lawfulness of the rates, charges, classifications, regulations, and practices of Press Wireless, Inc. and The Western Union Telegraph Company for and in connection with the pick-up and delivery of messages between the United States and any point outside the United States when such messages are transmitted in whole or in part over the facilities of Press Wireless, Inc.;

It is further ordered, That the hearing herein now scheduled for March 1, 1946, be, and it is hereby, continued to March 19, 1946, at the same time and place as heretofore fixed.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3798; Filed, Mar. 8, 1946;
12:09 p. m.]

[Docket No. 6804]

SHENANDOAH VALLEY BROADCASTING CORP.
(WSVA)

ORDER REDESIGNATING APPLICATION FOR CONSOLIDATED HEARING

In re application of Shenandoah Valley Broadcasting Corporation (WSVA), Harrisonburg, Virginia, for construction permit; File No. B2-P-3753.

At a session of the Federal Communications Commission held at its offices at Washington, D. C., February 13, 1946;

The Commission having under consideration the petition of the Shenandoah Valley Broadcasting Corporation (WSVA) requesting leave to amend its application for a construction permit (File No. B2-P-3753; Docket No. 6804) to specify 970 kilocycles in lieu of 550 kilocycles and requesting that its appli-

cation as amended be removed from the hearing now scheduled for February 25 through March 8, 1946, involving applications for the use of 550 kilocycles, and be redesignated for hearing in the consolidated proceedings with the applications of WICA, Inc., Ashtabula, Ohio (File No. B2-P-3081; Docket No. 6120), WWSW, Inc., Pittsburgh, Pennsylvania (File No. B2-P-3055; Docket No. 6121), and WEBR, Inc., Buffalo, New York (File No. B1-P-3926; Docket No. 7166) scheduled for hearing March 4, 1946;

It is ordered, That the petition be, and it is hereby granted;

It is further ordered, That the Bills of Particulars heretofore issued in re Dockets No. 6661, 6802, 6805, 6806, 6807, 6808, 6809, 7329 and 7330, and File No. B3-P-4474 are hereby amended to delete the application of the Shenandoah Valley Broadcasting Corporation (WSVA) (Docket No. 6804), and

It is further ordered, That the Bills of Particulars heretofore issued in re WICA, Inc. (Docket No. 6120), WWSW, Inc. (Docket No. 6121) and WEBR, Inc. (Docket No. 7166) are hereby amended to include the application of the Shenandoah Valley Broadcasting Corporation (WSVA) (File No. B2-P-3753; Docket No. 6804).

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3789; Filed, Mar. 8, 1946;
12:08 p. m.]

[Docket No. 6804]

SHENANDOAH VALLEY BROADCASTING CORP.
(WSVA)

NOTICE OF HEARING

In re application of Shenandoah Valley Broadcasting Corporation (WSVA); date filed, October 31, 1944; docket No. 6804; file No. B2-P-3753; for construction permit for change in hours of operation, installation of DA night use, and change in transmitter location; class of service, broadcast; class of station, broadcast; location, Harrisonburg, Va.; operating assignment specified; frequency, 970 kc.; power, 5 kw. night, 5 kw. day; hours of operation, unlimited.

You are hereby notified that the Commission has re-examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of WICA, Inc., Ashtabula, Ohio (File No. B2-P-3081, Docket No. 6120); WWSW, Inc., Pittsburgh, Penna. (File No. B2-P-3055, Docket No. 6121); and WEBR, Inc., Buffalo, New York (File No. B1-P-3926, Docket No. 7166), on the following issues:

1. To determine the technical, financial and other qualifications of the applicant corporation and of its officers, directors and stockholders to construct and operate Station WWSVA as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WWSVA and the

character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the proposed operation of Station WWSVA would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the proposed operation of Station WWSVA would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the proposed operation of Station WWSVA would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The Bill of Particulars heretofore issued in Dockets No. 6120, 6121, and 7166 are hereby amended to include the application of Shenandoah Valley Broadcasting Company (WSVA), Harrisonburg, Va. (File No. B2-P-3752, Docket No. 6804).

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of §1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Shenandoah Valley Broadcasting Corporation, Radio Station WWSVA, Newman Building, Harrisonburg, Virginia.

Dated at Washington, D. C., February 26, 1946.

[SEAL]

FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3803; Filed, Mar. 8, 1946;
12:10 p. m.]

[Docket Nos. 6855, 6858, 6857, 7360, 7403]

MITCHELL G. MEYERS ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Mitchell G. Meyers, Ruben E. Aronheim, & Milton H.

Meyers, Waterbury, Connecticut; Docket No. 6855; File No. B1-P-4083; Norwich Broadcasting Company, a partnership composed of H. Ross Perkins & J. Eric Williams, Norwich, Connecticut; Docket No. 6858; File No. B1-P-3870; Associated Electronic Enterprises, Woonsocket, Rhode Island; Docket No. 6857; File No. B1-P-4111; New England Broadcasting Co., Worcester, Massachusetts; Docket No. 7360; File No. B1-P-4196; Joseph M. Viana, Woonsocket, Rhode Island; Docket No. 7403; File No. B1-P-4493; for construction permits.

The Commission having under consideration the above-listed application of Joseph M. Viana for a construction permit for a new standard broadcast station at Woonsocket, Rhode Island, using 1240 kc., 250 w., U.:

It is ordered, This 20th day of February, 1946, that said application of Joseph M. Viana be and it is hereby designated for hearing in a consolidated proceeding with the above-listed applications in Docket Nos. 6855, 6858, 6857, and 7360, said hearing scheduled for February 27, 1946, at Waterbury, Connecticut, February 28 at Norwich, Connecticut, March 1 at Woonsocket, Rhode Island, and March 2 at Worcester, Massachusetts, on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

It is further ordered, That the testimony of said application of Joseph M. Viana shall be heard at further proceed-

¹ D. A.—night.

ings to be held in Washington, D. C., at a date to be later designated;

It is further ordered, That the Bills of Particulars heretofore issued in these proceedings be and they are hereby amended to include the application of Joseph M. Viana (File No. B1-P-4493; Docket No. 7403), Woonsocket, Rhode Island.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3791; Filed, Mar. 8, 1946;
12:08 p. m.]

[Docket No. 6969]

VIRGINIA BROADCASTING CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re Application of Virginia Broadcasting Corporation, Roanoke, Virginia; for construction permit; File No. B2-P-3964.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 13th day of February 1946;

The Commission having under consideration a petition filed February 8, 1946, by Virginia Broadcasting Corporation, Roanoke, Virginia, for leave to amend its above-entitled application for construction permit (File No. B2-P-3964), so as to request the frequency 610 kc instead of the frequency 620 kc, as presently specified, and change certain paragraphs of its said application as follows: Paragraph 18 (d) (2), Page 19: delete "\$28,716.70" and add "\$31,716.70"; Paragraph 12 (d) (8), Page 19: delete "\$55,545.38" and add "\$58,545.38"; Paragraph 16 (a), Page 27: delete "620 kc" and add "610 kc"; and Paragraph 21 (a), Page 31: delete present answer and add "see amended engineering data filed February 11, 1946"; remove said application, as amended, from the hearing docket; and redesignate the same for hearing to be consolidated with the applications of Roanoke Broadcasting Company (WSLS), Roanoke, Virginia (File No. B2-P-4095; Docket No. 6869), Penn Thomas Watson (WGTM), Wilson, North Carolina (File No. B3-P-3848; Docket No. 6866), Eastern Carolina Broadcasting Company (WGBR), Goldsboro, North Carolina (File No. B3-P-3914; Docket No. 6867), Jonas Weiland (WFTC), Kingston, North Carolina (File No. B3-P-3827; Docket No. 6868), and Lynchburg Broadcasting Corporation (WLVA), Lynchburg, Virginia (File No. B1-P-4096; Docket No. 6870);

It is ordered, (1) That the said petition of Virginia Broadcasting Corporation, Roanoke, Virginia, be, and it is hereby, granted; (2) the application of Virginia Broadcasting Corporation, Roanoke, Virginia, for construction permit (File No. B2-P-3964; Docket No. 6969) be, and it is hereby amended, in the respects hereinabove set forth, as more particularly appears from the amendment filed simultaneously herewith; (3) the said application of Virginia Broadcasting Corporation, as amended, be, and it is hereby removed from hearing docket

6969, and redesignated for hearing upon the following issues, and to be consolidated with the applications of Roanoke Broadcasting Corporation (WSLS), Roanoke, Virginia (File No. B2-P-4095; Docket No. 6869), Penn Thomas Watson (WGTM), Wilson, North Carolina (File No. B3-P-3848; Docket No. 6866), Eastern Carolina Broadcasting Company (WGBR), Goldsboro, North Carolina (File No. B3-P-3914; Docket No. 6867), Jonas Weiland (WFTC), Kingston, North Carolina (File No. B3-P-3827; Docket No. 6868), and Lynchburg Broadcasting Corporation (WLVA), Lynchburg, Virginia (File No. B1-P-4096; Docket No. 6870), now scheduled for consolidated hearing on February 25, 1946:

1. To determine the technical, financial and other qualifications of the applicant to construct and operate a station as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of applicant's station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the proposed operation of applicant's station would involve objectionable interference with any existing broadcast station, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine the extent of any interference which would result from the simultaneous operation of applicant's proposed station with Penn Thomas Watson (File No. B3-P-3848; Docket No. 6866), with Station WGBR at Goldsboro, N. C., as proposed in the application of Eastern Carolina Broadcasting Co. (File No. B3-P-3914, Docket No. 6867), with Station WFTC at Kingston, N. C., as proposed in the application of Jonas Weiland (File No. B3-P-3827; Docket No. 6868), and with Station WSLS at Roanoke, Virginia, as proposed in the application of Roanoke Broadcasting Corporation (File No. B2-P-4095; Docket No. 6869), the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the proposed operation of applicant's station would involve objectionable interference with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the operation of applicant's proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with the Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if any, of the applications

in this consolidated proceeding should be granted.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3790; Filed, Mar. 8, 1946;
12:08 p. m.]

[Docket Nos. 7094, 7412]

MACKAY RADIO AND TELEGRAPH CO., INC.,
ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In the matter of radiotelegraph circuits between the United States and British Commonwealth and certain other foreign points; Docket No. 7094; In the matter of applications of Mackay Radio and Telegraph Company, Inc., R. C. A. Communications, Inc., Tropical Radio Telegraph Company, United States-Liberia Radio Corporation, Press Wireless, Inc., for modification of license for authority to communicate with British Commonwealth and certain other foreign points, Docket No. 7412.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 27th day of February, 1946;

The Commission, having under consideration its order of December 29, 1945 in Docket No. 7094, and applications filed by Mackay Radio and Telegraph Company, Inc., R. C. A. Communications, Inc., Tropical Radio Telegraph Company and United States-Liberia Radio Corporation for modification of their respective licenses for point-to-point radiotelegraph stations in the fixed public service, and the application of Press Wireless, Inc., for modification of license to its point-to-point radiotelegraph station in the fixed public press service, to include authority to communicate with various British Commonwealth and certain other foreign points as follows:

Name of Applicant, Station Location, and Foreign Points of Communication

Mackay Radio & Telegraph Co., Inc.; Brentwood, N. Y.; Bombay, India and any point from which an authorized agency operates in Ceylon, Greece, Jamaica, Malaya, Palestine, Saudi Arabia, South Africa.

Mackay Radio & Telegraph Co., Inc.; Palo Alto, Calif.; any point from which an authorized agency operates in Ceylon, Hong Kong, Malaya.

R. C. A. Communications, Inc.; Rocky Point, N. Y.; New Brunswick, N. J.; Bombay, India; Athens, Greece; Kingston, Jamaica; Haifa, Palestine; Mecca, Saudi Arabia; Cape-town, South Africa.

R. C. A. Communications, Inc.; Bolinas, Calif.; Colombo, Ceylon; Hong Kong; Singapore, Malaya.

Tropical Radio Telegraph Co.; Miami, Fla.; Kingston, Jamaica.

United States-Liberia Radio Corp.; Akron, Ohio; Capetown, South Africa.

Press Wireless, Inc.; near Los Angeles, Calif.; Sydney and Melbourne, Australia.

It appearing, that the Commission, upon examination of the above described applications, is unable to determine that public interest, convenience or necessity would be served by the granting thereof;

It is ordered, That the foregoing applications be, and they are hereby, designated for hearing for the following reasons:

1. To determine whether public interest, convenience or necessity would be better served by authorizing one, or more than one applicant, to communicate with each of the foreign countries above specified, in the light of all pertinent factors relating to such determination, including, but not limited to the following:

a. The volume of telegraph traffic between the United States and each foreign country specified above;

b. The promotion of the most efficient and economical use of frequencies, equipment and personnel in furnishing radio-telegraph service with each of the foreign countries specified above.

c. The ability of any single applicant to furnish rapid and efficient service to and from each of the foreign countries specified above.

d. The maintenance of competition, insofar as is consistent with the public interest, in foreign telegraph communications service.

e. The promotion of equitable arrangements for the division of tolls between United States carriers and their foreign correspondents.

f. The attitude of the administration or agency operating the foreign terminal of each circuit proposed in the above applications with respect to operating with one, or more than one, United States telegraph carrier.

2. To determine the comparative qualifications of the respective applicants to establish and operate, in the public interest, convenience and necessity, the circuits proposed in the above applications, in the light of all the pertinent factors relating to such determination, including, but not limited to the following:

a. The nature of service proposed to be rendered by each applicant over the proposed circuits, including the classes of traffic to be offered, the charges to be made for each such class, and the division of such charges.

b. The equipment, frequencies and personnel to be used by each applicant for operating the proposed circuits and the comparative efficiency of such use by each applicant.

c. The speed, capacity, transmission qualities and scheduled hours of operation of the circuits proposed by each applicant in the above applications.

d. The steps to be taken by each applicant to adapt its present system to provide for operation of the circuit or circuits for which application is made, and whether the system of any one of the applicants is more readily adaptable to the proposed operation than the system of the other applicants.

e. The nature of all existing or proposed contracts, agreements or understandings between each of the applicants, on the one hand, and any foreign administration or any other carrier for the operation of each of the circuits for which application is made.

f. The preservation of competition between cable and radio communication services.

g. The routing practices to be followed, as between Mackay Radio and Telegraph Company, Inc. and any of its cable affiliates, for the handling of traffic to each of the foreign countries above specified, and the effect of these routing practices on the revenue and traffic of such cable affiliates.

h. The plans formulated by each applicant for future improvement in operations and economies in cost to the public for service over each of the circuits proposed in the above applications;

3. To determine whether public interest, convenience or necessity would be served by the establishment of specialized press circuits to Melbourne and Sydney, Australia, in addition to facilities for handling general classes of telegraph services;

4. To determine, with respect to the applications for authority to communicate with Jamaica, whether location of the United States terminal at Miami, Florida, would provide more efficient or less efficient service than location of such terminal in the vicinity of New York, N. Y.

5. To determine, with respect to the applications for authority to communicate with South Africa, whether location of the United States terminal at Akron, Ohio, would provide more efficient or less efficient service than location of such terminal in the vicinity of New York, N. Y.

6. To determine, in the light of any other pertinent factors, what action should be taken on the above applications to promote the most efficient and economical system for foreign communication which will best serve public interest, convenience and necessity.

It is further ordered, That the proceeding herein be, and it is hereby consolidated with the proceeding in Docket No. 7094;

It is further ordered, That on the Commission's own motion the hearing in Docket No. 7094, presently scheduled to begin on March 12, 1946 be and it is hereby postponed until April 15, 1946, and as postponed, shall include the matters involved in this consolidated proceeding.

It is further ordered, That a pre-hearing conference be held on March 25, 1946 for the purpose of considering procedures to facilitate the most expeditious conduct of the hearing provided for in the preceding paragraph.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3833; Filed, Mar. 8, 1946;
12:09 p. m.]

[Docket No. 7331]

PHOENIX BROADCASTING, INC. (KPHO)

NOTICE OF HEARING

In re application of Phoenix Broadcasting, Inc. (KPHO); dated filed, November 30, 1944, for construction permit to change frequency, increase power, install new transmitter and directional antenna day and night and change transmitter location; class of service, broadcast; class of station, broadcast; location, Phoenix, Arizona; operating assignment

specified: frequency, 790 kc., power, 5 kw. night, 5 kw. day; hours of operation, unlimited; Docket No. 7331, file No. B5-P-3799.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing United States broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the Mexican station XEDF, Nuevo Laredo, Tamaulipas, and if so the nature and extent thereof.

6. To determine whether the operation of the proposed station would involve objectionable interference with the Mexican station XERC, Mexico, D. F., and if so, the nature and extent thereof.

7. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities in the United States, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

8. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

9. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Phoenix Broadcasting, Inc., c/o Rex Schepp, President, Adams Hotel, corner

¹ D. A.—night and day.

Adams and Central Streets, Phoenix, Arizona.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3806; Filed, Mar. 8, 1946;
12:10 p. m.]

[Docket No. 7332]

LEE SEGALL BROADCASTING CO.

