

tered into between the Secretary of the Interior and the President of the United Mine Workers of America dated November 3, 1943, or in accordance with the provisions of a legal wage agreement substantially similar thereto.

(2) Where the mine is operating on a six-day work week basis.

(3) If the mine has not, subsequent to November 30, 1943, been granted any adjustment of maximum prices either individually, as one of a group or on a district-wide basis.

(4) If the producer has filed an application for adjustment on OPA Form No. 653-632 (or on OPA Form No. 653-572 where his mine's daily capacity is less than 50 tons) simultaneously with OPA Form No. 653-638 by sending an original and one copy of both such forms by registered mail to the Secretary, Office of Price Administration, Washington 25, D. C.

(5) If the producer has notified the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C. by telegraph of the amount of the price adjustment computed on Form No. 653-638, prior to charging such adjustment.

(6) If the producer includes a statement on each invoice rendered during the period the temporary relief is in effect that the amount charged includes a temporary adjustment computed on OPA Form No. 653-638 and shows the amount per ton so added.

As soon as the producer has mailed such forms by registered mail and has given notice by telegraph he may add the amount of the adjustment properly computed on Form No. 653-638 uniformly to all of his maximum prices regardless of size, use or method of shipment until advised to the contrary by the Office of Price Administration or until advised of action on his application.

In the event it appears that the computation on OPA Form No. 653-638 was improperly made or that the adjustment was excessive in amount that fact will be taken into consideration by the Price Administrator in acting upon the application or in the maximum prices subsequently effective. Computations made on a basis other than that provided in OPA Form No. 653-638, or failure to comply with any other provision of this paragraph (e), will be considered an evasion of this regulation and will be subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

This amendment shall become effective December 3, 1943.

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 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19367; Filed, December 3, 1943; 4:39 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C, Amdt. 87]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

1. Section 1394.7551 (a) (10) is amended by deleting the phrase "exchange certificates on Form OPA R-548 issued by a Board in return for other evidences received."

2. Section 1394.7551 (a) (51) is added to read as follows:

(51) "Folder" means an identification folder for use in connection with serially numbered coupons issued in strips, to identify such coupons with the person to whom, and any vehicle or fleet for which the coupons are issued.

3. Section 1394.7803 is amended to read as follows:

§ 1394.7803 *Transport ration coupons.* (a) Class T coupons, and, in the case of motorcycles owned or leased by the armed forces, Class D books marked "Transport" shall be issued as transport rations. Class T coupons shall each have a value of one unit. All Class T coupons issued for use after December 31, 1943 shall be issued in strips, and the coupons issued shall bear serial numbers in consecutive order. A folder shall be issued with such coupons, which shall identify the coupons with the vehicle or fleet and the owner of the vehicle or fleet for which the ration is issued.

(b) Coupons contained in a transport ration book shall authorize the transfer of gasoline to a consumer only during the period noted thereon by the Board. Serially numbered Class T coupons issued in strip form shall authorize the transfer of gasoline to a consumer only during the period noted by the Board on the folder which it issues with such coupons.

4. Section 1394.7805 is amended to read as follows:

§ 1394.7805 *Allowance and issuance of transport rations.*—(a) *Presentation of certificate of war necessity.* No transport ration shall be issued unless:

(1) The applicant has presented to the Board, at the time of application, a currently valid single unit certificate or, in the case of a fleet, a fleet certificate issued for the fleet for which a ration is sought; or

(2) The ration is sought for use with a motor vehicle owned or leased by the armed forces as provided in paragraph (c) of this section.

(b) *Allowance of ration for vehicles operated under certificate of war necessity.* When an application is made for a transport ration for use with a motor vehicle operated under a certificate of war necessity, the Board shall examine the single unit certificate or the fleet cer-

tificate submitted and shall insert at the appropriate place provided in the application the maximum number of gallons of gasoline allowed by the certificate for the quarterly periods indicated thereon. The Board shall allow the maximum number of gallons of gasoline certified in the certificate of war necessity for the quarterly period for which the ration is sought, or the quantity of gasoline which the applicant states he requires for that period, whichever amount is less. However, no transport ration may be issued which will allow the applicant to acquire gasoline in excess of the amount allowed by such certificate for the calendar quarterly period for which the ration is sought. The Board shall issue ration evidences in accordance with the provisions of paragraph (d) of this section, to provide the number of gallons of gasoline which it has allowed.

