

FEDERAL REGISTER, Saturday, July 4, 1942

PART 1099—BEDS, SPRINGS AND MATTRESSES
[Amendment 2 to General Limitation Order L-49]

Section 1099.1 (*General Limitation Order L-49*)¹ is hereby amended in the following particulars:

Paragraph (a) is hereby amended to read as follows:

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

(1) "Bedding products" means the following: coil, flat, box and fabric bed-springs (whether or not they are integral parts of beds or other sleeping equipment); innerspring mattresses and pads; studio couches, sofa beds and lounges designed for dual sleeping and seating purposes.

(2) "Base period" means the twelve months period ending June 30, 1941.

(3) "Iron and steel used" means the aggregate weight of iron and steel contained in a finished product.

(4) "Manufacturer" means any person who manufactures or assembles bedding products or parts made specifically for incorporation into bedding products.

Paragraph (b) is hereby amended by adding at the end thereof the following new subparagraphs:

(11) During the period from July 1, 1942 to July 31, 1942, inclusive, no manufacturer of coil, flat and fabric bed-springs shall use more iron and steel in his aggregate production of coil, flat and fabric bed-springs than 65% of the average monthly amount of iron and steel in the aggregate used by such manufacturer in the production of coil, flat and fabric bed-springs during the base period.

(12) During the period from July 1, 1942 to July 31, 1942, inclusive, no manufacturer of box bedsprings shall use more iron and steel in the production of box bedsprings than 65% of the average monthly amount of iron and steel used by such manufacturer in the production of box bedsprings during the base period.

(13) During the period from July 1, 1942 to July 31, 1942, inclusive, no manufacturer of studio couches, sofa beds and lounges designed for dual sleeping and seating purposes shall use more iron and steel in his aggregate production of studio couches, sofa beds and lounges designed for dual sleeping and seating purposes than 65% of the average monthly amount of iron and steel in the aggregate used by such manufacturer in the production of studio couches, sofa beds and lounges designed for dual sleeping and seating purposes during the base period.

Subparagraphs (b) (4) and (b) (10) are hereby amended by substituting the words "bedding products" for the words "Group I or Group II products" wherever they appear.

Subparagraphs (b) (8), (b) (9) and (b) (10) are hereby amended by striking therefrom the words "(whether Class A, Class B or Class C)" wherever they appear.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O.

9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6310; Filed, July 3, 1942;
11:16 a. m.]

PART 1299—SUNN HEMP AND SUNN HEMP PRODUCTS
[Conservation Order M-187]

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

§ 1299.1 *Conservation Order M-187*—

(a) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith in which case the provisions of this order shall govern.

(b) *Additional definitions.* As used in this order:

(1) "Sunn hemp" means fibers of the crotalaria or hibiscus variety, including but not limited to, Benares hemp, Bengal hemp and Madras hemp, grown in India, or fibers of the same type wherever grown.

(2) "Marine oakum" means a material for caulking ships, processed from sunn hemp or a combination of sunn hemp and other material, but with a fiber content of not less than 75% by weight of sunn hemp.

(3) "Processor" means any person who processes sunn hemp for the manufacture of marine oakum.

(4) "Damaged sunn hemp" means sunn hemp certified as damaged in applicable writings, which shall be deemed to be representations to the War Production Board, signed by representatives of the insurance company or companies required to meet the claim because of the damage involved, and by representatives of at least two processors, not connected with the person possessing the sunn hemp involved, certifying that the sunn hemp is unfit for the manufacture of marine oakum.

(5) "Full bale unbroken" means the original shipping bale which has not been opened except for the purpose of sampling.

(c) *Uses of sunn hemp.* No person shall use or put into process any sunn hemp for any use other than the manufacture of marine oakum: *Provided, however,* That this restriction shall not apply to:

(1) Other than full bales unbroken on July 3, 1942.

(2) 10 or less full bales unbroken on the bales possessed by any person on July 3, 1942.

(3) The manufacture of any product, or any component to be physically incorporated into such product, produced by or for the account of the United States Army, Navy or Maritime Commission, but only in the amounts and to the extent required by the specifications, including performance specifications, applicable to the particular contract, subcontract or purchase order of the United States Army, Navy or Maritime Commission.