NOTICE OF HEARING

In re application of Lee Segall Broadcasting Company (new), date filed, October 8, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Houston, Texas; operating assignment specified: frequency, 790 kc, power, 1 kw day; hours of operation, daytime; docket No. 7332; file No. B3-P-4182.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of G. H. Nelson, Wendell Mayes, and C. C. Woodson, d/b as Lubbock County Broadcasting Company, Lubbock, Texas (File No. B3-P-4062); Roy Hofheinz and W. N. Hooper, d/b as Texas Star Broadcasting Company (KTHT), Houston, Texas (File No. B3-P-4361); Veterans Broadcasting Company, a partnership, composed of Max H. Jacobs, Douglas B. Hicks and Tom J. Harling, Jr., Houston, Texas (File No. B3-P-4362); and Plains Radio Broadcasting Company (KFYO), Lubbock, Texas (File No. B3-P-4391), upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and if so, the nature and extent thereof, the areas and populations affected thereby, and

the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Lee Segall Broadcasting Company, % Lee Segall, 217 Citizens State Bank Building, Houston 2, Texas.

Dated at Washington, D. C. March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3810; Filed, Mar. 8, 1946;
12:11 p. m.]

[Docket No. 7333]

TEXAS STAR BROADCASTING CO. (KTHT)

NOTICE OF HEARING

In re application of Roy Hofheinz and W. N. Hooper, d/b as Texas Star Broadcasting Company (KTHT); Docket No. 7333; File No. B3-P-4361; date filed, December 13, 1945; for construction permit to change frequency, increase power, install new transmitter and dir. antenna and change transmitter; class of service, standard broadcast; class of station, standard broadcast; location, Houston, Texas; operating assignment specified: frequency, 790 kc; power, 1 kw night, 5 kw day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of G. H. Nelson, Wendell Mayes, and C. C. Woodson, d/b as Lubbock County Broadcasting Company, Lubbock, Texas (File No. B3-P-4062); Lee Segall Broadcasting Company, Houston, Texas (File No. B3-P-4182); Veterans Broadcasting Company, a partnership, composed of Max H. Jacobs, Douglas B. Hicks and Tom G. Harling, Jr., Houston, Texas (File No. B3-P-4362); and Plains Radio Broad-

¹ D. A.-night.

casting Company (KFYO), Lubbock, Texas (File No. B3-P-4391), upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the partnership and the partners to construct and operate Station KTHT as proposed herein.

2. To determine the areas and populations which may be expected to gain primary service from the proposed operation of Station KTHT and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the proposed operation of Station KTHT would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the proposed operation of Station KTHT would involve objectionable interference with services proposed in any pending applications for broadcast facilities and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of Station KTHT as proposed herein would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Roy Hofheinz and W. N. Hooper, d/b as Texas Star Broadcasting Company (KTHT), 5th Floor Southern Standard Building, Houston, Texas.

Dated at Washington, D. C. March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3809; Filed, Mar. 8, 1946;
12:10 p. m.]

[Docket No. 7334]

LUBBOCK COUNTY BROADCASTING CO.

NOTICE OF HEARING

In re application of G. H. Nelson, Wendell Mayes, and C. C. Woodson, d/b as Lubbock County Broadcasting Company (new); date filed, October 2, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Lubbock, Texas; operating assignment specified: frequency, 790 kc, power 1 kw night,¹ 1 kw day; hours of operation, unlimited; Docket No. 7334; File No. B3-P-4062.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Lee Segall Broadcasting Company, Houston, Texas (File No. B3-P-4182); Roy Hofheinz and W. N. Hooper, d/b as Texas Star Broadcasting Company (KTHT), Houston, Texas (File No. B3-P-4361); Veterans Broadcasting Company, a partnership, composed of Max H. Jacobs, Douglas B. Hicks, and Tom G. Harling, Jr., Houston, Texas (File No. B3-P-4362); and Plains Radio Broadcasting Company (KFYO), Lubbock, Texas (File No. B3-P-4391), upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

¹D. A.—night.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Lubbock County Broadcasting Company, c/o Wendell Mayes, P. O. Box 513, Brownwood, Texas.

Dated at Washington, D. C., March 1, 1946.

[SEAL]

FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3815; Filed, Mar. 8, 1946;
12:11 p. m.]

[Docket No. 7335]

PLAINS RADIO BROADCASTING CO. (KFYO)

NOTICE OF HEARING

In re application of Plains Radio Broadcasting Company (KFYO); date filed, December 4, 1945; for construction permit to change frequency, increase power, install new transmitter and D. A. for night use, change transmitter location; class of service, standard broadcast; class of station, standard broadcast; location, Lubbock, Texas; operating assignment specified: frequency, 790 kc., power, 5 kw. night,¹ 5 kw. day; hours of operation, unlimited; Docket No. 7335; File No. B3-P-4391.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of G. H. Nelson, Wendell Mayes, and C. C. Woodson, d/b as Lubbock County Broadcasting Company, Lubbock, Texas (File No. B3-P-4062); Lee Segall Broadcasting Company, Houston, Texas (File No. B3-P-4182); Roy Hofheinz and W. N. Hooper, d/b as Texas Star Broadcasting Company (KTHT), Houston, Texas (File No. B3-P-4361); and Veterans Broadcasting Company, a partnership, composed of Max H. Jacobs, Douglas B. Hicks and Tom G. Harling, Jr., Houston, Texas (File No. B3-P-4362), upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation and of its officers, directors, and stockholders, to construct and operate Station KFYO as herein proposed.

2. To determine the areas and populations which may be expected to gain primary service from the proposed operation of Station KFYO and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the

requirements of the populations and areas proposed to be served.

4. To determine whether the proposed operation of Station KFYO would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the proposed operation of Station KFYO would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of Station KFYO as proposed herein would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning Standard Broadcast Stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Plains Radio Broadcasting Company, Radio Station KFYO, 2312 5th Street, Lubbock, Texas.

Dated at Washington, D. C., March 1, 1946.

[SEAL]

FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3812; Filed, Mar. 8, 1946;
12:11 p. m.]

[Docket No. 7336]

VETERANS BROADCASTING CO.

NOTICE OF HEARING

In re application of Veterans Broadcasting Company, a partnership, composed of Max H. Jacobs, Douglas B. Hicks, and Tom J. Harling, Jr. (new); date filed, December 18, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Houston, Texas; operating assignment specified: frequency, 1230 kc.; power, 250 w. night, 250 w. day; hours of operation, unlimited; docket No. 7336; file No. B3-P-4362.

You are hereby notified that the Commission has examined the application

In the above-entitled case and has designated the matter for hearing in consolidation with the applications of G. H. Nelson, Wendell Mayes, and C. C. Woodson, d/b as Lubbock County Broadcasting Company, Lubbock, Texas (File No. B3-P-4062); Lee Segall Broadcasting Company, Houston, Texas (File No. B3-P-4182); Roy Hofheinz and W. N. Hooper, d/b as Texas Star Broadcasting Company (KTHT), Houston, Texas (File No. B3-P-4361); and Plains Radio Broadcasting Company (KFYO), Lubbock, Texas (File No. B3-P-4391), upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Veterans Broadcasting Company, % Max H. Jacobs, 305 Southern Standard Building, 711 Main Street, Houston 2, Texas.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3816; Filed, Mar. 8, 1946;
12:12 p. m.]

[Docket No. 7337]

ORANGE COUNTY BROADCASTING CO.

NOTICE OF HEARING

In re application of David H. Cannon, Reed E. Callister, and Carroll R. Hauser, d/b as Orange County Broadcasting Company (new); date filed, October 5, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Santa Ana, California; operating assignment specified: frequency, 830 kc, power 5 kw day; hours of operation, daytime; docket No. 7337; File No. B5-P-4242.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Marshall E. Neal, Paul Buhlig, E. T. Foley, and Edwin Earl d/b as Southern California Broadcasting Company (KWKW), Pasadena, California (File No. B5-P-3710), upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if either, of the applications

in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Orange County Broadcasting Company, % Reed E. Callister or David H. Cannon, 650 South Spring Street, Room 524, Los Angeles, California.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3814; Filed, Mar. 8, 1946;
12:11 p. m.]

[Docket No. 7338]

A. S. ABELL CO.

NOTICE OF HEARING

In re application of the A. S. Abell Company (new); date filed, October 8, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Baltimore, Maryland; operating assignment specified: frequency, 850 kc.; power, 1 kw night, 1 kw day; hours of operation, unlimited; docket No. 7338, file No. B1-P-4297.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Berks Broadcasting Company (WEEU), Reading, Pennsylvania (File No. B2-P-4380), upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to such areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast station and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

¹ D. A.—night and day.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: The A. S. Abell Company, c/o Paul Patterson, President, Baltimore and Charles Streets, Baltimore 3, Maryland.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3829; Filed, Mar. 8, 1946;
12:14 p. m.]

[Docket No. 7339]

BERKS BROADCASTING CO. (WEEU)

NOTICE OF HEARING

In re application of Berks Broadcasting Company (WEEU); date filed, December 11, 1945; for construction permit to change hours of operation, install new transmitter, D. A. for night use, and change transmitter location; class of service, standard broadcast; class of station, standard broadcast; location, Reading, Pennsylvania; operating assignment specified; frequency, 850 kc; power, 1 kw¹ night 1 kw day; hours of operation, unlimited; Docket No. 7339, File No. B2-P-4380.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of The A. S. Abell Company, Baltimore, Maryland (File No. B1-P-4297), upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the

¹ D. A.—night.

applicant corporation, and of its officers, directors and stockholders, to construct and operate Station WEEU, as proposed herein.

2. To determine the areas and populations which may be expected to gain primary service from the proposed operation of Station WEEU and the character of other broadcast service available to such areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the proposed operation of Station WEEU would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the proposed operation of Station WEEU would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the proposed installation and operation of Station WEEU would be in compliance with the Commission's Rules and Standards of Good Engineering Practice concerning Standard Broadcast Stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Berks Broadcasting Company (WEEU), 533 Penn Street, Reading, Pennsylvania.

Dated at Washington D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3828; Filed, Mar. 8, 1946;
12:14 p. m.]

[Docket No. 7340]

BLUEGRASS BROADCASTING CO. INC.

NOTICE OF HEARING

In re application of Bluegrass Broadcasting Company, Incorporated (new),

date filed, October 8, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Versailles, Kentucky; operating assignment specified; frequency, 940 kc; power, 1 kw night and day; hours of operation, unlimited; Docket No. 7340, File No. B2-P-4315.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice concerning Standard Broadcast Stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Bluegrass Broadcasting Company, c/o Colvin P. Rouse, Versailles, Kentucky.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3808; Filed, Mar. 8, 1946;
12:10 p. m.]

[Docket No. 7341]

RADIO AMERICAS CORP.

NOTICE OF HEARING

In re application of Radio Americas Corporation (new); date filed, November 8, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Mayaguez, Puerto Rico; operating assignment specified: frequency, 950 kc.; power, 1 kw night 1 kw day; hours of operation, unlimited. Docket No. 7341, file No. B-P-4296.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Puerto Rico Communications Authority Rio Piedras, Puerto Rico (File No. B-P-4397), upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.
 2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.
 3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.
 4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
 5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
 6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.
 7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.
 8. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.
- The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and

1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Radio Americas Corporation, c/o Miguel A. Garcia Mendez, Vice-Pres., 4 Muelle Street, Mayaguez, Puerto Rico.

Dated at Washington, D. C., March 1, 1946.

[SEAL]

FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3832; Filed, Mar. 8, 1946;
12:14 p. m.]

[Docket No. 7342]

PUERTO RICO COMMUNICATIONS AUTHORITY

NOTICE OF HEARING

In re application of Puerto Rico Communications Authority (New), date filed December 12, 1945, for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Rio Piedras, Puerto Rico; operating assignment specified: frequency, 940 kc; power 10 kw night 10 kw day; hours of operation unlimited; Docket No. 7342, File No. B-P-4397.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Radio Americas Corporation, Mayaguez, Puerto Rico (File No. B-P-4296), upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.
2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.
3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.
4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice concerning standard broadcast stations.

¹ D. A.—night and day.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Puerto Rico Communications Authority, c/o Rafael Delgado Marquez, Salvador Brau between San José and Cristo Streets, San Juan, Puerto Rico.

Dated at Washington, D. C., March 1, 1946.

[SEAL]

FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3817; Filed, Mar. 8, 1946;
12:12 p. m.]

[Docket No. 7343]

LUBBOCK BROADCASTING CO.

NOTICE OF HEARING

In re application of Lubbock Broadcasting Company (New), date filed December 5, 1944, for construction permit; class of service, broadcast; class of station, broadcast; location, Lubbock, Texas; operating assignment specified: frequency, 960 kc; power, 1 kw day; hours of operation, daytime only; Docket No. 7343; File No. B3-P-3796.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Worth Broadcasting Company, Fort Worth, Texas (File No. B3-P-4448), upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the partnership and the partners to construct and operate the proposed station.
2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.
3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.
4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Lubbock Broadcasting Company, c/o Walter G. Russell, 310 Amarillo Building, Amarillo, Texas.

Dated at Washington, D. C. March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3804; Filed, Mar. 8, 1946;
12:10 a. m.]

[Docket No. 7344]

WORTH BROADCASTING CO.

NOTICE OF HEARING

In re application of Worth Broadcasting Company (New), date filed, January 25, 1946, for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Fort Worth, Texas; operating assignment specified: frequency, 960 kc; power, 5 kw day; hours of operation, daytime only; Docket No. 7344; File No. B3-P-4448.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Clyde H. Smith, C. O. Baldwin, Hoyt Houck, and Walter G. Russell, d/b as Lubbock Broadcasting Company, Lubbock, Texas (File No. B3-P-3796), upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Worth Broadcasting Company, c/o Ben G. Stith, Secretary, 1305 Commercial St'd. Building, Fort Worth, Texas.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3819; Filed, Mar. 8, 1946;
12:12 p. m.]

[Docket No. 7345]

SKYLAND BROADCASTING CORP.

NOTICE OF HEARING

In re application of Skyland Broadcasting Corporation (New), date filed October 28, 1944, for construction permit; class of service, broadcast; class of station, broadcast; location, Dayton,

Ohio; operating assignment specified: frequency, 980 kc; power, 5 kw night, 5 kw day; hours of operation, unlimited; Docket No. 7345; File No. B2-P-3748.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Greater Muskegon Broadcasters, Inc., Muskegon, Michigan (File No. B2-P-3977), and Ohio-Michigan Broadcasting Corporation, Toledo, Ohio (File No. B2-P-4046), upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors, and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning Standard Broadcast Stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Skyland Broadcasting Corporation, c/o Ronald B. Woodyard, 12th Floor, Callahan Building, Dayton, Ohio.

¹ D. A.—night and day.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3822; Filed, Mar. 8, 1946;
12:13 p. m.]

[Docket No. 7346]

OHIO-MICHIGAN BROADCASTING CORP.

NOTICE OF HEARING

In re application of Ohio-Michigan Broadcasting Corporation (new); date filed, September 21, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Toledo, Ohio; operating assignment specified: frequency, 980 kc, power, 5 kw night,¹ 5 kw day; hours of operation, unlimited; Docket No. 7346; file No. B2-P-4046.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Skyland Broadcasting Corporation, Dayton, Ohio (File No. B2-P-3748), and Greater Muskegon Broadcasters, Inc., Muskegon, Michigan (File No. B2-P-3977), upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.
2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.
3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.
4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.
7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.
8. To determine upon a comparative basis which, if any, of the applications

in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Ohio-Michigan Broadcasting Corporation, c/o Nicholas J. Walinski, 542 Nicholas Building, Toledo, Ohio.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3821; Filed, Mar. 8, 1946;
12:12 p. m.]

[Docket No. 7347]

GREATER MUSKEGON BROADCASTERS, INC.

NOTICE OF HEARING

In re application of Greater Muskegon Broadcasters, Inc. (new); date filed, September 12, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Muskegon, Michigan; operating assignment specified: frequency, 980 kc, power, 1 kw day; hours of operation, daytime; Docket No. 7347; File No. B2-P-3977.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Skyland Broadcasting Corporation, Dayton, Ohio (File No. B2-P-3748), and Ohio-Michigan Broadcasting Corporation, Toledo, Ohio (File No. B2-P-4046), upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.
2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.
3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.
4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
5. To determine whether the operation of the proposed station would involve objectionable interference with services

proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning Standard Broadcast Stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis, which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of Practice and Procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Greater Muskegon Broadcasters, Inc., c/o R. Burr Cochran, 215 Lyman Building, Muskegon, Michigan.

Dated at Washington, D. C. March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3818; Filed, Mar. 8, 1946;
12:12 p. m.]

[Docket No. 7348]

FORT WAYNE BROADCASTING, INC.

NOTICE OF HEARING

In re application of Fort Wayne Broadcasting, Inc. (new); date filed, October 5, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Fort Wayne, Indiana; operating assignment specified: frequency, 1030 kc; power, 1 kw day; hours of operation, daytime; Docket No. 7348; File No. B4-P-4178.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Marion Radio Corporation, Marion, Indiana (File No. B4-P-4429), upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.
2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

¹ D. A.—night.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Fort Wayne Broadcasting, Inc., % Herbert Willis, 525 Lincoln Tower Building, Fort Wayne, Indiana.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3805; Filed, Mar. 8, 1946;
12:10 p. m.]