(c) *Allowance of rations for vehicles owned or leased by the armed forces.* When an application is made for a ration for use with a motor vehicle which is owned or leased by the military or naval forces of the United States or State military forces organized pursuant to section 61 of the National Defense Act, as amended, no certificate of war necessity is required. In such a case, the Board shall allow the applicant the number of gallons of gasoline requested by the applicant for the calendar quarterly period during which the ration is to be used. The Board shall issue ration evidences in accordance with the provisions of paragraph (d) of this section, to provide the number of gallons of gasoline which it has allowed.

(d) *Issuance of transport rations.* In respect to motor vehicles, other than motorcycles, the Board shall issue a sufficient number of Class T coupons, bearing consecutive serial numbers, to provide the number of gallons of gasoline allowed. The Board shall issue with such coupons a folder, and shall note on the folder the serial numbers of the coupons issued, the date of issuance and expiration, the identification of the vehicle or fleet and the name and address of the owner of the vehicle or fleet.

In respect to motorcycles, the Board shall issue Class D books marked "Transport" containing coupons only in sufficient number to provide the number of gallons of gasoline allowed and shall remove and cancel all coupons in excess of the number required to supply the gallonage allowed.

However, if it is necessary for the applicant to receive bulk transfers of gasoline and if he meets the requirements of § 1394.8006 in regard to bulk transfers the Board shall issue the ration in the form and manner provided in § 1394.8003, to the extent of the transport ration gallonage allowed by it for which bulk transfers are required. The Board shall make a record of its action on the application.

(e) *Compliance with orders of the Office of Defense Transportation.* No transport ration issued for a vehicle for the operation of which a certificate of war necessity is required may be used with any vehicle on which the tires have

\*Copies may be obtained from the Office of Price Administration.

17 F.R. 9135.

not been inspected and approved in accordance with any applicable rule, regulation or order of the Office of Defense Transportation, or of the Office of Price Administration.

5. Section 1394.7807 is amended to read as follows:

§ 1394.7807 *Interchangeable transport rations.* An applicant for a transport ration for use with fleet vehicles may request the Board to note, on the folder accompanying the Class T coupons, (or, in the case of motorcycles, upon the Class D ration book), a clearly discernible name or other identification of the fleet, or if the vehicles bear no clearly discernible name or identification, the serial number of the fleet certificate issued for such vehicles, instead of the registration number of a particular vehicle. The Board may grant such a request with respect to any vehicles in the fleet which are used interchangeably and which bear a clearly discernible fleet name, identification or designation, or, in the absence of such designation, with respect to any vehicles for which a fleet certificate has been issued. Whenever any folder issued in connection with Class T coupons or any ration book issued as a transport ration bears a notation made by the issuing Board of a fleet identification or a fleet certificate number, the coupons contained in such book or identified on such folder may be used interchangeably for all vehicles in the fleet bearing such identification or covered by such fleet certificate.

6. Section 1394.7852 (b) is amended to read as follows:

(b) (1) If the Board grants the application, it shall determine and allow the quantity of gasoline which is essential to the applicant for the accomplishment of the purpose stated in the application from the date of its decision to the end of the period (not exceeding six months) for which the ration is sought. However, the quantity so determined and allowed shall not exceed any applicable limitations upon amount of rations or mileage set forth in § 1394.7851.

(2) The Board shall issue to the applicant coupons of any appropriate class, except Class A coupons, in sufficient number to afford the applicant the quantity of gasoline allowed by the Board upon the basis of the current gallonage value of such coupons. The coupons so issued shall be contained in a ration book, or, in the case of serially numbered coupons, shall be accompanied by an appropriate folder. The person issuing the ration shall remove from any ration book and shall cancel any coupons in excess of the number representing the allowed gallonage. He shall mark on any book or folder which is so issued the word "Special," the date of issuance, the date on which the ration expires and that the ration will expire on that date, the identification of any vehicle for which the ration is issued and the name and address of the owner. He shall also write in any folder which is so issued the serial num-

bers of the coupons issued. He shall also make a record of the Board's action on the application.

(3) The coupons so issued shall be valid for transfers of gasoline to consumers from the date of issuance and shall expire at the end of the period for which the ration is issued.

(4) If the total quantity of gasoline allowed by the Board does not exceed twenty gallons, the Board may issue, instead of coupons, one or more gasoline purchase permits (Form OPA R-571) to provide the amount of gasoline allowed. The Board shall note upon the face of each such permit the information required by the form. No one gasoline purchase permit shall be issued for an amount in excess of ten gallons of gasoline nor for a fractional part of a gallon, and the total gallonage value of gasoline purchase permits issued to any applicant upon the basis of one application shall not exceed twenty gallons.