(d) *Deliveries of sunn hemp or marine oakum.* (1) No person shall sell or deliver, directly or indirectly, any sunn hemp or marine oakum unless to fill purchase orders placed by or for the account of:

(i) Any processor as defined in paragraph (b) (3).

(ii) Any person for manufacture pursuant to paragraph (c) (3).

(iii) The Board of Economic Warfare, the Defense Supplies Corporation or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended.

(iv) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics and the Office of Scientific Research and Development.

(v) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown, Colonies and Protectorates, and Yugoslavia; or, on purchase orders placed by any agency of the United States Government, the government of any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(vi) Any person for use on vessels engaged in the carriage of cargo, as common carriers of passengers, in towage, in lighterage, in fishing for commercial fish markets or canneries, or for use in ship building.

(2) No person prohibited under paragraph (c) from using or putting into process any sunn hemp shall refuse to accept and fill purchase orders of the kind described in paragraph (d) (1) to the extent of his holdings of sunn hemp prohibited from use, provided such purchase orders are at regularly established prices and terms of sale or payment.

(e) *Inventories of sunn hemp or marine oakum.*

(1) No person shall put sunn hemp into process in an amount which will result in an inventory of marine oakum in excess of a 60 day supply, or of a practicable minimum working inventory, reasonably necessary to meet deliveries of marine oakum on the basis of his current method and rate of operation, whichever supply is greater.

(2) No person shall knowingly deliver sunn hemp and no person shall accept delivery thereof if the inventory of the person accepting delivery, based on the scheduled date of arrival, will exceed a 120 day supply of sunn hemp based on his current method and rate of operation.

(3) No person shall knowingly deliver marine oakum and no person shall accept delivery thereof if the inventory of the person accepting delivery, based on the scheduled date of arrival, will exceed a 60 day supply of marine oakum based on his current method and rate of operation.

(f) *Certifications.* (1) No person shall knowingly deliver sunn hemp unless the person requesting delivery shall furnish a certificate, signed by a duly authorized official, in substantially the following form:

The undersigned hereby certifies to the vendor and the War Production Board that the undersigned is familiar with the terms of Conservation Order M-187, that he is authorized thereunder to accept delivery of sunn hemp, that he will use same only for the uses permitted under the order, and that delivery thereof, based on the scheduled date of arrival, will not result in an inventory in excess of a 120 day supply of sunn hemp based on his current method and rate of operation.

(2) No person shall knowingly deliver marine oakum unless the person requesting delivery shall furnish a certificate, signed by a duly authorized official, in substantially the following form:

The undersigned hereby certifies to the vendor and the War Production Board that the undersigned is familiar with the terms of Conservation Order M-187, that he is authorized thereunder to accept delivery of marine oakum, that he will use same only for the uses permitted under the order, and that delivery thereof, based on the scheduled date of arrival, will not result in an inventory in excess of a 60 day supply of marine oakum based on his current method and rate of operation.

(3) The vendor shall be entitled to rely on such certification unless he knows or has reason to believe it to be false.

(g) *General exceptions.* The restrictions of this order shall not apply to:

(1) The importation of sunn hemp or marine oakum.

(2) Any person whose interest in the particular sunn hemp or marine oakum is solely in its transportation or public warehousing or the discharge of applicable shipping or security documents.

(3) Any of the United States Government departments, agencies or corporations or the government of any of the countries described in paragraph (d) (v).

(4) Damaged sunn hemp as defined in paragraph (b) (4), provided any person possessing damaged sunn hemp shall file with the War Production Board on or before the third business day following its sale, delivery or use, a certificate, signed by a duly authorized official, in substantially the following form:

The undersigned hereby certifies to the War Production Board that _____ bales of sunn hemp, bales Nos. _____ ex _____ (ship), which arrived at _____ (port),

on _____ (date), have been deemed to be damaged by representatives of the insurance company or companies required to meet the claim because of the damage involved and by representatives of at least two processors, not connected with the person possessing the sunn hemp involved, certifying that the sunn hemp is unfit for the manufacture of marine oakum, as evidenced by their attached applicable writings.

(h) *Reports and communications.*

(1) Each processor shall file with the War Production Board on or before July 30, 1942, a report showing the amount of sunn hemp purchased by him and the amount of sunn hemp processed by him during each of the years 1939, 1940, 1941, and the amount of marine oakum delivered by him in each month of 1941.