[Docket No. 7349]

MARION RADIO CORP.

NOTICE OF HEARING

In re application of Marion Radio Corporation (new); date filed, December 21, 1945; for construction permit; class of service, standard broadcast; location, Marion, Indiana; operating assignment specified: frequency, 1030 kc., power, 1 kw. day; hours of operation, daytime; Docket No. 7349; File No. B4-P-4429.

You are hereby notified that the Commission has examined the application in

the above-entitled case and has designated the matter for hearing in consolidation with the application of Fort Wayne Broadcasting Corporation, Fort Wayne, Indiana (File No. B4-P-4178), upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Marion Radio Corporation, 201 First National Bank Building, Marion, Indiana.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSIONS,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3813; Filed, Mar. 8, 1946;
12:11 p. m.]

[Docket No. 7350]

WILLIAM L. LIPMAN

NOTICE OF HEARING

In re application of William L. Lipman (new), date filed, December 4, 1945; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Kenosha, Wisconsin; operating assignment specified: frequency, 1050 kc.; power, 250 w. day; hours of operation, daytime only; Docket No. 7350; File No. B4-P-4436.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Palladium Publishing Company, Benton Harbor, Michigan (File No. B2-P-4023, Docket No. 7118); Myles E. Johns, Milwaukee, Wisconsin (File No. B4-P-3787, Docket No. 7119); and Monona Broadcasting Company, Madison, Wisconsin (File No. B4-P-4404), upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The Bills of Particulars heretofore issued in these proceedings are hereby amended to include the application of William L. Lipman (File No. B4-P-4436).

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in

accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: William L. Lipman, Radio Station NEW, c/o Tower Hotel, 716 11th Street, Milwaukee, Wisconsin.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMUNICATIONS,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3824; Filed, Mar. 8, 1946;
12:13 p. m.]

[Docket No. 7351]

MONONA BROADCASTING CO.

NOTICE OF HEARING

In re application of Monona Broadcasting Company (New), date filed, November 30, 1945, for construction permit; class of service, standard broadcast; location, Madison, Wisconsin; operating assignment specified: frequency, 1070 kc.; power, 10 kw. night,¹ 10 kw. day; hours of operation, unlimited; Docket No. 7351; File No. B4-P-4404.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Palladium Publishing Company, Benton Harbor, Michigan (File No. B2-P-4023, Docket No. 7118); Myles E. Johns, Milwaukee, Wisconsin (File No. B4-P-3787, Docket No. 7119); and William L. Lipman, Kenosha, Wisconsin (File No. B4-P-4436), upon the following issues.

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve

objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The Bills of Particulars heretofore issued in these proceedings are hereby amended to include the application of Monona Broadcasting Company (File No. B4-P-4404).

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Monona Broadcasting Company, c/o E. Bacon Rundell, 15 E. Main Street, Madison, Wisconsin.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3823; Filed, Mar. 8, 1946;
12:13 p. m.]

[Docket No. 7354]

KENTUCKY BROADCASTING CORP., INC.
(WINN)

NOTICE OF HEARING

In re application of Kentucky Broadcasting Corporation, Inc. (WINN), date filed, September 24, 1945, for construction permit to change frequency, increase power, install new transmitter and D. A. for day and night use and change transmitter location; class of service, standard broadcast; class of station, standard broadcast; location, Louisville, Kentucky; operating assignment specified: frequency, 1080 kc.; power 1 kw. night,¹ 5 kw. day;¹ hours of operation, unlimited; Docket No. 7354; File No. B2-P-4169.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Mid-

America Broadcasting Corporation, Louisville, Kentucky (File No. B2-P-2760), upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate Station WINN as proposed herein.

2. To determine the areas and populations which may be expected to gain primary service from the operation of Station WINN and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the proposed operation of Station WINN would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the proposed operation of Station WINN would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of Station WINN would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Kentucky Broadcasting Corporation, Inc., Radio Station WINN, 10th Floor, Tylor Hotel, 3d and Jefferson Streets, Louisville, Kentucky.

Dated at Washington, D. C. March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3830; Filed, Mar. 8, 1946;
12:14 p. m.]

¹ D. A.—night.
No. 49—9

¹ D. A.—night and day.

[Docket No. 7355]

W. WRIGHT ESCH (WMFJ)

NOTICE OF HEARING

In re application of W. Wright Esch (WMFJ), date filed, October 9, 1945; for construction permit to change frequency, increase power, install new transmitter and D. A. for night use and change transmitter and studio locations; class of service, standard broadcast; class of station, standard broadcast; location, Daytona Beach, Florida; operating assignment specified: frequency, 1090 kc; power, 1 kw night¹ 1 kw day; hours of operation, unlimited; Docket No. 7355; File No. B3-P-4320.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Radio Broadcasting, Inc. (KTHS), West Memphis, Arkansas, (File No. B3-P-3814, Docket No. 7086), upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the licensee of Station WMFJ to construct and operate said station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of station WMFJ and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of station WMFJ would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of station WMFJ would involve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of Station WMFJ would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

The Bill of Particulars heretofore issued in these proceedings is hereby amended to include the application of W. Wright Esch (File No. B5-P-4320).

The applicant is hereby given the opportunity to obtain a hearing on such is-

¹ D. A.—night.

sues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: W. Wright Esch, Radio Station WMFJ, 432 S. Beach Street, Daytona Beach, Florida.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3811; Filed, Mar. 8, 1946;
12:11 a. m.]

[Docket No. 7356]

FOSTORIA BROADCASTING CO.

NOTICE OF HEARING

In re application of Laurence W. Harry, tr/as Fostoria Broadcasting Company (new), date filed December 28, 1945, for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Fostoria, Ohio; operating assignment specified: frequency, 1150 kc; power, 1 kw day; hours of operation, daytime; Docket No. 7356; File No. B2-P-4430.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Northwestern Ohio Broadcasting Corporation, Lima, Ohio (File No. B2-P-4447), upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Fostoria Broadcasting Company, % Laurence W. Harry, 125 South Main Street, Fostoria, Ohio.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3825; Filed, Mar. 8, 1946;
12:13 p. m.]

[Docket No. 7357]

NORTHWESTERN OHIO BROADCASTING
CORP.

NOTICE OF HEARING

In re application of Northwestern Ohio Broadcasting Corporation (new); date filed, January 3, 1946; for construction permit; class of service, standard broadcast; class of station, standard broadcast; location, Lima, Ohio; operating assignment specified: frequency, 1150 kc.; power, 1 kw. night,¹ 1 kw. day; hours of operation, unlimited; Docket No. 7357; File No. B2-P-4447.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Laurence W. Harry, doing business as Fostoria Broadcasting Company, Fostoria, Ohio (File No. B2-P-4430), upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be

¹ D. A.—night and day.

rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consideration, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Northwestern Ohio Broadcasting Corporation, % George E. Hamilton, 1216 National Bank Building, Lima, Ohio.

Dated at Washington, D. C., March 1, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3807; Filed, Mar. 8, 1946;
12:10 p. m.]

[Docket No. 7391]

EXPRESS PUBLISHING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Express Publishing Company, San Antonio, Texas; for construction permit; Docket No. 7391; File No. B3-P-4471.

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of February 1946;

The Commission having under consideration the petition of Express Publishing Company, San Antonio, Texas, requesting that its application for construction permit for new standard AM broadcast station at San Antonio, Texas, using 1450 kc, 250 w, be designated for hearing in a consolidated proceeding:

It is ordered, That the petition be, and it is hereby, granted, and the application of Express Publishing Company (File No. B3-P-4471, Docket No. 7391) be, and it is hereby, designated for hearing in consolidation with the applications of Thomas G. Harris, individually and as Trustee for Coleman Gay, James P. Alexander, E. G. Kingsbery, Rex D. Kitchens, W. T. Saunders, Spencer J. Scott and Oswald G. Wolf (File No. B3-P-4355, Docket No. 7373) and Charles W. Balthorpe (File No. B3-P-4375, Docket No. 7374) on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3793; Filed, Mar. 8, 1946;
12:08 p. m.]

[Docket No. 7389]

ALVIN E. NELSON, INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re Application of Alvin E. Nelson, Inc., San Francisco, California, for construction permit; Docket No. 7389; File No. B5-P-4467.

At a meeting of the Federal Communications Commission, held at its offices in Washington, D. C., on the 13th day of February, 1946;

The Commission having under consideration the petition of Alvin E. Nelson, Inc., requesting that its application for construction permit for new standard AM broadcast station at San Francisco, California, using 1030 kc, 50 kw, unlimited, be designated for hearing in a consolidated proceeding:

It is ordered, That the petition be, and it is hereby, granted, and the application of Alvin E. Nelson, Inc. (File No. B5-P-4467, Docket No. 7389) be, and it is hereby, designated for hearing, in consolidation with the applications of KARM, The George Harm Station, (File No. B5-P-3784, Docket No. 7124); J. E. Rodman (KFRE), (File No. B5-P-3757, Docket No. 7125); and Royal Miller et al., d/b as Royal Miller Radio (KROY), File No. B5-P-4253, Docket No. 7170), on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the Bills of Particulars heretofore issued in these proceedings be, and they are hereby amended to include the application of Alvin E. Nelson Inc. (File No. B5-P-4467, Docket No. 7389)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3792; Filed Mar. 8, 1946;
12:08 p. m.]

[Docket No. 7404]

ATLANTIC RADIO CORP.

NOTICE OF HEARING

In re application of Atlantic Radio Corporation (new); date filed, October 5, 1945; for construction permit (amended to change frequency and type of antenna); class of service standard broadcast; class of station, standard broadcast; location, Boston, Massachusetts; operating assignment specified: frequency, 550 kc, power, 5 kw night, 5 kw day; hours of operation, unlimited time; Docket No. 7404; File No. B1-P-4372.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of The Constitution Publishing Co., Atlanta, Georgia (File No. B3-P-4086, Docket No. 6802); Booth Radio Stations, Inc., Saginaw, Michigan (File No. B2-P-4088, Docket No. 6805); Federated Publications, Inc., Lansing, Michigan (File No. B2-P-4010, Docket No. 6806); WJIM, Inc. (WJIM), Lansing, Michigan (File No. B2-P-4087, Docket No. 6807); Montana Broadcasting and Television Co., Anaconda, Montana (File No. B5-P-3993, Docket No. 6808); Pulitzer Publishing Co. (KSD), St. Louis, Missouri (File No. B4-P-4089, Docket No. 6809); Radiophone Broadcasting Station WOPI, Inc. (WOPI), Bristol, Tennessee (File No. B3-P-3608, Docket No. 6661); S. B. Quigley (WMOB), Mobile, Alabama (File No. B2-P-4484, Docket No. 7402); Millard Eidson (KCRS), Midland, Texas (File No. B3-P-4474, Docket No. 7215); Capital City Broadcasting Corporation, Baton Rouge, Louisiana (File No. B3-P-4433, Docket No. 7329); Public Service Broadcasting Corporation, Knoxville, Tennessee (File No. B3-P-4434, Docket No. 7330); Oregon State Agricultural College (KOAC) (File No. B5-ML-1228, Docket No. 7406); (WKRC) Cincinnati Times Star Co., Cincinnati, Ohio (File No. B2-P-4483, Docket No. 7401); Radio Station WDEV (File No. B1-P-4492, Docket No. 7405), on the following issues:

1. To determine the technical, financial and other qualifications of the applicant corporation and of its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of the proposed station, and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would in-

volve objectionable interference with services proposed in any pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The Bill of Particulars heretofore issued in Docket Nos. 6802, 6803, 6805, 6807, 6808, 6809, 6661, 7329 and 7330 are amended to include the application of Atlantic Radio Corporation (File No. B1-P-4372).

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Atlantic Radio Corporation, % Paul A. Dever, President, 19 Congrose Street, Boston, Massachusetts.

Dated at Washington, D. C., February 25, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3831; Filed, Mar. 8, 1946;
12:14 p. m.]

[Docket No. 7405]

RADIO STATION WDEV

NOTICE OF HEARING

In re application of Lloyd E. Squier and William G. Ricker, d/b as Radio Station WDEV. (WDEV); date filed January 30, 1946; for construction permit to change hours of operation and install directional antenna; class of service, standard broadcast; class of station, standard broadcast; location, Waterbury, Vermont; operating assignment specified: frequency, 550 kc., power, 1 kw. night,¹ 1 kw. day;² hours of operation, unlimited; docket No. 7405; file No. B1-P-4492.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Radiophone Broadcasting Station WOPI,

¹ D. A.—night and day.

(WOPI), (File No. B3-P-3608, Docket No. 6661); The Constitution Publishing Company (File No. B3-P-4086, Docket No. 6802); Booth Radio Stations, Inc. (File No. B2-P-4088, Docket No. 6805); Federated Publications, Inc. (File No. B2-P-4010, Docket No. 6806); WJIM, Inc. (WJIM), (File No. B2-P-4087, Docket No. 6807); Frank C. Carmen, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Montana Broadcasting and Television Company (File No. B5-P-3993, Docket No. 6808); The Pulitzer Publishing Company (KSD), (File No. B4-P-4089, Docket No. 6809), Capital City Broadcasting Corporation (File No. B3-P-4433, Docket No. 7329), Public Service Broadcasting Corporation (File No. B3-P-34, Docket No. 7330), Millard Eidson, executor (KCRS) (File No. B3-P-4474, Docket No. 7215); Cincinnati Times Star Company (WKRC) (File No. B2-P-4483, Docket No. 7401); S. B. Quigley (WMOB) (File No. B2-P-4484, Docket No. 7402), Atlantic Radio Corporation (File No. B1-P-4372, Docket No. 7404), on the following issues:

1. To determine the technical, financial and other qualifications of the applicant to construct and operate WDEV, as proposed.

2. To determine the areas and populations which may be expected to receive primary service from the operation of WDEV, as proposed and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of WDEV as proposed would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of WDEV as proposed would involve objectionable interference with the services proposed in any pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of WDEV as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The Bills of Particulars heretofore issued in these proceedings are hereby amended to include the application of Lloyd E. Squier and William G. Ricker d/b as Radio Station WDEV (File No. B1-P-4492).

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice

and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Lloyd E. Squier and William G. Ricker, d/b as Radio Station WDEV, 8 Stowe Street, Waterbury, Vermont.

Dated at Washington, D. C., February 25, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3801; Filed, Mar. 8, 1946;
12:09 p. m.]

[Docket No. 7406]

OREGON STATE AGRICULTURAL COLLEGE
NOTICE OF HEARING

In re application of Oregon State Agricultural College (KOAC), date filed, February 1, 1946; for modification of license to increase power from 5 kw day and 1 kw night to 5 kw day and night (employing dir. antenna day and night with present daytime pattern); class of service, standard broadcast; class of station, standard broadcast; location, Corvallis, Oregon; operating assignment specified: frequency 550 kc, power 5 kw night¹, 5 kw day¹; hours of operation, unlimited; Docket No. 7406; File No. B5-ML-1228.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Radio-phone Broadcasting Station WOPI, (WOPI), (File No. B3-P-3608, Docket No. 6661); The Constitution Publishing Company (File No. B-3-P-4086, Docket No. 6802); Booth Radio Stations, Inc. (File No. B2-P-4088, Docket No. 6805); Federated Publications, Inc. (File No. B2-P-4010, Docket No. 6806); WJIM, Inc. (WJIM), (File No. B2-P-4087, Docket No. 6807); Frank C. Carmen, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Montana Broadcasting and Television Company, (File No. B5-P-3993, Docket No. 6808); The Pulitzer Publishing Company (KSD), (File No. B4-P-4089, Docket No. 6809), Capital City Broadcasting Corporation, (File No. B3-P-4433, Docket No. 7329), Public Service Broadcasting Corporation (File No. B3-P-4434, Docket No. 7330), Millard Eidson, executor (KCRS) (File No. B3-P-4474, Docket No. 7215); Cincinnati Times Star Company (WKRC) (File No. B2-P-4483, Docket No. 7401); S. B. Quigley (WMOB) (File No. B2-P-4484, Docket No. 7402), Atlantic Radio Corporation (File No. B1-P-4372, Docket No. 7404); and Radio Station WDEV, (File No. B1-P-4492, Docket No. 7405), on the following issues:

1. To determine the legal, technical, financial and other qualifications of the

applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

The Bills of Particulars heretofore issued in these proceedings are hereby amended to include the application of Oregon State Agricultural College (KOAC), Corvallis, Oregon (File No. B5-ML-1228, Docket No. 7406).

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.384 of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Oregon State Agricultural College, Radio Station KOAC, Office of the President, Corvallis, Oregon.

Dated at Washington, D. C., February 25, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3802; Filed, Mar. 8, 1946;
12:09 p. m.]