7. The heading immediately preceding § 1394.7951 is amended to read as follows: "Issuance of Ration Evidences and Acknowledgments of Delivery by the Office of Price Administration, Washington, D. C."

8. Section 1394.7951 is amended to read as follows:

§ 1394.7951 *Issuance of ration evidences for secret governmental work.* The Office of Price Administration, Washington, D. C., in its discretion, may issue in blank gasoline ration evidences of all types to the Army, Navy, Marine Corps, Coast Guard and law enforcement agencies of the United States, solely for the use of such agencies and for distribution to and use by their officers, agents or employees in the performance of official duties which depend upon secrecy. Any such agency which requires ration evidences for use by such officers, agents or employees, shall make written application therefor to the Office of Price Administration, Washington, D. C., and shall state the number and type of ration evidences required, and the use for which such evidences are intended.

9. Section 1394.8004 is amended to read as follows:

§ 1394.8004 *Notations on ration books, folders, applications, coupons and tire inspection records—(a) Notations by Board on application.* The Board shall make a record on every application of the action taken with respect thereto.

(b) *Notations by Board on rations issued for motor vehicles.* At the time of issuance of any ration coupons for use with a registered or commercial motor vehicle, the person issuing the ration shall make a clear notation, on the cover of the ration book or folder, in ink, indelible pencil or by typewriter, of the following information:

(1) The registration number, if any, of the vehicle for which it is issued, or the official or fleet designation of the vehicles with which it may be used interchangeably;

(2) The name and address of the owner of such vehicle, and

(3) In the case of any ration other than a basic ration, the date when the ration becomes valid, and, as the case may be, the expiration date or the earliest renewal date of the ration.

(c) *Notations by Board on non-highway rations.* At the time of issuance of any non-highway ration represented by coupons, the Board shall make a notation, on the cover of the ration book or folder of the name and address of the applicant, the date on which the ration becomes valid for use and the earliest renewal date of the ration.

(d) *Notations by Board on tire inspection records.* (1) At the time of issuance of any ration in connection with which the presentation of a tire inspection record is required pursuant to § 1394.8010, the person issuing the ration shall write clearly in ink, indelible pencil, or by typewriter on the tire inspection record the following information:

(i) The date of issuance;

(ii) The class of ration issued;

(iii) Either the serial number of the ration book, if any, issued or the serial numbers, if any, of the ration evidences issued;

(2) Upon the renewal of a basic ration the Board shall transcribe and record on the new tire inspection record the following information:

(i) The date of the last previous tire inspection and approval;

(ii) All notations appearing on the old tire inspection record relating to violations and to revocations or denials of rations, and

(iii) The class, serial number and earliest renewal date of any currently valid supplemental ration which has been issued for use with the vehicle.

(e) *Notations by ration holder.* Immediately upon receipt of any ration coupons each person to whom such coupons are issued shall write, stamp or print, clearly and in ink, on the face of the coupons issued to him the following information:

(1) In the case of Class A coupons, the license number and state of registration of the vehicle for which such ration was issued.

(2) In the case of Class B, C, D and T coupons, the license number and state of registration of the vehicle for which the ration was issued. However, in the case of interchangeable ration books and folders accompanying serially numbered coupons issued for use interchangeably among fleet or official vehicles, the information shall be the official or fleet designation (or the certificate of war necessity number in the case of commercial vehicles not bearing fleet designations) and the state and city or town in which the principal office of the fleet operator is located.

(3) In the case of Class E and R coupons no notation need be made upon receipt of the ration, but when a transfer is made to a consumer at a place off of his premises, the ration holder shall write, stamp or print on the coupons exchanged, the name and address of the person to whom the ration was issued.

10. Section 1394.8005 is amended to read as follows:

§ 1394.8005 *Change in motor vehicle registration number.* (a) Whenever any change is made in the registration number of a vehicle, the holder of a tire inspection record, or ration book, or serially numbered coupons accompanied by a folder issued for such vehicle (other than a ration book or folder bearing an official or fleet identification) shall cancel the former registration number appearing on the tire inspection record and coupon book or folder and shall note thereon, in ink, indelible pencil or by typewriter, the new registration number issued for such vehicle.