(2) Each person participating in any transaction involving sunn hemp or marine oakum shall execute and file with the War Production Board such reports and questionnaires as may be requested by the Board from time to time.

(3) All reports required to be filed under, and all communications concerning, this order shall be addressed to War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Ref.: M-187.

(i) *Records and inspection.* (1) Each person participating in any transaction involving sunn hemp or marine oakum shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production, sales and transactions in such material.

(2) All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Appeals.* Any person affected by the order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(k) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.).

Issued this 3d day of July 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-6312; Filed, July 3, 1942; 11:17 a. m.]

PART 3009—CATTLE HIDES, CALF AND KIP SKINS

[Conservation Order M-194]

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

§ 3009.1 Conservation Order M-194—

(a) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

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

(1) "Cattle hides" mean the hides or skins of bulls, steers, and cows, whether native or branded, foreign or domestic, including calf and kip skins (but excluding slunks) and shall also include buffalo hides.

(2) "Tanner" means any person who during the preceding three years has tanned, or who during the operation of this order tans, more than 100 cattle hides during any one calendar month either for his own account or on contract for others.

(3) "Contractor" means any person who during the preceding three years has caused, or who during the operation of this order causes, more than 100 cattle hides during any one calendar month to be tanned for his account by others.

(4) "Processor" means any person who during the preceding three years has converted, or who during the operation of this order converts, more than 100 cattle hides during any one calendar month into a product or products other than leather.

(5) "Producer" means any person who takes off cattle hides in the United States.

(6) "Collector" means a dealer, importer or any other person who during the preceding three years has collected, or who during the operation of this order collects, more than 500 cattle hides during any one calendar month from producers or other collectors for resale to tanners, contractors, or other collectors.

(7) "Purchase" includes the making of an agreement to purchase.

(c) *Restrictions on the purchase, sales and delivery of cattle hides.* (1) No tanner, processor or contractor, or agent or broker therefor, shall purchase or accept delivery of any cattle hides sold or taken off subsequent to July 2, 1942, unless specifically authorized by the Director of Industry Operations as hereinafter provided in subparagraph (2) and no person shall sell or deliver any hides purchased or taken off subsequent to said date to any tanner, processor or contractor, or agent or broker therefor,

unless such tanner, processor or contractor has been expressly authorized to purchase or receive such hides.

(2) Applications for authorization to purchase or accept delivery of cattle hides required by paragraph (1) above shall be made by tanners, processors and contractors on Forms PD 569, PD 569A stating the quantities, classes, selections and weights desired and the types of leather or other products to be produced. Such applications shall also state substitutable classes, selections and weights in the event that the requested hides cannot be allocated. The applications shall also contain such additional information as to inventories, capacity, and other matters as may be required by said forms.

Each application for imported cattle hides the importation of which is restricted by General Imports Order M-63 shall be accompanied by properly executed copies of all forms required by the Defense Supplies Corporation to authorize the purchase of foreign hides for its account.

Said applications shall be filed by such persons, on such dates and shall cover such periods as may be required by orders of the Director of Industry Operations supplemental to this order.

The Director of Industry Operations shall take such action upon all applications as he may deem necessary in the public interest and to promote the national defense.

In making allocations from the available supply of cattle hides an allocation will be made to each tanner, processor or contractor in an amount equal to the proportion of the total wettings of cattle hides during the year ended June 30, 1941 by or for the account of such tanner, processor or contractor. *Provided, however,* That increased allocations may be made to tanners, processors and contractors who have purchase orders for leather to be physically incorporated into mechanical leather products, or into shoes, accoutrements and other articles to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development, or any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), to the extent necessary to enable such tanners, processors and contractors to fill such orders. Where such increased allocations result in depleting the supply of hides of a particular class and selection which would ordinarily be available to other tanners, processors and contractors, equitable adjustments may be made in the allocation of hides of other classes and selections so as to provide such tanners, processors and contractors with hides substitutable, as nearly as may be, for those hides used to make the aforesaid increased allocations. Specific allocations of cattle hides may be made by the Director of Industry Operations from

time to time to tanners or processors who have not received permission to purchase hides by reason of lack in whole or in part of a prior purchase record and who establish that the tanning or processing of cattle hides by them is appropriate in the public interest and will promote the national defense.