[Docket No. 7407]

RADIO STATION WJOB

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of O. E. Richardson et al. d/b as Radio Station WJOB, Chicago,

Illinois; for construction permit; Docket No. 7407; File No. B4-PH-224.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 20th day of February 1946;

The Commission having under consideration the above-entitled application for construction permit for a new FM metropolitan broadcast station in Chicago, Illinois;

It is ordered, That this application be designated for hearing to be consolidated with the hearings on the applications of the Agricultural Broadcasting Company et al (Docket Nos. 7135-7153 inclusive) for construction permits for new FM metropolitan broadcast stations in the Chicago, Illinois, area, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the order heretofore issued in the consolidated proceedings for Docket Nos. 7135-7153 inclusive be, and it is hereby amended to include the application of O. E. Richardson, Fred L. Adair, and, Robert C. Adair d/b as Radio Station WJOB, Chicago, Illinois (File No. B4-PH-224, Docket No. 7407).

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3796; Filed, Mar. 8, 1946;
12:08 p. m.]

[Docket No. 7408]

CENTRAL ILLINOIS RADIO CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Central Illinois Radio Corporation, Peoria, Illinois; for construction permit; Docket No. 7408; file No. B4-PH-319.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 20th day of February, 1946;

The Commission having under consideration the above-entitled application for construction permit for a new FM metropolitan broadcast station in Peoria, Illinois;

It is ordered, That this application be designated for hearing to be consolidated with the hearings on the applications of Peoria Broadcasting Company, et al (Docket Nos. 7102-7106 inclusive) for construction permits for new FM stations in the Peoria, Illinois, area, designated for consolidated hearing, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the

¹D. A.—night and day.

applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the order heretofore issued in the consolidated proceedings for Docket Nos. 7102-7106 inclusive be, and it is hereby amended to include the application of the Central Illinois Radio Corporation, Peoria, Illinois (File No. B4-PH-819, Docket No. 7408).

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3799; Filed, Mar. 8, 1946;
12:09 p. m.]

[Docket No. 7409]

SKYLAND BROADCASTING CORP.

DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Skyland Broadcasting Corporation, Dayton, Ohio, for construction permit; Docket No. 7409; File No. B2-PH-820.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of February, 1946;

The Commission having under consideration the above-entitled application for construction permit for a new FM metropolitan broadcast station in Dayton, Ohio;

It is ordered, That this application be designated for hearing to be consolidated with the hearings on the applications of The Crosley Corporation, et al. (Docket Nos. 7235-7239 inclusive) for construction permits for new FM metropolitan broadcast station in the Dayton and Springfield, Ohio, areas, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the order heretofore issued in the consolidated proceedings for Docket Nos. 7235-7239 inclusive be, and it is hereby amended to include the application of the Skyland Broadcasting Corporation, Dayton, Ohio (File No. B2-PH-820, Docket No. 7409).

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3794; Filed, Mar. 8, 1946;
12:08 p. m.]

[Docket No. 7410]

BIEBERBACH BROADCASTING CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Bieberbach Broadcasting Corporation, Waltham, Massachusetts; for construction permit; Docket No. 7410; File No. B1-PH-818.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 20th day of February, 1946;

The Commission having under consideration the above-entitled application for construction permit for a new FM metropolitan broadcast station in Waltham, Massachusetts, necessitating a Boston channel;

It is ordered, That this application be designated for hearing to be consolidated with the hearings on the applications of Fidelity Broadcasting Corporation et al. (Docket Nos. 6990-6998 inclusive) and Columbia Broadcasting System (Docket No. 6024), for construction permits for new FM metropolitan broadcast stations in Boston, Massachusetts, scheduled to be heard on March 11, 1946, in Boston, Massachusetts, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the order heretofore issued in the consolidated proceedings for Docket Nos. 6990-6998 inclusive, and Docket No. 6024 be, and it is hereby amended to include the application of Bieberbach Broadcasting Corporation, Waltham, Massachusetts (File No. B1-PH-818, Docket No. 7410).

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3795; Filed, Mar. 8, 1946;
12:08 p. m.]

[Docket No. 7411]

CHESAPEAKE BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Chesapeake Broadcasting Company, Washington, D. C.; for construction permit; Docket No. 7411; File No. B1-PH-828.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 27th day of February 1946;

The Commission having under consideration the above-entitled application for construction permit for a new FM metropolitan broadcast station in Washington, D. C.;

It is ordered, That this application be designated for hearing to be consolidated

with the hearings on the applications of Marcus Loew Booking Agency et al (Docket Nos. 7189-7201 inclusive and 7397) for construction permits for new FM metropolitan broadcast stations in Washington, D. C., scheduled to be heard on March 11, 1946, in Washington, D. C. upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the order heretofore issued in the consolidated proceedings for Docket Nos. 7189-7201 inclusive and 7397 be and it is hereby amended to include the application of Chesapeake Broadcasting Company, Washington, D. C. (File No. B1-PH-828, Docket No. 7411).

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3797; Filed, Mar. 8, 1946;
12:08 p. m.]

[Docket Nos. 7317, 7318]

GREATER NEW YORK BROADCASTING CORP.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Greater New York Broadcasting Corporation (WNEW), New York, New York, for construction permit; docket No. 7317, file No. B1-P-4309; Greater New York Broadcasting Corporation (WNEW), New York, New York, for renewal of license; docket No. 7318, file No. B1-R-1049.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of February, 1946;

The Commission having under consideration the applications of Greater New York Broadcasting Corporation (WNEW), New York City, for construction permit to increase power from 10 kw to 50 kw on its frequency 1130 kc (File No. B1-P-4309; Docket No. 7317) and for renewal of its existing license (File No. B1-R-1049; Docket No. 7318);

It is ordered, That the applications of Greater New York Broadcasting Corporation be, and the same are hereby designated for hearing in a consolidated proceeding with the application of Missionary Society of St. Paul the Apostle for a construction permit for a new standard broadcast station to be operated on the frequency 1130 kc with 10 kw power in New York City (File No. B1-P-4234; Docket No. 7316) on the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, its officers, direc-

tors, and stockholders to operate Station WNEW as proposed.

2. To determine the areas and populations which may be expected to gain primary service from the proposed operation of Station WNEW and the extent and character of other broadcast services available to those areas and populations, particularly from Station WOV.

3. To determine the identity of the officers, directors, and stockholders of the applicant corporation and of Wodaam Corporation (WOV) and the amount of stock held and/or voted by each of them in the two corporations.

4. To determine the connections and relationships, direct or indirect, and the nature, extent, and effect thereof existing between the applicant and the licensee of Station WOV and the officers, directors, and stockholders thereof, or any of them.

5. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

6. To determine whether the proposed operation of Station WNEW would involve objectionable interference with any existing broadcast stations or with the services proposed in any pending applications and, if so, the nature and extent thereof, the areas and populations affected thereby and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of Station WNEW as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine upon a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3890; Filed, Mar. 11, 1946;
9:55 a. m.]

[Docket Nos. 6802, 6807-6809, 7122, 7174, 7215,
7330, 7401, 7402, 7404-7406]

CONSTITUTION PUBLISHING CO. ET AL.

ORDER ENLARGING ISSUES

In re applications of: The Constitution Publishing Co., Atlanta, Georgia, docket No. 6802, file No. B3-P-4086; WJIM, Inc. (WJIM), Lansing, Michigan, docket No. 6807, file No. B2-P-4087; Frank C. Carman, David G. Smith, Jack L. Powers & Grant R. Wrathall, d/b as Montana Broadcasting and Television Co., Butte, Montana, docket No. 6808, file No. B5-P-3993; The Pulitzer Publishing Co. (KSD), St. Louis, Missouri, docket No. 6809, file No. B4-P-4089; Buffalo Broadcasting Corp. (WGR), Buffalo, New York, docket No. 7122, file No. B1-P-4424; Sunshine Broadcasting Company (KTS), San Antonio, Texas, docket No.

7174; file No. B3-P-4399; Millard Eidson, independent executor of estate of Clarence Schärbauer, deceased (KCRS), Midland, Texas, docket No. 7215, file No. B3-P-4474; Public Service Broadcasting Corporation, Knoxville, Tennessee, docket No. 7330; file No. B3-P-4434; The Cincinnati Times Star Co. (WKRC), Cincinnati, Ohio, docket No. 7401, file No. B2-P-4483; S. B. Quigley (WMOB), Mobile, Alabama, docket No. 7402, file No. B3-P-4484; Atlantic Radio Corporation, Boston, Massachusetts, docket No. 7404, file No. B1-P-4372; Lloyd E. Squier & Wm. Ricker, d/b, as Radio Station WDEV (WDEV), Waterbury, Vermont, docket No. 7405, file No. B1-P-4492; for Construction Permits. Oregon State Agricultural College (KOAC), Corvallis, Oregon, docket No. 7406, file No. B5-ML-1228; for modification of license.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of February, 1946;

The Commission having under consideration the above-listed applications requesting the frequency 550 kc., which applications have been designated for hearing in a consolidated proceeding which began on February 25, 1946;

It is ordered, That the Bills of Particulars issued in connection with the above-mentioned applications be, and the same are hereby enlarged to include the following issue:

"To determine the most efficient and equitable manner in which the 550 kc. regional frequency may be utilized."

It is further ordered, That the engineering testimony to be presented in said consolidated proceeding be and it is hereby postponed until April 1, 1946; and

It is further ordered, That any amendments to the above-mentioned applications shall be submitted to the Commission prior to March 20, 1946.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-3891; Filed, Mar. 11, 1946;
9:55 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5519]

BONNEVILLE PROJECT, COLUMBIA RIVER,
OREGON-WASHINGTON

ORDER CONFIRMING AND APPROVING RATE
SCHEDULES

FEBRUARY 26, 1946.

The Bonneville Power Administrator on January 16, 1945, submitted revised schedules of rates and charges and General Rate Schedule Provisions,¹ and on November 16, 1945, submitted certain modifications thereof for the sale of electric energy produced at the Bonneville Project, for confirmation and approval by the Commission pursuant to the provision of the Bonneville Act (50 Stat. 731).

It appears to the Commission that:

(a) By order adopted December 16, 1941, the Commission confirmed and approved Wholesale Power Rate Schedules A-3 and C-3, Optional Wholesale Power

Rate Schedule F-2, Wholesale Energy Rate Schedule H-2, and the General Rate Schedule Provisions pertaining thereto, and by orders adopted March 28 and May 16, 1944, confirmed and approved Wholesale Power Rate Schedule E-2.

(b) On January 16, 1945, the Bonneville Power Administrator filed with the Commission for confirmation and approval a revised set of Rate Schedules, designated as Wholesale Power Rate Schedules A-4,¹ C-4,¹ E-3,¹ F-3,¹ and Wholesale Energy Rate Schedule H-3,¹ and a modification of the General Rate Schedule Provisions, all of which are to cancel and supersede Rate Schedules A-3, C-3, E-2, F-2, and H-2, and the General Rate Schedule Provisions heretofore confirmed and approved by the Commission, as set out in paragraph (a) above.

(c) Notice of the filing of the proposed revised Rate Schedules and General Rate Schedule Provisions was sent to interested State officials and published in the Federal Register on February 6, 1945, following which Pacific Power & Light Company, Northwestern Electric Company, The Washington Water Power Company, Mountain States Power Company, and Puget Sound Power & Light Company filed protests and complaints with respect to these filings by the Administrator.

(d) On July 6, 1945, the Commission ordered a hearing be held in Spokane, Washington, on July 24, 1945, subsequently postponed to August 27, 1945, for the purpose of affording the above-named complainants, and other interested parties, an opportunity to present testimony and information relevant to the Commission's consideration of the proposed Rate Schedules to the extent that they modify existing schedules and the proposed modifications of the General Rate Schedule provisions. Subsequently, on August 22, 1945, the Commission ordered the hearing cancelled upon being notified by the complainants that they would not attend nor present evidence at the hearing, and no other person having requested an opportunity to present testimony or information.

(e) On November 16, 1945, the Administrator filed certain modifications of the proposed Rate Schedule E-3 and the proposed General Rate Schedule Provisions for the purpose of further clarification.

The Commission, having considered the proposed revised Rate Schedules and General Rate Schedule Provisions filed January 16, 1945, as modified on Nov. 16, 1945, and having due regard for the purposes of the Bonneville Act, as set forth therein, finds that:

(1) The proposed Wholesale Power Rate Schedule A-4, which is to supersede Wholesale Power Rate Schedule A-3, retains the basic rate for "at site" power of \$14.50 net per year per kilowatt of billing demand, but changes the designation of the service from "prime power" to "firm power" and extends the availability from the "Bonneville Project Power Plant" to include other power plants from which the Administrator may market power.

¹ Filed as part of the original document.

(2) The proposed Wholesale Power Rate Schedule C-4, which is to supersede Wholesale Power Rate Schedule C-3, retains the basic rate for transmission of system power of \$17.50 net per year per kilowatt of billing demand, but changes the designation of the service from "prime power" to "firm power" and eliminates the provisions heretofore established for a developmental period.

(3) The proposed Wholesale Power Rate Schedule E-3, which is to supersede Wholesale Power Rate Schedule E-2, retains the basic rate, consisting of a demand charge of 75 cents net per month per kilowatt of billing demand and an energy charge of two mills net per kilowatt-hour for the first 200 kilowatt-hours per kilowatt of billing demand, and one mill net per kilowatt-hour for additional kilowatt-hours, but modifies the determination of billing demand and minimum bill provisions.

(4) The proposed Wholesale Power Rate Schedule F-3, which is to supersede Optional Wholesale Rate Schedule F-2, retains the basic rate, consisting of a demand charge of 75 cents net per month per kilowatt of billing demand and an energy charge of 2.5 mills net per kilowatt-hour for the first 360 kilowatt-hours per kilowatt of billing demand, and one mill net per kilowatt-hour for additional kilowatt-hours, but changes the designation of service from "prime power" to "firm power", eliminates the provisions heretofore established for a developmental period, and clarifies the minimum charge and billing demand provisions.

(5) The proposed Wholesale Energy Rate Schedule H-3, which is to supersede Wholesale Energy Rate Schedule H-2, retains the basic rate for dump energy of two and one-half mills net per kilowatt-hour delivered, but modifies the availability clause to extend the application of the rate to service furnished for experimental purposes and eliminates the power factor adjustment clause.

(6) The proposed modifications of the General Rate Schedule Provisions in substance consist of the addition of a clause pertaining to energy used for experimental purposes consistent with the change in proposed Rate Schedule H-3, revises certain provisions concerning concurrent billing, the definition of "measured demand", the provision with respect to "The Application of Rates During Initial Operating Period," the provisions with respect to energy supplied for emergency and breakdown use, and modifies the "Billing" provision with respect to the delayed payment penalty, and eliminates the definition of "prime power" and substitutes therefor a definition for "firm power."

(7) That the said Wholesale Power Rate Schedules A-4, C-4, E-3, F-3, Wholesale Energy Rate Schedule H-3, and the proposed General Rate Schedule Provisions, filed with the Commission on January 16, 1945, as modified on November 16, 1945, represent a further development of the rate policy of the project heretofore approved, are in keeping with the purposes of the Bonneville Act, and should be confirmed and approved by the Commission.

The Commission orders that:

(a) The proposed Wholesale Power Rate Schedules A-4, C-4, E-3, F-3, Wholesale Energy Rate Schedule H-3, and General Rate Schedule Provisions, filed with the Commission on January 16, 1945, and as modified on November 16, 1945, all being attached hereto and made a part hereof, be and the same are hereby confirmed and approved, to be effective on and after March 1, 1946.

(b) Wholesale Power Rate Schedules A-3 and C-4, Optional Wholesale Power Rate Schedule F-2, Wholesale Energy Rate Schedule H-2, the General Rate Schedule Provisions as confirmed and approved by the Commission December 16, 1941, and the Wholesale Power Rate Schedule E-2 confirmed and approved by the Commission on March 28 and May 16, 1944, are superseded by the Rate Schedules herein confirmed and approved, and on and after March 1, 1946, these Rate Schedules shall no longer be in force and effect.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-3788; Filed, Mar. 4, 1946;
9:38 a. m.]

[Docket Nos. G-115, G-399, G-400, G-401,
G-695, G-696]

EAST OHIO GAS CO. ET AL.

ORDER CONSOLIDATING PROCEEDINGS

MARCH 6, 1946.

In the matters of The East Ohio Gas Company, Docket No. G-115; City of Euclid, Complainant, v. The East Ohio Gas Company, Defendant, Docket No. G-399; City of Cleveland, Complainant, v. The East Ohio Gas Company, Defendant, Docket No. G-400; City of Lakewood, Complainant, v. The East Ohio Gas Company, Defendant, Docket No. G-401; The East Ohio Gas Company, Docket No. G-695; Hope Natural Gas Company, Docket No. G-696.

Upon consideration of the applications, complaints, and other documents of record in the above-entitled matters; and It appearing to the Commission that:

(a) The above-entitled matters are each set for hearing on March 18, 1946, at 10:00 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue N.W., Washington, D. C.;

(b) Good cause exists for consolidating said matters for hearing;

(c) The hearing should be expedited and the convenience of witnesses and counsel for the respective parties served by a designation of the order in which evidence is to be received;

The Commission orders that:

(a) The proceedings in Docket Nos. G-115, G-399, G-400, G-401, G-695 and G-696, be and the same are hereby consolidated for the purpose of hearing.