(b) The holder of any book or identification folder bearing an official or fleet identification shall upon any change in the name, identification or designation of such official or fleet vehicles, submit such book or folder to the Board which issued it for appropriate modification. Upon ascertaining the new name, identification or designation of such official or fleet vehicles, the Board shall change the designation of such book or folder to correspond thereto.

(c) Nothing in this section shall be construed to authorize the continued use of a ration after a change in ownership of the vehicle for which it was issued.

11. Section 1394.8006 is amended to read as follows:

§ 1394.8006 *Authorization of bulk purchase.* (a) Any applicant for a ration who desires to acquire gasoline in drums or other containers or who desires to receive gasoline by transfers into a storage tank or by other bulk transfer may, when applying for a ration, request the Board to issue gasoline deposit certificates instead of any ration evidences which would otherwise be issued. He may also request the Board to authorize him to use for bulk transfers any Class A, B, C, D or T coupons issued to him.

(b) (1) If the applicant will acquire 960 gallons or more per month by bulk transfer the Board shall issue one or more gasoline deposit certificates to the extent of the gallonage allowed by it for which gasoline deposit certificates are requested. The Board shall first determine the type of ration and the earliest renewal date or expiration date of the ration and the number of coupons or gallons to which the applicant is entitled; it shall then issue one or more gasoline deposit certificates to the extent required by the applicant, but not in excess of the gallonage value of the coupons to which the applicant is entitled. If only a part of the ration is issued in gasoline deposit certificates the remaining portion of the ration shall be issued in the usual manner in appropriate coupons. The Board may also authorize the use of such coupons for bulk transfer in the same manner as directed in subparagraph (2) of this paragraph. Upon the renewal of such an applicant's ration the Board may issue gasoline deposit certificates even though the applicant's need for acquiring gasoline by bulk transfer may be slightly less than 960 gallons per month.

(i) At the time of issuance of any gasoline deposit certificate the Board shall note upon the application for a gasoline ration the serial number and gallonage of the gasoline deposit certificate issued, the date of issuance of the ration and, as the case may be, the expiration date or earliest renewal date of the ration.

(ii) Each gasoline deposit certificate shall contain the designation of the issuing Board, the signature of the issuing officer, the name and address of the applicant, the gallonage, in words and numerals, for which the certificate is issued, the type of ration or rations issued in the certificate, and the gallonage of each such type.

(2) If the applicant will acquire less than 960 gallons per month by bulk transfer the Board shall issue the ration in the usual manner, and shall make a notation upon the coupon book or upon the folder accompanying the coupons, as the case may be, indicating that the coupons contained in such book or accompanying such folder may be used for a bulk transfer of gasoline.

12. Section 1394.8007 is amended to read as follows:

§ 1394.8007 *Lost, stolen, destroyed, mutilated or wrongfully withheld coupon books, folders or serially numbered coupons—*(a) *Coupon books and serially numbered coupons.* In the event of loss, theft, destruction, or mutilation of any coupon book or serially numbered coupons or the wrongful withholding of such book or coupons from the rightful holder, the person entitled to their possession may apply for the replacement of such book or coupons in accordance with the provisions of Procedural Regulation No. 12. However, if the application is for replacement of a coupon book or serially numbered coupons that have been lost or stolen, the Board shall waive all waiting periods provided for in § 1300.954 of Procedural Regulation No. 12, where the requirement of such waiting periods would result in extreme hardship upon the individual, impede essential transportation, or be contrary to the public interest. If application is made to a Board other than the Board which originally issued the coupon book or coupons an additional copy of the application shall be made, to be forwarded to the Board which originally issued the ration.

(b) *Folders.* In the event a folder is lost, stolen, destroyed, mutilated or wrongfully withheld from the rightful holder, the person entitled to possession of the folder may apply to the issuing Board for a new folder. The Board shall issue such a folder of appropriate class, bearing notations of the following information, which the Board shall obtain from the application on the basis of which the ration was granted:

(1) The serial numbers of the coupons with which the original folder was issued;

(2) Their date of issuance and their expiration or earliest renewal date;

(3) The identification of any vehicle or fleet for which the original folder was issued; and

(4) The name and address of the owner of the vehicle or fleet, or the applicant, as the form may require.

13. In § 1394.8103 (a) the first sentence is amended to read as follows:

Upon cessation of use or change in ownership of any vehicle, boat or equipment, any ration issued for such vehicle, boat or equipment shall expire and the person to whom such ration was issued shall, within five (5) days after its expiration, surrender to the issuing Board all unused coupons and books and any folder for serially numbered coupons issued therefor.