Tanners, processors and contractors who secure authorization to purchase or accept delivery of cattle hides may execute such authorization through agents or brokers, if they so desire.

(d) *Restrictions on the use of cattle hides.* (1) No tanner, processor or contractor shall tan or process or cause to be tanned or processed any cattle hides purchased after July 2, 1942 or taken off after said date except into the types of leather or other product stated in his application for authorization to purchase or accept delivery of the same unless in the judgment of a qualified export who inspects said hides after they have been delivered and before tanning or processing has begun, or during the course of such tanning or processing, said hides or any part thereof are not suitable for such purpose. A certificate by said expert covering all hides diverted during any month from the purposes originally stated in the application for authorization shall be furnished to the Director of Industry Operations on or before the tenth day of the succeeding month. Said expert may be regularly in the employ of the tanner, processor or contractor, but must be approved in writing by the Director of Industry Operations.

(2) A tanner, processor or contractor may apply by letter to the Director of Industry Operations for permission to sort out any cattle hides which in the judgment of the aforesaid expert will not produce the type of leather or other product he wishes to make and to sell such hides to another tanner or processor who has authority to purchase the same.

(3) The Director of Industry Operations may direct any tanner or processor to hold any cattle hides (whether or not purchased pursuant to this Order) and ship the same to another tanner or processor who may be better able to tan or process the hides into types of leather or other product for which they are suitable.

(e) *Reports.* (1) Each producer who during the preceding three years has produced, or who during the operation of this order produces, more than 500 cattle hides (other than calf or kip skins) during any one calendar month or more than 200 calf or kip skins during any one calendar month, shall report on Forms PD569C, PD569D to the War Production Board on or before the tenth day of each month all cattle hides taken off during the preceding month, those sold during the month, shipped and unshipped, and the unsold and on hand balance as of the end of the month, wherever stored.

(2) Each collector who during the preceding three years has acquired, or who during the operation of this order ac-

quires more than 500 cattle hides (other than calf or kip skins) during any one calendar month or more than 200 calf or kip skins during any one calendar month shall report to the War Production Board on Forms PD569C, PD569D on or before the tenth day of each month all cattle hides acquired by him during the preceding month (including those in transit, on contract or purchased), cattle hides sold during said month, shipped and unshipped, and the balance unsold as of the last day of the month (including those in transit, on contract, purchased, or in storage).

(3) Each tanner or processor who during the preceding three years has tanned or processed, or who during the operation of this order tans or processes, more than 100 cattle hides (other than calf or kip skins) during any one calendar month or more than 100 calf or kip skins during any one calendar month shall report to the War Production Board on Forms PD-569, PD569A on or before the tenth day of each month with regard to the number of cattle hides tanned or processed during the preceding month, sales of cattle hides sold during said month, shipped and unshipped, and the amount of hides in his possession as of the last day of the month or in transit, on contract, purchased, or in storage. Tanners and processors having contracts to tan or process hides for others (including collectors and producers) shall include in such reports the names and addresses of such other persons and the number and types of hides covered by each of said contracts.

(4) All persons affected by this order shall execute and file with the War Production Board such other reports and questionnaires as may be required by said Board from time to time.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of cattle hides, calf and kip skins conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by letter or telegram, Reference M-194, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(h) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this Order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Ref.: M-194.

(i) *Violations.* Any person who wilfully violates any provision of this order

or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of Priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6313; Filed, July 3, 1942;
11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Regulation 6]

PROCEDURE FOR THE ADJUSTMENT OF MAXIMUM PRICES FOR COMMODITIES OR SERVICES UNDER GOVERNMENT CONTRACTS OR SUBCONTRACTS

Pursuant to the authority of sections 201 (d) and 203 (a) of the Emergency Price Control Act of 1942 (Public. No. 421, 77th Cong., 2d Sess., Jan. 30, 1942), the following rules are hereby prescribed for the adjustment of maximum prices established by the Office of Price Administration for commodities or services which are essential to the war program and which are or will be the subject of Government contracts or subcontracts:

§ 1300.401 *Right to apply for adjustment.* Any person who has entered into or proposes to enter into a Government contract or a subcontract under any such contract, who believes that an established maximum price impedes or threatens to impede production of a commodity or supply of a service which is essential to the war program and which is or will be the subject of such contract or subcontract may apply for adjustment of that maximum price in the manner set forth below.