(b) The hearing will proceed on March 18, 1946, firstly, upon the matters designated Docket Nos. G-115, G-399, G-400 and G-401; secondly, upon the matter designated Docket No. G-696; and thirdly, upon the matter designated Docket No. G-695.

(c) This order is not to be construed as limiting any of the evidence adduced at such consolidated hearing to any one of the above-docketed proceedings.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-3787; Filed, Mar. 8, 1946;
11:53 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 422, Special Permit 8]

UNLOADING BOXCARS IN NEW YORK HARBOR,
N. Y.

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph of Service Order No. 422 (11 F.R. 250), permission is granted for The Delaware, Lackawanna and Western Railroad Company:

To disregard the provisions of Service Order No. 422 insofar as it applies in New York harbor, New York.

This special permit shall become effective at 12:01 a. m., March 7, 1946 and shall expire at 11:59 p. m., March 9, 1946.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of March 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 46-3906; Filed, Mar. 11, 1946
11:20 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5771]

RICHARD PICHLER

In re: Estate of Richard Pichler, deceased; File No. 017-16991.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Hedwig Pichler in and to the Estate of Richard Pichler, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address
Hedwig Pichler, Germany.

That such property is in the process of administration by the Public Administrator of New York County, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 31, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-3779; Filed, Mar. 8, 1946;
11:39 a. m.]

[Vesting Order 5868]

FANNIE KISSLING

In re: Estate of Fannie Kissling, deceased; file D-28-9330; E. T. sec. 12328.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Richard Riederer, Emma Riederer, Anna R. Erfle and Fritz Riederer, and each of them, in and to the estate of Fannie Kissling, deceased,

No. 49—10

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Richard Riederer, Germany.
Emma Riederer, Germany.
Anna R. Erfle, Germany.
Fritz Riederer, Germany.

That such property is in the process of administration by Bernard J. Moser, 615 American National Bank Building, Kalamazoo 4, Michigan, as Administrator with Will Annexed of the estate of Fannie Kissling, deceased, acting under the judicial supervision of the Probate Court for the County of Kalamazoo, Michigan;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 7, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-3780; Filed, Mar. 8, 1946;
11:39 a. m.]

[Vesting Order 5896]

THERESIA ZITZLSBERGER

In re: Estate of Theresia Zitzlsberger, deceased; File D-28-7542; E. T. sec. 7869.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Joseph Roikl and Walberger Roikl, and each of them, in and to the estate of Theresia Zitzlsberger, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Joseph Roikl, Germany.
Walberger Roikl, Germany.

That such property is in the process of administration by the County Judge of Cuming County, Nebraska, West Point, Nebraska, as Depositary, acting under the judicial supervision of the County Court of Cuming County, Nebraska;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 12, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-3781; Filed, Mar. 8, 1946;
11:39 a. m.]

[Vesting Order 5932]

KARL EHMANN

In re: Estate of Karl Ehmann, deceased; File F-28-4095; E. T. sec. 1811.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Emilie Ehmann, Otto Ehmann and Lulu Ehmann, and each of them, in and to the Estate of Karl Ehmann, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emilie Ehmann, Germany.
Otto Ehmann, Germany.
Lulu Ehmann, Germany.

That such property is in the process of administration by County Treasurer of Rockland County, State of New York, as Depositary, acting under the judicial supervision of the Surrogate's Court, Rockland County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 18, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-3782; Filed, Mar. 8, 1946;
11:39 a. m.]

[Vesting Order 5934]

JOHN HUB

In re: Estate of John Hub, deceased; File D-28-9658; E. T. sec. 13441.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Elizabeth Heller in and to the Estate of John Hub, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Elizabeth Heller, Germany.

That such property is in the process of administration by Harold Solomon, as Executor, acting under the judicial supervision of the Middlesex County Orphans' Court, New Brunswick, New Jersey;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095 as amended.

Executed at Washington, D. C., on February 18, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-3783; Filed, Mar. 8, 1946;
11:39 a. m.]

[Vesting Order 5935]

YUZIRO KAMACHI

In re: Estate of Yuzihiro Kamachi, also known as Tom Kamachi, and as Tom Yuzihiro Kamachi, deceased; File D-39-5538; E.T. sec. 13784.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Satoko Kamachi in and to the Estate of Yuzihiro Kamachi, also known as Tom Kamachi, and as Tom Yuzihiro Kamachi, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Satoko Kamachi, Japan.

That such property is in the process of administration by Howard E. Browne, as Administrator, acting under the judicial supervision of the Third Judicial District Court of the State of Nevada, in and for the County of Lander;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 18, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-3784; Filed, Mar. 8, 1946;
11:39 a. m.]

[Vesting Order 5936]

YANG OH MARN

In re: Estate of Yang Oh Marn, deceased; File D-39-18403; E. T. sec. 14322; H-325.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of the heirs at law, next of kin and personal representatives, names unknown, of Yang Oh Marn, deceased, and each of them, in and to the Estate of Yang Oh Marn, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Heirs at law, next of kin and personal representatives, names unknown, of Yang Oh Marn, deceased, Japan.

That such property is in the process of administration by William J. Richard, as Administrator, acting under the judicial supervision of the Circuit Court, Third Judicial Circuit, Territory of Hawaii;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a

herein thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 18, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-3785; Filed, Mar. 8, 1946;
11:39 a. m.]

[Vesting Order 5960]

ANTHONY C. JEANPLONG

In re: Estate of Anthony C. Jeanplong, a/k/a A. Jeanplong and Anthony Jeanplong, deceased; D-28-10137; E. T. sec. 14430.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mary Spahl in and to the Estate of Anthony C. Jeanplong, a/k/a A. Jeanplong and Anthony Jeanplong, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Mary Spahl, Hungary.

That such property is in the process of administration of Nicholas Jeanplong, as Administrator, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 25, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-3786; Filed, Mar. 8, 1946;
11:40 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 580, Amdt. 1 to Order 144]

AMERICAN MAID CO., INC.

ESTABLISHING CEILING PRICES

Establishing ceiling prices-at retail for certain articles; Docket No. 6063-580-13-564.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 144 issued under section 13 of MPR 580 on September 17, 1945 on application of American Maid Company, Inc., 847 West Jackson Blvd., Chicago 7, Illinois, is amended in the following respects:

1. Paragraph (a) is amended to establish the following retail ceiling prices of eight additional articles now manufactured by American Maid Company, Inc., having the brand name "American Maid" and described in the manufacturer's application dated January 31, 1946:

Lot No.	Description	Size	Manufacturer's selling price (per doz.)	Retail ceiling price (per unit)
T-212	Knit panty	5-8	\$9.00	\$1.25
J-453	Jersey slip	32-42	14.00	2.00
J-356	Jersey gown	S., M., L.	21.00	3.00
J-576	do.	13, 15, 17	21.00	3.00
8820	Jersey vest	4-16	5.00	.70
8812	Jersey panty	4-16	5.00	.70
8612	do.	13, 15, 17	4.75	.65
8642	do.	13, 15, 17	4.75	.65

2. Paragraph (e) is amended to read as follows:

(e) On or before the first delivery to any purchaser for resale of each article for which a price is established by paragraph (a) the seller shall send the purchaser a copy of this order and all subsequent amendments. The seller shall be allowed ten days after the date of issue of any amendment to comply with the notice provisions of this order.

This amendment shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3854; Filed, Mar. 8, 1946;
4:58 p. m.]

[MPR 188, Revocation of Order 113 Under Order A-2]

AUTOYRE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered*, That Order No. 113 issued under paragraph (a) (16) of Order A-2 under § 1499.159b of Maximum Price Regulation No. 188 is revoked, subject to the provisions of Supplementary Order No. 40.

This order shall become effective on the 9th day of March 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3753; Filed, Mar. 8, 1946; 11:05 a. m.]

[MPR 580, Amdt. 2 to Order 260]

DUOFOLD INC.

ESTABLISHING CEILING PRICES

MPR No. 580, Amendment 2 to Order 260. Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-517.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 260 under section 13 of Maximum Price Regulation 580 issued on November 20, 1945 on application of Duofold Inc., Mohawk, New York, is amended in the following respects:

1. Paragraph (a) is amended to include the following articles and establish their retail ceiling prices:

Du-Ons

	Manufacturer's selling price (per doz.)		Retail ceiling price (per unit)	
	Sizes 34-46	Sizes 48-50	Sizes 34-46	Sizes 48-50
One piece suit (exc. Calif., Wash., Ore.)	\$9.25	\$10.75	\$1.15	\$1.35
One piece suit (Calif., Wash., Ore.)	9.50	11.00	1.20	1.40

This amendment shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3852; Filed, Mar. 8, 1946; 4:57 p. m.]

[MPR 580, Amdt. 2 to Order 267]

TEXTRON INC.

ESTABLISHING CEILING PRICES

Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-473.

For the reasons set forth in the opinion issued simultaneously herewith, paragraph (a) to Order No. 267 under section 13 of Maximum Price Regulation 580 issued on application of Textron In-

corporated, is further amended by adding the following:

FEMININE APPAREL

Item	Item No.	Manufacturer's selling price (per doz.)	Retail ceiling price (per unit)
Satin nightgown—lace trim	22	\$36.00	\$4.95
Satin tailored nightgown (extra size 44-50)	23	36.00	4.95
Tailored satin gown	26	24.00	3.25
Crepe embroidered slip scalloped top and bottom	31	30.00	3.95

This amendment shall become effective March 11, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3853; Filed, Mar. 8, 1946; 4:55 p. m.]

[MPR 592, Amdt. 29 to Order 1]

DRAIN TILE

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. 1 is amended in the following respects:

1. A new section 2.1 (e) (5) is added to read as follows:

(5) *Maximum delivered prices for shipment of drain tile into certain counties in New York, Ohio and all of the State of Virginia.* (i) The manufacturer's maximum delivered prices for sales of drain tile for shipment into any of the counties in New York and Ohio, listed below, and into the entire State of Virginia, when shipment is made from plants located in Ohio, shall be as follows:

CHART I—MAXIMUM DELIVERED PRICES PER M FEET FOR SHIPMENT INTO CERTAIN COUNTIES IN NEW YORK

Size (inch)	Erie, Niagara, Chautauque, Cattaraugus	Orleans, Genesee, Wyoming, Monroe, Livingston	Cayuga, Chenango, Cortland, Broome, Madison, Oneida, Onondaga, Chemung, Schuyler, Ontario, Oswego, Seneca, Steuben, Tompkins, Wayne, Yates, Tioga
3	\$42.00	\$43.60	\$45.20
4	54.00	56.40	58.80
5	88.80	92.80	96.80
6	111.00	115.80	120.00
8	174.00	181.20	188.40
10	274.00	285.20	295.40
12	358.00	372.40	386.80
15	568.00	590.40	612.80

CHART II—MAXIMUM DELIVERED PRICES FOR SHIPMENTS INTO THE STATE OF VIRGINIA

Size (inches)	Price per M feet
3	\$47.60
4	62.40
5	102.80
6	127.80
8	199.20
10	313.20
12	408.40
15	646.40

CHART III—MAXIMUM DELIVERED PRICES FOR SHIPMENT INTO CUYAHOGA COUNTY, OHIO

Size (inches)	Price per M feet
3	\$36.80
4	46.20
5	75.80
6	95.40
8	146.60
10	233.60
12	303.00
15	517.00

Prices in Chart III subject to \$1.00 per ton jobber discount, and \$1.00 per ton dealer discount.

(ii) The maximum delivered prices established in (i) above, shall not be further increased pursuant to the provisions of section 2.1 (e) (4).

2. Section 2.4 is amended to read as follows:

Sec. 2.4. *Maximum prices for resellers.* (a) Any jobber or dealer purchasing clay or shale building brick, structural clay hollow building tile, and clay drain tile for resale from any manufacturer who has modified his maximum prices in accordance with section 2.1 above, may increase his maximum prices f. o. b. yard or delivered, established by the General Maximum Price Regulation, by the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer under section 2.1 above. Notwithstanding the provisions of this paragraph, increases in costs of drain tile to jobbers and dealers located in Cuyahoga County, Ohio, resulting from the manufacturer's discount changes specified in Chart III in section 2.1 (e) (5) above, may not be made the basis of a modification in the jobbers' and dealers' resale prices.

(b) Notwithstanding the provision of (a) above, in any area where specific maximum prices are fixed by an area pricing order, such specific maximum prices shall apply in that area.

This amendment shall become effective March 8, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3855; Filed, Mar. 8, 1946; 4:58 p. m.]

[Rev. SO 119, Order 105]

VICTOR ADDING MACHINE CO.

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* Victor Adding Machine Company of Chicago, Illinois, may compute its adjusted ceiling prices for the adding machines and accessories which it manufactures, as follows:

(1) For an article which has a properly established ceiling price in effect before the effective date of this order, the adjusted ceiling price is the article's properly established ceiling price for the particular sale (exclusive of all permitted

increases or adjustment charges) increased by 12.1 percent.

(2) For an article which is first offered for sale after the effective date of this order, the adjusted ceiling price is the maximum price hereafter properly determined or established in accordance with Maximum Price Regulation No. 188; and prices so fixed may not be increased under this order.

(3) The manufacturer's adjusted ceiling price fixed in accordance with this order is his new ceiling price if it is higher than his previously established ceiling price including all increases and adjustments otherwise authorized for him individually or for his industry.

(b) *Reseller's ceiling prices.* Resellers of an article which the manufacturer has sold at an adjusted ceiling price determined under this order shall determine their maximum prices as follows:

(1) A reseller who had a properly established maximum price in effect before this order was issued for an article covered by this order may add to that maximum price an adjustment charge in the same dollar-and-cents amount as the adjustment charge authorized by this order for, and which he has paid to, his supplier.

(2) If the reseller did not have a properly established maximum price for the article in effect before this order was issued he shall first determine a maximum price (exclusive of adjustment charges), and to that price he may add an adjustment charge in the same dollar-and-cents amount as the adjustment authorized by this order for, and which he has paid to, his supplier. To find his maximum price (exclusive of adjustment charges) for this purpose the reseller shall add to his invoice cost, less an adjustment charge stated on that invoice, the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(3) If the maximum resale price cannot be determined under the above method the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under \$1499.3 (c) of the General Maximum Price Regulation. Ceiling prices estab-

lished under that section will reflect the supplier's prices as adjusted in accordance with this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to the seller's terms, discounts and allowances on sales to each class of purchaser in effect during March 1942, or thereafter properly established under OPA regulations.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 8th day of March 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3859; Filed, Mar. 8, 1946;
5:00 p. m.]

[MPR 598, Corr. to Order 10]

EDISON GENERAL ELECTRIC APPLIANCE CO.,
INC.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to sections 13 and 21 of Maximum Price Regulation No. 598; *It is ordered:*

That Order No. 10 under Maximum Price Regulation No. 589 is corrected in the following respects:

The table of prices in paragraph (a) is corrected to read as follows:

Model	Ceiling price for sales to—	
	Servicing dealers	Nonservicing dealers
EA7-1-46.....	Each \$120.65	Each \$128.05
EB7-1-46.....	132.42	139.82
EC7-0-46.....	143.74	151.14

This order may be revoked or amended by the Price Administrator at any time.

This correction is effective immediately.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3856; Filed, Mar. 8, 1946;
5:00 p. m.]

[MPR 598, Corr. to Order 11]

GENERAL ELECTRIC CO.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register and pursuant to sections 13 and 21 of Maximum Price Regulation No. 598, *It is ordered:*

That Order No. 11 under Maximum Price Regulation No. 589 is corrected in the following respects:

The table of prices in paragraph (a) is corrected to read as follows:

Model	Ceiling price for sales to—	
	Servicing dealers	Nonservicing dealers
LBX7B-46.....	Each \$120.65	Each \$128.05
BH7A-46.....	132.42	139.82
B7C-46.....	143.74	151.14

This order may be revoked or amended by the Price Administrator at any time.

This correction is effective immediately.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3857; Filed, Mar. 8, 1946;
5:00 p. m.]

[RMPR 136, Order 584]

BEN-HUR MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 9, 10 and 11 (c) of Revised Maximum Price Regulation 136, *It is ordered:*

(a) Ben-Hur Manufacturing Company, 634 East Keefe Avenue, Milwaukee 12, Wisconsin, may sell, f. o. b. plant, each Ben-Hur Model 22-46 trailer and optional equipment described in subparagraph (1) below at a price not to exceed the prices contained in subparagraph (2) below, plus federal excise tax, and state and local taxes on its sale or delivery of the trailer and optional equipment and the cost of transporting the trailer and equipment to the purchaser if any.

(1) *Description:* Basic trailer; Model 22-46, two wheel utility trailer, ¾ ton capacity, over-all length 105¼", body dimensions 46¼" wide x 72" long x 12" high inside, pressed steel electric-arc welded frame construction, equipped with steel disc wheels, fenders and 6.00 x 16, 4 ply synthetic rubber tires;

Stake Assembly; 32" high for front, back and sides of trailer;

Bow Assembly; Bows and hardware to support tarpaulins;

Tarpaulin; Custom built reinforced No. 10 canvas 52" x 80" over-all top with 34" high sides front and back attached, back flap 52" wide at top and 60" wide at bottom.

(2) *Prices:*

Description	Prices
Basic trailer.....	\$76.29
Stake assembly.....	14.09
Bow assembly.....	1.83
Tarpaulin.....	15.36

Complete with optional equipment..... \$107.57

(b) Ben-Hur Manufacturing Company is authorized to suggest to resellers a resale price for the trailer and optional equipment in paragraph (a) (1) above, consisting of the following:

(1) *Suggested resale prices:*

Description	Prices to dealers	Prices to consumers
Basic trailer	\$95.87	\$127.15
Stake assembly	17.62	23.49
Box assembly	2.29	3.05
Tarpaulin	19.20	25.00
Complete with optional equipment	134.48	179.29

(2) *Charges:* (i) *Transportation expense.* A charge for transportation, if any, not to exceed the actual rail freight charge from the factory at Milwaukee, Wisconsin to the place of business of the reseller.

(ii) *Federal excise tax.* A charge equal to the charge made by Ben-Hur Manufacturing Company to cover Federal excise taxes.

(iii) *State and local taxes.* A charge equal to reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the trailers and equipment.

(c) A reseller of Ben-Hur trailers in any of the territories or possessions of the United States is authorized to sell the trailers and extra equipment described in paragraph (a), at a price not to exceed the applicable price established in paragraph (b), to which it may add a sum equal to the expense incurred by or charged to it for payment of territorial and insular taxes, on the purchase, sale or introduction of the trailer and equipment; export premiums; boxing and crating for export purposes, marine and war risk insurance; and landing, wharfage and terminal operations.

(d) All requests not granted herein are denied.

(e) This order may be amended or revoked by the Administrator at any time.

NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under Section 8 of Revised Maximum Price Regulation 138, due to substantial changes in design, specifications or equipment of the trailer, the reseller may add to its price under paragraph (b) the increase in price, plus its customary mark-up on such a cost increase, but in the case of a decrease in price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary mark-up on such an amount.

This order shall become effective March 12, 1946.

Issued this 11th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3881; Filed, Mar. 11, 1946;
9:32 a. m.]

[MPR 188, Order 5 Under Rev. Order 1]

WEST BEND ALUMINUM CO.

APPROVAL OF UNIFORM RETAIL CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to section 5 (d) of Revised Order No. 1 under § 1499.159e of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes uniform retail ceiling prices for sales of certain articles of household aluminum cooking utensils manufactured by West Bend Aluminum Co., West Bend, Wisconsin, are as follows:

(1) The uniform retail ceiling price in each zone for a door to door sale of an article of the "Kitchen Craft" line of household aluminum cooking utensils shall be the price set forth for that article as the manufacturer's suggested retail price in the manufacturer's last retail price list, for each zone, in effect prior to April 1, 1942.

For the purpose of this paragraph, one zone shall consist of the states of Texas, New Mexico, Arizona, California, Oregon, Washington, Nevada, Utah, Wyoming, Idaho, and Montana. The other zone shall consist of the other states of the United States and the District of Columbia.

The prices fixed by this paragraph are retail ceiling prices for installment sales and no additional amounts may be collected for delivery, time payments or for any other reason. In the case of a sale for cash, customary allowances for such sales must be allowed.

(2) The uniform retail ceiling price for sales in all parts of the country of an article of the "DeLuxe" or "Laurel" lines of household aluminum cooking utensils shall be the price set forth for that article as the manufacturer's suggested retail price in the manufacturer's last retail price list in effect prior to April 1, 1942.

The retail ceiling prices fixed by this paragraph are for installment sales and include all delivery charges. No additional amount may be collected for any reason. In the case of a cash sale of an article covered by this paragraph the price charged shall reflect the customary differentials for such sales.

(3) The uniform retail ceiling price for sales in all parts of the country of an article of the "Chef Ware" line of household cooking utensils shall be the price set forth for that article as the manufacturer's suggested retail price in the manufacturer's last retail price list in effect prior to April 1, 1942.

(4) The uniform retail ceiling price for sales of the #599 20 gauge 9 cup Drip Coffee Maker sold under the trade mark "Arrow" shall be \$2.50 each in Zone I and \$2.65 each in Zone II. Zones I and II shall mean the areas so defined in Revised Order No. 1 under § 1499.159e of Maximum Price Regulation 188.

(b) On and after the effective date of this order, the manufacturer may not deliver to a purchaser for resale an article for which the uniform retail ceiling price is fixed by this order unless there is affixed to it a retail ceiling price tag or label stating the manufacturer's name or the brand name, the catalog number of designation and the uniform retail ceiling price fixed by this order.

However, the manufacturer is not required to comply with this tagging re-

quirement with respect to the #599 9 cup Drip Coffee Maker or any article in the "Kitchen Craft" line.

(c) Except as modified by this order, all provisions of Revised Order 1 under § 1499.159e of Maximum Price Regulation No. 188, apply to all persons and to all sales and deliveries of the articles covered by this order.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 12th day of March 1946.

Issued this 11th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3884; Filed, Mar. 11, 1946;
9:32 a. m.]

[MPR 188, Order 13 Under Order 6]

McGraw Electric Co.

APPROVAL OF UNIFORM RETAIL CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 4 (a) of Order No. 6 under § 1499.159e of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes a uniform retail ceiling price of \$16.80 including federal excise tax for sales of Model 1B12, 2-slice toaster, manufactured by the Toastmaster Products Division of the McGraw Electric Company, Elgin, Illinois, which is sold under the brand name "Toastmaster."

(b) The manufacturer shall determine distributors' ceiling prices for sales of articles which the manufacturer sells at increased prices permitted by Order No. 6 under § 1499.159e of Maximum Price Regulation No. 188 in accordance with the provisions of that order on the basis of the uniform ceiling prices fixed by this order.

(c) On and after the effective date of this order the manufacturer may not deliver to a purchaser for resale an article for which the uniform retail ceiling price is fixed by this order unless there is attached to it a retail price tag or label stating the manufacturer's name or brand name, the model number or designation and the uniform retail ceiling price fixed by this order.

(d) Except as modified by this order, all provisions of Order No. 6 under § 1499.159e of Maximum Price Regulation No. 188 apply to all persons and to all sales and deliveries of articles covered by this order.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 12th day of March 1946.

Issued this 11th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3883; Filed, Mar. 11, 1946;
9:32 a. m.]

[MPR 188, Amdt. 2 to Order 1849]

UPHOLSTERED DUAL PURPOSE SLEEPING
EQUIPMENT

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188, *It is ordered*, That Order No. 1849 under § 1499.159b of Maximum Price Regulation No. 188, be, and the same hereby is, amended in the following respects:

1. Paragraph (e) is amended to read as follows:

(e) *Maximum prices which cannot be established under paragraph (d).* After March 15, 1946, a manufacturer shall not sell, offer to sell, deliver or offer to deliver any article covered by this order for sales of which maximum prices have not been established under paragraph (d) of this order, or under an order of the Office of Price Administration, until he has applied to the Office of Price Administration, Washington, D. C., for the establishment of his maximum prices for such sales, and until such maximum prices have been established by an order of the Office of Price Administration, or the waiting period referred to below has terminated, and the manufacturer has received no notification from the Office of Price Administration. The application shall set forth (unless the information has already been furnished to the Office of Price Administration, in which case the date and the Office to which it was furnished, shall be stated):

(1) The number or trade name of the article to be priced.

(2) The reasons why the article cannot be priced under paragraph (d) of this order.

(3) The detailed specifications and illustration of the article to be priced.

(4) An itemized breakdown of the manufacturer's current unit direct cost of the article to be priced, showing separately according to his own system of accounts or regularly prepared operating statements all major component unit direct cost factors. For the purpose of this order, unit direct costs include direct labor and direct material costs but do not include factory burden (sometimes called factory overhead or indirect manufacturing expenses), packaging and crating costs, royalties and patterns, tool and die cost and items of administrative, general and selling expenses. Also, the number of units of production upon which the unit direct costs were based.

(5) An itemized breakdown of the manufacturer's current unit direct cost (as described in (4) above) of the basic model in paragraph (d) of this order which is most nearly comparable to the article being priced.

(6) Price lists in effect during March 1942 showing: The article most nearly comparable to the article being priced, with illustrations; the article most nearly comparable to the basic model mentioned in (4) with illustrations; all price differentials covering variations in these constructions. If the manufacturer was not making and selling inner-

constructions in March 1942, send the first price list which was in effect after March 1942, together with illustrations.

(7) A statement of the manufacturer's customary discounts, allowances, price differentials and terms of sale to different classes of purchasers in effect for sales of inner-constructions during March 1942; or if the manufacturer was not making and selling inner-constructions during March 1942, the same information for the first period after March 1942 during which the manufacturer was engaged in this business.

(8) The proposed maximum prices to each class of purchaser for the article to be priced, and a statement of why the manufacturer believes those prices to be in line with the level of maximum prices established by this order.

Those proposed maximum prices shall be calculated as follows:

Step 1: The manufacturer shall determine the "unit direct cost" for the article being priced.

Step 2: The manufacturer shall select the comparable article for which maximum prices have already been established in paragraph (d), which has a unit direct cost closest to the unit direct cost of the article being priced.

Step 3: The manufacturer shall determine the percentage markup over unit direct cost for the comparable article selected.

Step 4: The manufacturer shall apply to the unit direct cost of the article being priced that percentage markup. The resulting price shall be the f. o. b. factory, i. c. l. maximum prices for sales of the new article to retailers.

In the absence of a contrary direction from the Office of Price Administration within 15 days after mailing his application, the manufacturer may offer the article in question for sale at the proposed maximum prices stated therein. If such proposed maximum prices are correctly computed they shall be subject to adjustment (but not retroactively) at any time by order of the Office of Price Administration if it appears that the maximum prices so established are out of line with the general level of prices established by this order. If the prices are incorrectly computed, the maximum prices for a sale, offer to sell, or delivery of an article made pursuant to the incorrect report shall be the maximum prices which are properly computed under the formula contained in this paragraph.

2. Paragraph (h) is added to read as follows:

(h) *Establishment of maximum prices in certain cases.* If any seller subject to this order fails to make the application for price approval which this order requires in certain instances, the Office of Price Administration may, either upon application, or upon its own motion, issue orders under this paragraph establishing maximum prices which are in line with the level of maximum prices established by this order. Maximum prices, so established, shall be effective as of the date of first sale.

This amendment shall become effective on March 16, 1946.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3882; Filed, Mar. 11, 1946;
9:32 a. m.]

[MPR 478, Order 165]

HOOD RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478, *It is ordered*:

(a) The maximum price for sales of the following coated fabric manufactured by the Hood Rubber Company, Watertown 72, Massachusetts, shall be as follows:

Style No. 173, 58" 2.58 sheeting, dyed, neoprene coated and cotton flocked: \$1.1622 per linear yard.

(b) With or prior to the first delivery of the coated fabric covered by this order, to any person other than a manufacturer, the seller shall notify such person in writing of the specific maximum price applicable to his resale of this coated fabric, which is the maximum price set forth in paragraph (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 12, 1946.

Issued this 11th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3885; Filed, Mar. 11, 1946;
9:33 a. m.]

[MPR 592, Order 13]

NATIONAL GYPSUM CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592, and § 18 (c) of the General Maximum Price Regulation, *It is ordered*:

(a) The maximum f. o. b. plant and delivered prices for sales by the National Gypsum Company, Buffalo, New York, of the following commodities manufactured at its Saltville, Virginia, plant may be increased by amounts not in excess of the following:

	Per ton
(1) Crushed rock.....	\$0.50
(2) Land plaster used for industrial purposes.....	1.50
(3) Land plaster used for agricultural purposes.....	1.50
(4) Rock dust.....	0.41

(b) Any person purchasing land plaster used for agricultural purposes manufactured by the National Gypsum Company at its Saltville plant, for the purpose of resale may increase his present maxi-

maximum prices established under the General Maximum Price Regulation by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted in paragraph (a) (3) above.

(c) The National Gypsum Company shall furnish to each buyer purchasing for resale land plaster used for agricultural purposes and manufactured at its Saltville plant, on or before the date it makes the first delivery at the adjusted price, a written statement as follows:

The Office of Price Administration has granted an adjustment of \$1.50 per ton in the maximum prices for land plaster used for agricultural purposes manufactured by the National Gypsum Company at its Saltville plant. You are permitted to add the actual amount of your increased cost resulting from the increase permitted the National Gypsum Company to your existing maximum prices for this commodity purchased from them.

(d) The maximum prices established herein shall be subject to cash, quantity, and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

(e) Order No. L-284 under section 16 of Maximum Price Regulation No. 592 is hereby revoked.

(f) This order may be amended or revoked by the Office of Price Administration at any time.

This order No. 13 shall become effective March 12, 1946.

Issued this 11th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3886; Filed, Mar. 11, 1946;
9:33 a. m.]

[MPR 188, Order 4898]

FOUNTAIN PENS AND MECHANICAL PENCILS MAXIMUM PRICES FOR SALES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register; and pursuant to § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Purpose of this order.* Appendix A of § 1499.166 of Maximum Price Regulation No. 188 lists the categories of articles covered by that regulation. By Amendment No. 74 to Maximum Price Regulation No. 188, effective March 7, 1946, fountain pens, mechanical pencils and fountain pen and mechanical pencil sets were added to the list of articles specified under the category "Unclassified Articles" in Appendix A. Prior to the issuance of that amendment, manufacturers' maximum prices for those articles were purportedly fixed under Maximum Price Regulation No. 188, or under section 5 of Supplementary Order No. 118, because Maximum Price Regulation No. 188 was interpreted as covering those articles even though they were not specifically listed. This order is being issued to establish the prices so fixed for such of those articles as were first offered for delivery prior to March 7, 1946, as the

maximum prices for those articles under Maximum Price Regulation No. 188.

(b) *Maximum prices for sales of fountain pens or mechanical pencils first offered for delivery prior to March 7, 1946.* Regardless of any contrary provision contained in Maximum Price Regulation No. 188 or any other regulation, the maximum price for sales by a manufacturer of any fountain pen, mechanical pencil or fountain pen and mechanical pencil set which was first offered for delivery prior to March 7, 1946, shall be the maximum price for that article purportedly established or approved under Maximum Price Regulation No. 188, or under section 5 of Supplementary Order No. 118, prior to the issuance of this order.

Effective date. This order shall become effective March 7, 1946.

Issued this 7th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3722; Filed, Mar. 7, 1946;
4:15 p. m.]

[MPR 591, Order 4]

MAGNAVOX CO.

APPROVAL OF RETAIL CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Maximum Price Regulation No. 599, it is ordered:

(a) The retail ceiling prices for sales by all sellers of the models of radios listed below, manufactured by the Magnavox Company of Fort Wayne 4, Indiana, are the prices set forth below for sales in each zone. These prices include the Federal excise tax and are subject to each retail seller's customary terms, allowances, discounts, and conditions of sale in effect between July 15 and October 15, 1941, as provided by section 15 of Maximum Price Regulation No. 599:

Model	Description	Retail ceiling price	
		Zone I	Zone II
132B	Chairside: Mahogany-walnut blonde.....	\$214.50	\$220.00
148B	Contemporary: Mahogany-walnut.....	240.00	250.00
	Blonde.....	245.00	255.00
151B	Georgian: Mahogany-walnut.....	250.00	260.00
142B	Belvedere: Mahogany-walnut.....	365.00	380.00
	Blonde.....	380.00	395.00
155B	Regency: Mahogany-walnut.....	385.00	400.00
	Blonde.....	400.00	415.00

(b) On and after the effective date of this order the manufacturer may not deliver to a purchaser for resale an article for which the retail ceiling price is fixed by this order unless there is attached to it a retail price tag or label stating the manufacturer's name or brand name, the model number or designation and the retail ceiling price in each zone or in the zone in which the article will be sold at retail.

(c) Except as modified by the provisions of this order, all applicable provi-

sions of Maximum Price Regulation No. 599 remain in full force and effect.

This order shall become effective March 12, 1946.

Issued this 11th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3887; Filed, Mar. 11, 1946;
9:33 a. m.]

[MPR 580, Amdt. 2 to Order 30]

COOPER, INC.

ESTABLISHING CEILING PRICES

Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-565.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 30 issued on May 11, 1945, under section 13 of Maximum Price Regulation 580 on application of Coopers Incorporated, Kenosha, Wisconsin, is amended in the following respects:

1. A new paragraph (g) is added to read as follows:

(g) For a period of 45 days from the effective date of this amendment, the provisions of paragraph (c) are suspended insofar as Coopers Incorporated, is directed to preticket all articles for which a retail price was established by Amendment 1 to this order, issued February 21, 1946. During this period of suspension the purchaser for sale at retail shall mark each article with the retail ceiling price as established by Amendment 1 issued February 21, 1946, or if improperly preticketed by the manufacturer, attach to the article or envelope containing the article a label, tag or ticket stating the correct retail ceiling price. This mark or statement must be in the following form:

Sec. 13, MPR 580
OPA Price \$-----

No retailer may offer or sell the article unless it is marked or tagged in the form stated above. Coopers Incorporated shall send a copy of this amendment and a list of the retail prices as established by Amendment 1 issued February 21, 1946, before the first delivery of these articles to any purchaser for resale after the effective date of this amendment.