Any Government agency may appear as an interested party in the case of any such application.

After an application has been filed and pending the issuance of an order granting or denying the application, the applicant may enter into or offer to enter into contracts and may make deliveries at the price requested in the application. If the order issued denies the application in whole or in part, the contract price shall be revised downward to the maximum price ordered, and if any payment has been made at the requested price, the applicant may be required to refund the excess. If a request for review is filed by the applicant in accordance with § 1300.406 of this Procedural Regulation No. 6, the applicant, pending action by

the Administrator, may enter into or offer to enter into contracts and may make deliveries at the price requested in the application. If the order issued by the Administrator denies the application in whole or in part, the contract price shall be revised downward to the maximum price ordered, and if any payment has been made at the requested price, the applicant may be required to refund the excess.

§ 1300.402 *Form of application.* An application for adjustment shall be made on Form OPA-6PR-1 set out in Appendix A, incorporated as § 1300.412 of this Procedural Regulation No. 6, and a separate form shall be filed for each commodity or service. Such forms may be obtained from any field office of the Office of Price Administration or may be copied by the applicant from Appendix A.

§ 1300.403 *Application must be verified.* An application for adjustment shall be signed by the applicant and shall contain a statement, signed and sworn to by the applicant, that the statements made in the application are known by him to be true and correct.

§ 1300.404 *Place for filing application and number of copies.* An original and two copies of an application for adjustment may be filed either with the appropriate Regional Office of the Office of Price Administration, or with the Office of Price Administration, Washington, D. C. Any application made with respect to a contract entered into or proposed to be entered into (a) with the Department of the Navy, the total value of which exceeds \$200,000, (b) with the War Department, the total value of which exceeds \$5,000,000, (c) with any agency of the United States other than the War Department or the Department of the Navy, or (d) with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or with any agency of any such Government, shall be filed with the Office of Price Administration, Washington, D. C. Any application filed in Washington, D. C., may be transmitted by the Office of Price Administration to the appropriate Regional Office for action by that Office. A list of the Regional Offices with an enumeration of the states included in each region is set forth in Appendix B, incorporated as § 1300.413 of this Procedural Regulation No. 6.

§ 1300.405 *Action by regional offices.* After due consideration, the Regional Office may, by order, grant, in whole or in part, or deny any application for adjustment which is properly pending before it. The decision of the Regional Office shall be accompanied by a statement of the reasons for its action. In cases of unusual difficulty or importance, the Regional Office shall refer the application for decision to the Administrator in Washington, D. C.

§ 1300.406 *Review by administrator.* Any applicant whose application for adjustment has been denied in whole or in

part by the Regional Office may, within fifteen days after the date on which such order of denial was mailed to him, file with the Regional Office a request for review by the Administrator of the order of denial. Requests for review shall be filed on Form OPA-6PR-2, set out in Appendix C, incorporated as section 1300.414 of this Procedural Regulation No. 6. Such form may be obtained from any field office of the Office of Price Administration or may be copied by the applicant from Appendix C.

§ 1300.407 *Action by administrator.* After due consideration, the Administrator may, by order, grant, in whole or in part, or deny any application for adjustment which

(a) is properly before the Administrator on request for review of action by a Regional Office;

(b) is filed with the Office of Price Administration, Washington, D. C., and not transmitted to a Regional Office for action, or

(c) is filed with the appropriate Regional Office but is referred for decision to the Administrator by that Office. The decision of the Administrator shall be accompanied by a statement of the reasons for his action.

§ 1300.408 *Protest of denial of application.* Any applicant whose application for adjustment is denied in whole or in part by the Administrator may, within sixty days after the issuance of the Administrator's order finally denying such application, file a protest against such order in accordance with the provisions of Procedural Regulation No. 1 (7 F.R. 971).

§ 1300.409 *Amendment of this regulation.* Any provision of this Procedural Regulation No. 6 may be amended or rescinded by the Administrator at any time. Such amendment or rescission shall be published in the FEDERAL REGISTER and shall take effect from the date of its publication, unless otherwise specified therein.

§ 1300.410 *Definitions.* As used in this Procedural Regulation No. 6, the terms:

(a) "Administrator" means the Price Administrator of the Office of Price Administration, Washington, D. C., or such person as he may appoint or designate to carry out any of his duties.