This amendment shall become effective March 12, 1946.

Issued this 11th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3925; Filed, Mar. 11, 1946;
11:49 a. m.]

[MPR 580, Amdt. 2 to Rev. Order 63]

DAVID D. DONIGER & CO., INC.

ESTABLISHMENT OF CEILING PRICES

Establishing Ceiling Prices at Retail for Certain Articles; Docket No. 6063-580-13-468.

For the reasons set forth in the opinion issued simultaneously herewith, Revised Order No. 63, issued on January 14, 1946

under section 13 of MPR 580 on application of David D. Doniger & Co., Inc., 303 Fifth Avenue, New York 16, New York, is amended in the following respect:

The heading "Supplier's Selling Price" is substituted in paragraph (a) in place of the heading "Supplier's Net Selling Price."

This amendment shall become effective March 12, 1946.

Issued this 11th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3926; Filed, Mar. 11, 1946;
11:49 a. m.]

[MPR 580, Amdt. 3 to Order 220]

STADIUM MFG. CO., INC.

ESTABLISHING CEILING PRICES

Establishing Ceiling Prices at Retail for Certain Articles; Docket No. 6063-580-13-514.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 220 issued on application of Stadium Manufacturing Company, Inc. of Baltimore, Maryland, under section 13 of MPR 580 is amended in the following respect:

The heading "Manufacturer's Selling Price Range" is substituted in paragraph (a) in place of the heading "Manufacturer's Net Selling Price Range."

This amendment shall become effective March 12, 1946.

Issued this 11th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3927; Filed, Mar. 11, 1946;
11:50 a. m.]

[Rev. SO 119, Rev. Order 56]

R. WALLACE AND SONS

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* R. Wallace and Sons, Wallingford, Connecticut may compute its adjusted ceiling prices for all articles of carbon steel and stainless steel flatware, and silver plated flatware which it manufactures, as follows:

(1) For an article of stainless steel flatware or carbon steel flatware which has a properly established ceiling price in effect before the effective date of this order, the adjusted ceiling price is the article's properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) increased by 14.2 percent. For an article of silver plated flatware which has a properly established ceiling price in effect before the effective date of this

order, the adjusted ceiling price is the article's properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) increased by 18.7 percent.

(2) For an article which is first offered for sale after the effective date of this order, the adjusted ceiling price is the maximum price hereafter properly determined or established in accordance with Maximum Price Regulation No. 188; and prices so fixed may not be increased under this order.

(3) The manufacturer's adjusted ceiling price fixed in accordance with this order is his new ceiling price if it is higher than his previously established ceiling price including all increases and adjustments otherwise authorized for him individually or for his industry.

(4) The manufacturer may not add to the amount of increase permitted by this paragraph for silver plated flatware any adjustment under Revised Order No. 226 under Maximum Price Regulation No. 188 since the increase authorized by this paragraph includes the amount of adjustment permitted by that order.

(b) *Reseller's ceiling prices.*—(1) *Articles of carbon steel and stainless steel flatware.* Purchasers for resale of an article of carbon steel or stainless steel flatware which the manufacturer has sold at an adjusted ceiling price determined under this order shall determine their maximum prices as follows:

A reseller who determines his maximum resale price under the General Maximum Price Regulation shall calculate his ceiling price by adding to his increased cost the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration. However, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(2) *Articles of silver plated flatware.* A purchaser for resale of silver plated flatware shall determine his maximum price as follows:

(i) If during March 1942 he delivered or offered for delivery an article of silver plated flatware which meets the definition of "most comparable article" contained in § 1499.3 (a) of the General Maximum Price Regulation, except that it need not be currently offered for sale, and on which he has established an adjusted maximum price under either Order No. 226 or Revised Order No. 226 under Maximum Price Regulation No. 188 (adjustment on certain articles containing silver) he shall determine his maximum price on an article covered by this order according to the following steps:

Step 1. He shall determine the percentage of markup he has on that comparable article between his actual invoice cost (including the silver adjustment permitted by Order 226 or Revised Order 226) and his maximum price as adjusted under Revised Order No. 226.

Step 2. He shall apply the markup which he finds in Step 1 above to his actual invoice cost of the article covered by this order. The result is his ceiling price for his sales of that article to the same class of purchaser as that to which the maximum price of the comparable article applied.

(ii) If a purchaser for resale cannot determine his ceiling price under the above method, he shall apply to the Office of Price Administration for the establishment of his ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under this section will reflect the supplier's prices adjusted in accordance with this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's customary terms, discounts, allowances and other price differentials on sales to each class of purchaser in effect during March 1942, or established under any applicable OPA regulation.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale showing a ceiling price adjusted in accordance with the terms of this order, the seller shall notify each purchaser in writing of the method of determining adjusted ceiling prices for sales of the articles covered by this order. This notice may be given in any convenient form.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on the 9th day of March 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3770; Filed, Mar. 8, 1946;
11:05 a. m.]

[MPR 120, Amdt. 12 to Order 1548]

ELLIOT COAL MINING CO. ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.212 (c) of Maxi-

Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1548 under Maximum Price Regulation No. 120 is hereby amended in the following respects.

Paragraph (a) is amended by adding thereto the following name of the producer, address, mine name and index number, and preparation plant name, as follows:

Producer and address	Mine name	Mine Index No.	Location and name of preparation plant through which the coals are prepared.
Somerset construction Co., Salisbury, Pa.	Somerset No. 3.	5629	Somerset Construction Co., preparation plant at Niverton, Pa., on the B. & O. Railroad.

This Amendment No. 12 to Order No. 1548 under Maximum Price Regulation No. 120 shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3743; Filed, Mar. 8, 1946;
11:05 a. m.]

[RMPR 131, Order 32]

PHARIS TIRE AND RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 6 of Revised Maximum Price Regulation 131 and section 6.4 of the Second Revised Supplementary Regulation 14 to the General Maximum Price Regulation; it is ordered:

(a) *Applicability.* This order applies to all sales at all levels of the 6.00-16, 2-ply or 3-ply, tire reliners made from new materials by The Pharis Tire and Rubber Co. of Newark, Ohio.

(b) *Maximum prices.* The maximum prices of the commodity described in paragraph (a) of this order, shall be:

	Maximum prices for sales to—		
	Jobbers	Dealers	At retail
6.00-16, 2 or 3-ply uncemented new tire reliners.....	Each \$1.32	Each \$1.65	Each \$2.50

(c) *Notification.* With or prior to the first delivery of the commodity described in paragraph (a) to any reseller, the seller shall give such reseller a written notice of the maximum retail price applicable thereto, as established by paragraph (b) of this order. If such reseller is a jobber, the notification shall include the maximum price applicable to sales to dealers as established by paragraph (b) of this order, and a statement that such jobber is required by this order to notify any dealer to whom he sells of

the maximum retail price as established by paragraph (b) of this order.

(d) *Relationship to other regulations.* All provisions of Revised Maximum Price Regulation 131 not inconsistent with this order shall apply to the wholesale sales of the commodity priced by this order. All provisions of the General Maximum Price Regulation not inconsistent with this order shall apply to the retail sales of the commodity priced by this order.

(e) This order may be amended by the Office of Price Administration at any time.

This order shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3744; Filed, Mar. 8, 1946;
11:05 a. m.]

[MPR 188, Order 4893]

CHESAPEAKE SPECIALTY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Chesapeake Specialty Company of 115 Hollingsworth Street, Baltimore 2, Md.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Chain and department stores	Other retailers	Consumers
Household dust pan 8 1/4" x 12 3/4"	30 ga	Doz. \$2.04	Doz. \$2.52	Doz. \$2.88	Each \$0.35
Enamelled finish household broom and mop holder.....		1.08	1.44	1.52	.19

These maximum prices are for the articles described in the manufacturer's application dated January 18, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of

purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct model number and retail prices properly filled in:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 9th day of March 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3746; Filed, Mar. 8, 1946;
11:06 a. m.]

[MPR 188, Order 4895]

NORK PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Nork Products Company, 5897 South Main Street, Los Angeles 3, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Chain stores, mail order houses and jobbers	Dept. stores	Other retailers	Consumers
Cream whipper.	10-A	Dozen \$12.30	Dozen \$14.01	Dozen \$16.40	Each \$2.05

These maximum prices are for the articles described in the manufacturer's application dated January 23, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regula-

tion No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$2.05 Each
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maxi-

mum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 9th day of March 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3748; Filed, Mar. 8, 1946;
11:06 a. m.]

[MPR 188, Order 4894]

QUIETAIRE PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Quietaire Products Company, 159 Badger Avenue, Newark 8, N. J.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—					
		Wholesalers mill, elec- tric motor, restaurant, hotel and store equipment supplies	Retailers (3 units or more)	Retailers (less than 3 units)	Indus- trial com- mer- cial insti- tution- al users 3 units or more	Indus- trial com- mer- cial insti- tution- al users less than 3 units	Users other than indus- trial commer- cial or insti- tutional
Pedestal fan enamel and chrome plated 8' adjustment cast iron base.....	16" 18" 20" 24" 30"	Each \$30.00 32.72 35.93 38.64 44.57	Each \$36.00 39.26 43.11 46.37 53.48	Each \$39.00 42.54 46.71 50.24 57.94	Each \$45.00 49.08 53.90 57.97 66.05	Each \$51.00 55.62 61.08 65.70 75.77	Each \$60.00 65.44 71.86 77.29 89.14

These maximum prices are for the articles described in the manufacturer's application dated September 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are net 30 days. Only the exact amount of the Federal Excise Tax that the particular seller is required to pay may be added to the above prices.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices

for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the statement with the correct model number and retail prices properly filled in:

Model No. -----
OPA Ceiling Prices to Users Other
Than Industrial, Commercial or
Institutional \$-----
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 9th day of March 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3747; Filed, Mar. 8, 1946;
11:06 a. m.]

[MPR 188, Order 4896]

PITTSBURGH RANGE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Pittsburgh Range Company, 1000 Island Avenue, McKees Rocks, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesalers (Job- bers)	Chain and depart- ment stores	Other retailers	Consumers
Aluminum kitchen stool 24" high, plastic seat, enamel finish.....	124	Each \$2.65	Each \$3.17	Each \$3.54	Each \$5.30
Aluminum kitchen stool 20" high, plastic seat, enamel finish.....	120	2.48	2.96	3.30	4.95
Aluminum bath room stool 15" high, plastic seat, enamel finish.....	115	2.05	2.45	2.73	4.10

These maximum prices are for the articles described in the manufacturer's application dated November 28, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct model number and retail prices properly filled in:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 9th day of March 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3749; Filed, Mar. 8, 1946;
11:06 a. m.]

[MPR 188, Order 4897]

SHO-SHO PRODUCTS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Sho-Sho Products, 110 West 14th Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Boudoir lamp shade, rayon over parchment with organdie ruching.	50	\$1.70	\$2.00	\$3.60
	60	1.28	1.50	2.70
	70	1.06	1.25	2.25

These maximum prices are for the articles described in the manufacturer's application dated February 15, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net, 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other

class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 9th day of March 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3750; Filed, Mar. 8, 1946;
11:07 a. m.]

[MPR 591, Order 340]

ENGINEERING AND MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following "Dew Freeze" #6, farm and home freezer manufactured by the Engineering and Manufacturing Company, St. Louis, Mo., and as described in the application dated January 22, 1946, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to—		
	Distributors	Dealers	Consumers
No. 6—6.2 cu. ft. ½ hp. condensing unit.....	\$152.50	\$183.00	\$305.00
No. 20—20 cu. ft. ½ hp. condensing unit.....	297.50	357.00	595.00
No. 15—15 cu. ft. ¾ hp. condensing unit.....	260.00	312.00	520.00

(b) The maximum net prices established in (a) above may be increased by

the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) The Engineering and Manufacturing Company of St. Louis, Missouri, shall stencil on the lid or cover of the home and farm freezers covered by this order, substantially the following:

OPA Maximum Retail Price \$-----

Plus freight and crating as provided in Order No. 340 under Maximum Price Regulation No. 591.

(g) This order shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3758; Filed, Mar. 8, 1946;
11:07 a. m.]

[MPR 591, Order 341]

C. E. PEARCE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment for sales by any person of the following farm freezer manufactured by C. E. Pearce, Lyndon, Vt., and as described in the application dated February 16, 1946, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to—		
	Distributors	Dealers	Consumers
P. S. C. 18—12 cu. ft. ¾ hp. condensing unit.....	\$210.00	\$252.00	\$420.00

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this Order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) C. E. Pearce of Lyndon, Vermont, shall stencil on the lid or cover of the farm freezer covered by this order, substantially the following:

OPA Maximum Retail Price \$420.00

Plus freight and crating as provided in Order No. 341 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3759; Filed, Mar. 8, 1946;
11:07 a. m.]

[MPR 591, Order 342]

GOODYEAR AIRCRAFT CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm freezer manufactured by the Goodyear Aircraft Corporation, 1210 Massillon Road, Akron, Ohio, and as described in the application dated January 31, 1946, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to—			
	Whole-salers	Distributors	Dealers	Consumers
No. 350 farm freezer, 35 cu. ft., ½ hp. condensing unit.....	\$427.50	\$475.00	\$570.00	\$950.00

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) The Goodyear Aircraft Corporation, Akron, Ohio, shall stencil on the lid or cover of Model No. 350 farm freezer covered by this order, substantially the following:

OPA Maximum Retail Price \$950.00

Plus freight and crating as provided in Order No. 342 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3760; Filed, Mar. 8, 1946;
11:07 a. m.]

[MPR 591, Order 343]

BORGEN AND BEAM

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following B & B Home food freezers manufactured by Borgen and Beam, 6435 Northeast Twenty-sixth Avenue, Portland, Oreg., and as described in the application dated January 8, 1946, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Distributors	Dealers	Consumers
B & B home food freezer 12 cu. ft. ¼ hp. condensing unit.....	\$215.00	\$258.00	\$375.00
B & B home food freezer 18 cu. ft. ½ hp. condensing unit.....	275.00	330.00	435.00

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) Borgen and Beam, 6535 Northeast Twenty-sixth Avenue, Portland, Oregon, shall stencil on the lid or cover of the home food freezers covered by this order, substantially the following:

OPA Maximum Retail Price—\$-----

Plus freight and crating as provided in Order No. 343 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3761; Filed, Mar. 8, 1946;
11:08 a. m.]

[MPR 591, Order 344]

MINNEAPOLIS SHOW CASE AND FIXTURE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following farm and home freezer manufactured by the Minneapolis Show Case and Fixture Company, 1009 Washington Avenue South, Minneapolis 15, Minn., and as described in the application dated February 1, 1946, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Distributors	Dealers	Consumers
18 cu. ft., ½ hp. condensing unit.....	\$240.00	\$299.00	\$498.00

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) The Minneapolis Show Case and Fixture Company, 1009 Washington Avenue South, Minneapolis, Minnesota, shall stencil on the lid or cover of the farm and home freezer covered by this order, substantially the following:

OPA Maximum Retail Price \$498.00

Plus freight and crating as provided in Order No. 344 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3762; Filed, Mar. 8, 1946;
11:08 a. m.]

[MPR 591, Order 345]

MURDOCH, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following home freezer manufactured by Murdoch, Incorporated, 3630 Haverford Avenue, Philadelphia 4, Pa., and as described in the application which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Distributors	Dealers	Consumers
Vertical box, 14.5 cu. ft. less compressor.....	\$246	\$295	\$492

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) Murdoch, Incorporated of Philadelphia, Pennsylvania, shall stencil on the lid or cover of the home freezer covered by this order, substantially the following:

OPA Maximum Retail Price—\$492.00

Plus freight and crating as provided in Order No. 345 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3763; Filed, Mar. 8, 1946;
11:08 a. m.]

[MPR 591, Order 346]

HACKETT ELECTRIC

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following Low Temperature Cabinets manufactured by Hackett Electric, 130 South Highland Avenue, Pittsburgh, Pa., and as described in the application dated January 10, 1946, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Distributors	Dealers	Consumers
10 cu. ft. low temperature cabinet ¼ hp. condensing unit.....	\$215	\$248	\$430

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon

resale, except dealers, including allowable transportation and crating charges.

(f) Hackett Electric of Pittsburgh, Pa., shall stencil on the lid or cover of the Low Temperature Cabinets covered by this order, substantially the following:

OPA Maximum Retail Price \$430.00

Plus freight and crating as provided in Order No. 346 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3764; Filed, March 8, 1946,
11:08 a. m.]

[MPR 591, Order 347]

BORG-WARNER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following Portable Water Cooler manufactured by Norge Division, Borg-Warner Corporation of Detroit, Mich., and as described in the application dated February 8, 1946, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to—		
	Distributors	Dealers	Consumers
Portable water cooler (water boy).....	\$54.57	\$68.17	\$109.95

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except retailers, including allowable transportation and crating charges.

(f) Norge Division, Borg-Warner Corporation of Detroit, Michigan, shall stencil on the lid or cover of the Portable Water Cooler covered by this order, substantially the following:

OPA Maximum Retail Price—\$109.95

Plus freight and crating as provided in Order No. 347 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3765; Filed, Mar. 8, 1946;
11:09 a. m.]

[MPR 591, Order 348]

CURRIE HEATING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, for sales by any person of the following Falco line of blower type gas-fired furnaces manufactured by the Currie Heating Company of San Anselmo, California and as described in the application dated December 29, 1945 which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model No.	B. t. u. input	On sales to—		
		Jobbers	Dealers	Consumers
65UB.....	65,000	\$129.20	\$152.00	\$212.80
80UB.....	80,000	139.40	164.00	229.60
100UB.....	100,000	160.44	177.00	247.80
120UB.....	120,000	161.50	190.00	266.00
140UB.....	140,000	174.25	205.00	287.00
160UB.....	160,000	200.60	236.00	330.00
180UB.....	180,000	226.95	267.00	373.80
200UB.....	200,000	240.55	283.00	396.20
220UB.....	220,000	291.55	343.00	480.20
240UB.....	240,000	331.50	390.00	546.00
260UB.....	260,000	357.00	420.00	588.00
280UB.....	280,000	376.55	443.00	620.20
300UB.....	300,000	389.30	458.00	641.20
320UB.....	320,000	421.60	496.00	694.40
360UB.....	360,000	453.90	534.00	747.60
400UB.....	400,000	480.25	565.00	791.00

(b) The maximum net prices specified in (a) above are f. o. b. point of shipment on sales to any person except a consumer. On sales to consumers, the maximum prices set forth above are f. o. b. point of destination.

(c) The maximum net prices established by this order shall be subject to

discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 to purchasers of the same class on comparable sales of commodities falling into the same general trade category which includes gas fired furnaces.

(d) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for his purchasers except a dealer upon resale.

(e) The maximum prices authorized by this order include all price advances authorized by section 2.5 of Order 48 of Maximum Price Regulation No. 591 to date and may not be further increased pursuant to the provisions of that order as are in effect as of the date of this order.

(f) The Currie Heating Company of San Anselmo, California shall stencil in a conspicuous place on each of the gas fired furnaces covered by this order, the following:

OPA Maximum Retail Price—\$-----

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3766; Filed, Mar. 8, 1946;
11:09 a. m.]

[MPR 591, Order 349]

KAY REFRIGERATION, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment for sales by any person of the following food display case, manufactured by Kay Refrigeration, Incorporated, 9140 Charlevoix, Detroit 14, Michigan, and as described in the application dated January 22, 1946, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model No.	On sales to—			
	Distributors	Dealers	Jobbers	Consumers
K1846 food display case.....	\$564.00	\$752.00	\$677.00	\$1,128.80

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor, dealer or jobber the following charges may be added to the maximum prices established in (a) above.

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer or jobber, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers or jobbers, including allowable transportation and crating charges.

(f) Kay Refrigeration, Incorporated of Detroit, Michigan, shall stencil on the lid or cover of the food display case covered by this order, substantially the following:

OPA Maximum Retail Price \$1,128.80

Plus freight and crating as provided in Order No. 349 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3767; Filed, Mar. 8, 1946;
11:09 a. m.]

[MPR 591, Order 350]

NATIONAL ENGINEERING AND METALS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following Luminaire Conditioner manufactured by the National Engineering & Metals Co., Washington, D. C., and as described in the application dated February 8, 1946, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Distributors	Dealers	Consumers
Luminaire conditioner—water cooled, ½ hp. condensing unit.....	\$242.50	\$291.00	\$485.00

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$8.50.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) The National Engineering and Metal Company, of Washington, D. C., shall attach a tag on the Luminaire Conditioner covered by this order, substantially the following:

OPA Maximum Retail Price \$485.00

Plus freight and crating as provided in Order No. 350 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3768; Filed, Mar. 8, 1946;
11:09 a. m.]

[MPR 591, Order 351]

ROWE AND THOMPSON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following refrigerated display case manufactured by Rowe and Thompson, State and Lafayette Streets, Chehalis, Wash., and as described in the application dated January 24, 1946, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to—		
	Distributors	Dealers	Consumers
L-8 8 ft. refrigerated display case.....	\$591.00	\$650.00	\$985.00

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) Rowe and Thompson, of Chehalis, Washington, shall stencil on the lid or cover of the refrigerated display case covered by this order, substantially the following:

OPA Maximum Retail Price \$985.00

Plus freight and crating as provided in Order No. 351 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 9, 1946.

Issued this 8th day of March 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-3769; Filed, Mar. 8, 1946;
11:10 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register March 7, 1946.

Region I

Augusta Order 3-F, Amendment 42, covering fresh fruits and vegetables in Portland, South Portland, and Westbrook. Filed 10:18 a. m.

Augusta Order 5-F, Amendment 41, covering fresh fruits and vegetables in Bangor and Brewer. Filed 10:18 a. m.

Hartford Order 8, Amendment 2A, covering dry groceries sold by Groups 1 and 2 stores. Filed 10:19 a. m.

Hartford Order 1-C, Amendment 8, covering poultry in the State of Connecticut. Filed 10:20 a. m.

Hartford Order 1-D, Amendment 2, covering butter and cheese. Filed 10:20 a. m.

Hartford Order 3-W, Amendment 2A, covering dry groceries sold by Groups 1 and 2 stores. Filed 10:20 a. m.

Region II

Albany Order 13-F, Amendments 4 and 5, covering fresh fruits and vegetables in certain cities in New York and the Town of Green Island, New York. Filed 10:18 and 10:16 a. m.

Albany Order 2-C, Amendments 1 and 2, covering poultry in Albany, Schenectady and Rensselaer counties, New York. Filed 10:17 a. m.

Albany Order 2-C, covering poultry in Albany, Schenectady and Rensselaer counties, New York. Filed 10:17 a. m.

Albany Order 6-O, covering eggs in Albany, Schenectady and Rensselaer counties, New York. Filed 10:20 a. m.

Albany Order 2-C, Amendment 5, covering poultry in Albany, Schenectady and Rensselaer counties, New York. Filed 10:18 a. m.

Albany Order 2-C, covering poultry in Albany, Schenectady and Rensselaer counties, New York. Filed 10:14 a. m.

Albany Order 6-O, covering eggs in Albany, Schenectady and Rensselaer counties, New York. Filed 10:14 a. m.

Albany Order 6-O, covering eggs in Albany, Schenectady and Rensselaer counties, New York. Filed 10:21 a. m.

Albany Order 27, Amendment 8, covering dry groceries in certain areas in New York. Filed 10:18 a. m.

Albany Order 28, Amendment 5, covering dry groceries in certain areas in New York. Filed 10:19 a. m.

Albany Order 29, Amendment 4, covering dry groceries in certain counties in New York. Filed 10:20 a. m.

Albany Order 27-W, Amendment 9, covering dry groceries in certain counties in New York. Filed 10:21 a. m.

Albany Order 3-W, Amendment 9, covering dry groceries in certain areas in New York. Filed 10:19 a. m.

Albany Order 4-W, Amendment 3, covering dry groceries in certain areas in New York. Filed 10:14 a. m.

Albany Order 28, Amendment 6, covering dry groceries in certain areas in New York. Filed 10:19 a. m.

Buffalo Order 6-F, Amendment 5, covering fresh fruits and vegetables in Rochester, East Rochester, Fairport and Pittsford, New York. Filed 10:14 a. m.

Newark Order 46, Amendment 6, covering dry groceries in the Trenton area. Filed 10:16 a. m.

Newark Order 47, Amendment 3, covering dry groceries in the Trenton area. Filed 10:15 a. m.

Newark Order 48, Amendment 3, covering dry groceries in the Trenton area. Filed 10:15 a. m.

Newark Order 6-W, Amendment 4, covering dry groceries in the Trenton area. Filed 10:15 a. m.

Syracuse Order 3-C, Amendment 4, covering poultry in certain areas in New York. Filed 10:15 a. m.

Syracuse Order 1-O, covering eggs in certain areas in New York. Filed 10:16 a. m.

Syracuse Order 2-O, covering eggs in certain areas in New York. Filed 10:16 a. m.

Region IV

Birmingham Order 7-O, Amendment 9, covering eggs in Montgomery county, Alabama. Filed 10:23 a. m.

Region VII

Albuquerque Order 42, Amendment 5, covering dry groceries in Northwestern Central and Extreme Southwestern New Mexico area. Filed 10:32 a. m.

Albuquerque Order 43, Amendment 5, covering dry groceries in The Gallup, Albuquerque, Santa Fe, Las Vegas, Raton, Tucumcari & Santa Rosa area. Filed 10:32 a. m.

Albuquerque Order 44, Amendment 6, covering dry groceries in certain areas in New Mexico. Filed 10:32 a. m.

Albuquerque Order 8-W, Amendment 12, covering dry groceries in The Gallup, Albuquerque, Santa Fe, Las Vegas, Raton, Tucumcari and Santa Rosa area. Filed 10:32 a. m.

Albuquerque Order 9-W, Amendment 12, covering dry groceries in certain areas in New Mexico. Filed 10:33 a. m.

Denver Order 82, Amendment 6B, covering dry groceries in the Denver area. Filed 10:29 a. m.

Denver Order 83, Amendment 6B, covering dry groceries in the Colorado Springs-Pueblo-Trinidad area. Filed 10:29 a. m.

Denver Order 85, Amendment 7B, covering dry groceries in Canon City-Lamar-Rocky Ford-Salida area. Filed 10:29 a. m.

Denver Order 86, Amendment 6B, covering dry groceries in the Craig-Leadville area. Filed 10:30 a. m.

Denver Order 88, Amendment 6B, covering dry groceries in the Boulder-Fort Collins-Fort Morgan-Greeley area. Filed 10:30 a. m.

Denver Order 89, Amendment 6B, covering dry groceries in the Burlington-Julesburg-Limon-Sterling area. Filed 10:30 a. m.

Denver Order 92, Amendment 6B, covering dry groceries in the Alamosa-Creede-Monte Vista area. Filed 10:30 a. m.

Denver Order 93, Amendment 5B, covering dry groceries sold by Group 4 Stores in the Group 4 Area No. 1. Filed 10:30 a. m.

Denver Order 94, Amendment 6B, covering dry groceries sold by Group 4 Stores in the Group 4 Area No. 2. Filed 10:31 a. m.

Denver Order 12-W, Amendment 9B, covering dry groceries in the Denver area. Filed 10:31 a. m.

Denver Order 13-W, Amendment 9B, covering dry groceries in the Colorado Springs-Pueblo-Trinidad area. Filed 10:31 a. m.

Region VIII

Los Angeles Order 3-F, Amendments 36 and 37, covering fresh fruits and vegetables in the Los Angeles Metropolitan area. Filed 10:27 a. m.

Los Angeles Order 4-F, Amendment 36, covering fresh fruits and vegetables in the San Bernardino-Riverside area. Filed 10:28 a. m.

Los Angeles Orders 5-F and 6-F, Amendments 36 and 37, covering fresh fruits and vegetables in the Santa Barbara, Ventura and San Luis Obispo areas. Filed 10:28 a. m.

Los Angeles Order 7-F, Amendment 14, covering fresh fruits and vegetables in the City of Bakersfield, in the County of Kern. Filed 10:28 a. m.

Los Angeles Order 7-F, Amendment 15, covering fresh fruits and vegetables in Bakersfield area. Filed 10:28 a. m.

Los Angeles Order 7-F, Amendments 16, 17, and 18, covering fresh fruits and vegetables in the Bakersfield area. Filed 10:29 and 10:27 a. m.

Los Angeles Order 7-F, Amendments 19, 20, and 21, covering fresh fruits and vegetables in the Bakersfield area. Filed 10:27 and 10:26 a. m.

Los Angeles Order 8-F, Amendments 17 and 18, covering fresh fruits and vegetables in the San Diego Metropolitan area. Filed 10:26 a. m.

Los Angeles Order 9-F, Amendments 15, 16, and 17, covering fresh fruits and vegetables in certain areas in California. Filed 10:26 and 10:24 a. m.

Los Angeles Order 10-F, Amendments 16 and 17, covering fresh fruits and vegetables in certain areas in California. Filed 10:24 a. m.

Los Angeles Order L. A. 2-D, Amendment 2, covering butter and cheese in certain counties in California. Filed 10:25 a. m.

Los Angeles Order L. A. 12, Amendment 15, covering dry groceries in the Los Angeles Metropolitan area. Filed 10:24 a. m.

Los Angeles Order L. A. 13, Amendment 11, covering dry groceries in the San Bernardino-Riverside area. Filed 10:24 a. m.

Los Angeles Order 14, Amendment 6, covering dry groceries in the San Diego area. Filed 10:25 a. m.

Los Angeles Order L. A. 14, Amendment 10, covering dry groceries in the Santa Barbara-Ventura area. Filed 10:25 a. m.

Los Angeles Order 15, Amendment 5, covering dry groceries in the Imperial area. Filed 10:25 a. m.

Los Angeles Order L. A. 15, Amendment 10, covering dry groceries in the San Luis Obispo area. Filed 10:25 a. m.

Los Angeles Order 16, Amendment 5, covering dry groceries in the Imperial area. Filed 10:26 a. m.

Los Angeles Order L. A. 16, Amendment 10, covering dry groceries. Filed 10:25 a. m.

Los Angeles Order L. A. 17, Amendment 10, covering dry groceries. Filed 10:25 a. m.

Los Angeles Order 35, Amendment 7, covering dry groceries in Kern County. Filed 10:37 a. m.

Los Angeles Order 36, Amendment 3, covering dry groceries in Kern County. Filed 10:37 a. m.

Los Angeles Order L. A. 1-W, Amendment 11, covering dry groceries. Filed 10:25 a. m.

San Francisco Order 23-F, Amendments 4 and 5, covering fresh fruits and vegetables in certain cities, towns and counties in California. Filed 10:24 and 10:22 a. m.

San Francisco Order 26-F, Amendments 1 and 2, covering fresh fruits and vegetables in certain areas in California. Filed 10:22 a. m.

San Francisco Order 27-F, Amendments 1 and 2, covering fresh fruits and vegetables in certain areas in California. Filed 10:22 a. m.

San Francisco Order 33, Amendment 3, covering dry groceries in certain areas in California. Filed 10:22 a. m.

San Francisco Order 36, Amendment 2, covering dry groceries in certain areas in California. Filed 10:23 a. m.

Spokane Order 20-F, Amendment 4, covering fresh fruits and vegetables in

Spokane county, Washington, and Kootenai county, Idaho. Filed 10:23 a. m.

Spokane Order 20-F, Amendments 5 and 6, covering fresh fruits and vegetables in Spokane county, Washington, and Kootenai county, Idaho. Filed 10:34 a. m.

Spokane Order 21-F, Amendments 4, 5, and 6, covering fresh fruits and vegetables in Shoshone and Kootenai counties, Idaho. Filed 10:35 a. m.

Spokane Order 22-F, Amendments 4, 5, and 6, covering fresh fruits and vegetables in Latah county, Idaho and Whitman county, Washington. Filed 10:35 a. m.

Spokane Order 23-F, Amendments 4, 5, and 6, covering fresh fruits and vegetables in Asotin county, Washington, and Nez Perce county, Idaho. Filed 10:36 and 10:33 a. m.

Spokane Order 24-F, Amendments 4 and 5, covering fresh fruits and vegetables in Columbia, Walla Walla, Benton and Franklin Counties, Washington. Filed 10:33 and 10:34 a. m.

Spokane Order 50, covering dry groceries sold by Groups 3 and 4 stores in the Spokane county area. Filed 10:34 a. m.

Spokane Order 51, covering dry groceries in certain areas in Washington. Filed 10:36 a. m.

Spokane Order 53, covering dry groceries in certain areas in Washington. Filed 10:37 a. m.

Spokane Order 54, covering dry groceries in the cities of Clarkston, Washington and Lewiston, Idaho. Filed 10:37 a. m.

Spokane Order 55, covering dry groceries in the cities of Moscow, Idaho and Pullman, Washington. Filed 10:37 a. m.

Spokane Order 9-W, covering dry groceries in the cities of Spokane, Spokane

county, Washington, and Wallace, Shoshone county, Idaho. Filed 10:38 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-3851; Filed, Mar. 8, 1946;
4:56 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. SA-115]

ACCIDENT OCCURRING NEAR SAN DIEGO,
CALIF.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry No. NC 21799 which occurred near San Diego, California on March 3, 1946.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Friday, March 15, 1946, at 9:30 a. m. (local time) at U. S. Customs House and Court House, U. S. District Court Room, 325 West F Street, San Diego, California.

Dated at Washington, D. C., March 11, 1946.

W. K. ANDREWS,
Presiding Officer.

[F. R. Doc. 46-3899; Filed, Mar. 11, 1946;
11:03 a. m.]