(b) "Government contract" means any contract with the United States or any agency thereof or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or with any agency of any such Government.

(c) "Appropriate Regional Office" means:

(1) If the application for adjustment is made with respect to a contract entered into or proposed to be entered into with the War Department or the Department of the Navy, the Regional Office of the Office of Price Administration for the

region in which is located the field purchasing office or depot of the War Department, or the naval purchasing office with which the applicant is negotiating or expects to negotiate.

(2) If the application for adjustment is made with respect to a subcontract under a Government contract, the Regional Office of the Office of Price Administration (i) for the region in which is located the plant of the applicant in which the commodity involved is or will be produced or in which the service involved is or will be supplied or (ii) if such plants are located in more than one region, for any region in which any such plant is located.

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

(e) "FEDERAL REGISTER" means the publication provided for by the Act of July 26, 1935 (49 Stat. 500), as amended.

§ 1300.411 Effective date. This Procedural Regulation shall become effective July 3, 1942.

Issued this 1st day of July 1942.

LEON HENDERSON,
Administrator.

§ 1300.412 Appendix A: Form OPA-6
PR-1.

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

Form OPA-6PR-1

Application for Adjustment of Maximum Prices for Commodities or Services Under Government Contracts or Subcontracts

NOTES: (1) Unless otherwise indicated, "commodity" refers to a particular size and specification and the applicant shall submit separate forms for commodities of varying specifications.

(2) A separate form should be filed for each commodity or service. If application is made with respect to a commodity or service, which is or will be subject to several contracts, submit, on extra sheets, answers to questions I-2a, I-2b, and I-2c for each contract.

(3) The term "contract" includes purchase orders, letters of intent, or other arrangements not yet completed.

(4) One original and two copies of the form, and of all supplementary statements, must be filed.

here-
(Applicant)

by makes application to the Office of Price Administration, pursuant to Procedural Regulation No. 6, for adjustment of the maximum price established for the particular commodity or service described below, which is or will be the subject of Government contracts or subcontracts.

The following facts are furnished to the OPA in support of this application:

Name of company _____

Address _____

(Street) (City) (State)

1. Description of Commodity or Service and Contract on which Adjustment is Sought:

1. Brief description of commodity or service (indicate unit of measure): _____

2 (a) Serial number or other identification of contract, giving name and address of purchaser or prospective purchaser:
(1) Identification of contract _____
(2) Name of purchaser _____
(3) Address of purchaser _____

(Street) (City) (State)
(b) If price adjustment is sought with respect to deliveries under existing contracts, submit:

1. Date of contract _____
2. Estimated date of completion _____

3. Total quantity of commodity or service contracted for _____

4. Total quantity of commodity or service remaining to be delivered or supplied _____
(c) If price adjustment is sought for a proposed contract, submit:

1. Final delivery date to be stipulated by proposed contract _____
2. Estimated date at which deliveries will begin _____

3. Total quantity of commodity or service to be contracted for _____

4. Value of contract (proposed unit price times quantity) _____

(d) If contract is a subcontract, submit serial number or other identification of prime contract, whether or not there are intermediate subcontracts _____
3. Established maximum price per unit, pursuant to Maximum Price Regulation No. _____ (Indicate unit)

4. Requested unit price _____
5. Give names and addresses of the plants of the applicant in which the commodity or service is being or will be produced or supplied _____

II. Importance of Commodity or Service in Company's Operations:

Sales of particular commodity or service involved		Total company sales
Units	Dollars	Dollars

1. Actual sales for 1941 _____
2. Actual sales Jan. 1, 1942, to _____ 1942.
(present date)
3. Estimated sales Jan. 1, 1942 to Dec. 31, 1942, assuming price adjustment requested is granted for the particular commodity or service involved.

III. Unit Costs of Commodity or Service: General. Explain on a separate sheet (in triplicate) attached to this form, the items included in Lines 3 and 4 of Columns I and II and the basis of allocation of such items of cost to the commodity or service involved. Under no circumstances are Income and Excess Profits Taxes to be included as costs.

Column I. (a) In this column give actual cost data if available. Actual cost data for the most recent quarter will be acceptable. If no actual cost data are available, give estimates as to current costs. Indicate, however, by encircling the appropriate figures where estimates are being employed. Both actual and estimated cost data should be based upon total sales of the particular commodity or service involved and not merely upon sales under the particular contract involved.

(b) Direct materials. In computing cost of direct materials, use costs as shown on your books. If material cost is estimated,

use the same method in which your books are kept.

(c) Direct Labor. State cost of direct or production labor following the classifications in your own records; and for each classification; use actual wages of men employed on the job, or if not practicable, base cost on departmental or shop average wage rates for each classification.

(d) Other Manufacturing Costs. These costs should be stated in accordance with the method of allocation established in your company.

Column II. (a) In this column give estimated costs of producing the commodity or supplying the service for the remainder of 1942. These estimates should be based upon total volume of that commodity or service for the remainder of 1942, assuming price adjustment requested is granted.

(b) In submitting data for the remainder of 1942, compute cost estimates in accordance with the principles indicated in the above instructions for filling in Column I.

	I Current costs	II Estimated costs remainder of 1942
1. Direct materials	_____	_____
2. Direct labor	_____	_____
3. Other manufacturing costs	_____	_____
4. Other expenses	_____	_____
5. Total cost	_____	_____
6. Number of units on which cost computation is based	_____	_____
7. Period used for current costs	_____	***

IV. Submit, in triplicate, a detailed explanation of the reasons for requesting price adjustment, including a detailed justification for any anticipated increased costs reported in Column II above together with a separate showing of the effect on unit costs of each such increase.

V. State whether the applicant has entered into, or will enter into, a government contract or subcontract, or will make deliveries, at the requested unit price—pursuant to Procedural Regulation No. 6—pending final action by the Office of Price Administration. Yes () No ().

VI. Submit the following:

1. Balance Sheets as of the close of:
1. 1936 through 1941 (fiscal or calendar years).
2. Most recent accounting period.
- B. Income Statements for:
1. 1936 through 1941 (fiscal or calendar years).
2. Most recent accounting period.

Instructions: (1) Income statements must show: (a) net sales (b) cost of commodities and/or services sold, stating separately, total direct labor costs, total direct material costs, and total other manufacturing costs (c) general and administrative expenses, segregating compensation to officers and directors, and (d) net profits before income and excess profits taxes. All charges to operations representing accumulations of reserves must be shown in detail on the statements.

(2) If this application is submitted to the National Office of OPA, the applicant need not file with the application any required financial data which were previously submitted on Form A—Annual Financial Report—or Form B—Interim Financial Report—issued by the Office of Price Administration.

Applicant
By _____
Title _____

AFFIDAVIT

STATE OF _____

County of _____ ss:

The undersigned, _____, being first duly sworn according to law, on oath deposes and says: that he is the person whose name appears subscribed to the above Application for Adjustment; and that he has read the same and knows to his own knowledge that the facts contained therein are true and correct.

Signature

Subscribed and sworn to before me this _____ day of A. D. 1942.

Officer Administering Oath

§ 1300.413 Appendix B: Regional offices and States and Territories covered.

Region I. Boston Regional Office, 17 Court Street, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut.

Region II. New York Regional Office, 350 Fifth Avenue, New York, New Jersey, Pennsylvania, Delaware, Maryland, and District of Columbia.

Region III. Cleveland Regional Office, 263 Union Commerce Building, Ohio, Michigan, Indiana, Kentucky, and West Virginia.

Region IV. Atlanta Regional Office, Candler Building, Peachtree Street, Georgia, Alabama, Mississippi, Florida, Tennessee, North Carolina, South Carolina, and Virginia.

Region V. Dallas Regional Office, Federal Union Building, Texas, Oklahoma, Louisiana, Missouri, Arkansas, and Kansas.

Region VI. Chicago Regional Office, 2301 Civic Opera Building, 20 North Wacker Drive, Illinois, Wisconsin, Iowa, Minnesota, North Dakota, South Dakota, and Nebraska.

Region VII. Denver Regional Office, 334 U. S. National Bank Building, Colorado, New Mexico, Utah, Idaho, Montana, and Wyoming.

Region VIII. San Francisco Regional Office, 1355 Market Street, California, Nevada, Arizona, Oregon, and Washington.

Region IX. Territorial Office, Office of Price Administration, Washington, D. C., Alaska, Puerto Rico, Virgin Islands, Canal Zone, and Hawaii.

§ 1300.414 Appendix C: Form OPA-6PR-2.

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

Form OPA-6PR-2

(To be filed with the appropriate Regional Office)

Request for Review of the Order Denying Application for Adjustment

an application for adjustment of a maximum price pursuant to Procedural Regulation No. 6 of the Office of Price Administration, hereby requests the Price Administrator, Washington, D. C., to review an order of denial of such application for adjustment entered by the _____ Regional Office and mailed to the applicant on _____, 194____.

The applicant's objections to such order of denial are as follows: _____

(Applicant should

state briefly and concisely, and separately number, his objections.)

(Applicant)

By _____

(Title)

[F. R. Doc. 42-6316; Filed, July 3, 1942; 11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Revised Supplementary Regulation 4¹ to General Maximum Price Regulation²]

EXCEPTION FOR CERTAIN BEEF, VEAL, ETC.

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

A new subparagraph (16) is added to § 1499.29:

§ 1499.29 Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries. (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

(16) Sales or deliveries to the Armed Forces of the United States or the Federal Surplus Commodities Corporation of beef and veal, or any products made or derived therefrom, under contracts entered into before July 13, 1942.

(d) (2) Amendment No. 1 (§ 1499.29 (a) (16)) to Supplementary Regulation No. 4 to the General Maximum Price Regulation shall become effective as of July 1, 1942.

Issued this 2d day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6283; Filed, July 2, 1942; 5:05 p. m.]

Chapter XV—Board of War Communications
(Order No. 8-A)

PART 1707—CLOSURE OF DOMESTIC RADIO-TELEGRAPH CIRCUITS

MISCELLANEOUS EXEMPTIONS

Whereas, pursuant to Order No. 8³ (§ 1707.1) of the Board of War Communications, the Federal Communications Commission has recommended that certain fixed public point-to-point radio-telegraph circuits within the United

¹ 7 F.R. 3724, 3942, 4410, 4488, 4543, 4660, 4740.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738.

³ 7 F.R. 4183.

States be exempted from the closure provisions of Order No. 8;

It is hereby ordered. That the point-to-point radio-telegraph circuits described below be, and they are hereby, exempted from the closure provisions of Order No. 8;

§ 1707.2 Exemptions—(a) R. C. A. Communications, Inc. (1) Between New York, N. Y. and San Francisco, California.

(2) Ultra-high frequency control circuit between New York, N. Y. and New Brunswick, New Jersey;

(b) Mackay Radio and Telegraph Companies (California and Delaware). (1) Between New York, N. Y. and San Francisco, California.

(2) Ultra-high frequency control circuit between New York, N. Y. and Brentwood, Long Island.

(3) Ultra-high frequency control circuit between Brentwood, Long Island and Southampton, Long Island.

(4) Ultra-high frequency control circuit between Southampton, Long Island and Amagansett, Long Island.

(5) Ultra-high frequency control circuit between San Francisco, California and Palo Alto, California;

(c) Tropical Radio Telegraph Company. (1) Between Hingham, Massachusetts, and Miami, Florida.

(2) Between Miami, Florida and New Orleans, Louisiana.

(3) Between Hingham, Massachusetts and New Orleans, Louisiana.

Provided, however. That the circuits designated in paragraphs (a), (b), and (c) shall be operated only for the domestic portion of the haul of messages of foreign origin or destination, or for the transmission of service messages under such regulations as the Director of Censorship may prescribe;

Provided further. That all outbound foreign messages, and all service messages between domestic points, handled over the foregoing circuits shall be submitted to censorship at the first point of radio transmission within the United States, and all transit and inbound foreign messages handled over such circuits shall be submitted to censorship at the first point of radio reception within the United States.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS.
JAMES LAWRENCE FLY, Chairman.

Attest: June 25, 1942.

HERBERT E. GASTON,
Secretary.

[F. R. Doc. 42-6306; Filed, July 3, 1942; 10:47 a. m.]

[Order No. 8-B]

PART 1707—CLOSURE OF DOMESTIC RADIO-TELEGRAPH CIRCUITS

EXEMPTION FROM CLOSURE OF RADIOTELEGRAPH CIRCUITS OF PRESS WIRELESS, INC.

Whereas pursuant to Order No. 8⁴ of the Board of War Communications, the

⁴ 7 F.R. 4183.