14. In § 1394.8104 (a) the phrase "other evidences and tire inspection records" is amended to read "other evidences, folders and tire inspection records" in the two places where such phrase appears.

15. In § 1394.8104 (e) the last sentence is amended to read as follows:

Such order shall also require the ration holder to surrender to a specified board or officer all revoked coupons and any folder outstanding in connection therewith, and a certified ration check payable to the Office of Price Administration for all revoked credits in a ration bank account.

16. In § 1394.8104 (f) the first sentence is amended by inserting the phrase "or a folder" after the words "ration evidences".

17. In § 1394.8105 (a) (1) the parenthetical phrase is amended to read "(and in such a case require the surrender to it of coupons, coupon books or other ration evidences and any folder outstanding in connection therewith)".

18. In § 1394.8105 (a) (2) (i) the second sentence is amended by inserting after the phrase "direct him to surrender to it the coupons, coupon books or other ration evidences issued to him" the words "and any folder outstanding in connection therewith".

19. Section 1394.8112 is revoked.

20. Section 1394.8116 is revoked.

21. Section 1394.8153 (a) is amended to read as follows:

(a) *Coupons issued for registered and commercial motor vehicles.* Transfers may be made and accepted under the following conditions in exchange for Class A, B, C, D, or T coupons having an aggregate unit value equal to the amount of gasoline transferred. However, if the transferee is able to accept only a portion of the amount of gasoline represented by the unit value of the coupon, the transferor shall nevertheless require the surrender of an entire coupon.

(1) In the case of a coupon issued in a ration book, the transferor at the time of transfer, must require presentation of the coupon book and must detach therefrom coupons having an aggregate unit value equal to the amount of gasoline transferred. No transfer may be made pursuant to this subparagraph in exchange for a coupon detached before the presentation of the coupon book to the transferor.

(2) In the case of a serially numbered coupon issued in strips in connection with an identifying folder, the trans-

feror, at the time of transfer, must require presentation of the coupons and the identifying folder. No transfer may be made pursuant to this subparagraph in exchange for a coupon which does not bear a serial number included in the sequence of serial numbers specified on the cover of the identifying folder.

(3) Transfer may be made only into the fuel tank of a motor vehicle identified on the coupon book or folder presented and only if a sticker corresponding to the class of coupon book or coupon presented is conspicuously displayed on such vehicle, as required by the provisions of § 1394.8165 relating to stickers. These rules, however, are subject to the following three exceptions:

(i) Upon the presentation of a Class A book, transfer may be made into the fuel tank of a passenger automobile identified on such book if a Class B or C sticker is displayed.

(ii) If the ration book or identifying folder bears a notation by a Board indicating that bulk transfer is authorized, a bulk transfer may be made in exchange for a coupon contained in such book or bearing a serial number included in the serial numbers specified on such folder.

(iii) Bulk transfer may also be made, of an amount of gasoline not in excess of one unit, to enable a vehicle stranded for lack of gasoline to reach a source of supply; in such case the transferor shall retain the ration book presented, or the identifying folder and coupons presented, until the vehicle is brought to the place of transfer for identification.

(4) Transfer may be made only on and after the validity date noted on the cover of the ration book or identifying folder presented or, in the case of a Class A book only during the valid period of the coupon in exchange for which the transfer is to be made. In the case of rations issued for leased vehicles and special rations which bear an expiration date, and of Class T coupons, transfers may be made only during the valid period noted on the cover of the book or identifying folder which is presented.

(5) Transfer may be made only in exchange for coupons bearing the notations required by § 1394.8004 (d).

(6) (i) No transfer may be made before July 1, 1943 or after December 31, 1943 in exchange for coupons contained in Class T-1 or Class T-2 books issued on Form OPA R-532B or Form OPA R-533B (coupons which bear the printed double letters "TT" on the face of each coupon).

(ii) No transfer may be made in exchange for coupons contained in Class T-1 or Class T-2 books issued on Form OPA R-532A or Form OPA R-533A (book coupons which bear the printed single letter "T" on the face of each coupon).

(7) Notwithstanding any other provisions contained in this section, no transfer, may be made on or after September 1, 1943, in exchange for Class B or C coupons issued on Form OPA R-527, Form OPA R-527A, Form OPA R-528 or Form OPA R-528A.

No. 242—10

22. Section 1394.8153 (c) (3) is amended to read as follows:

(3) No transfer may be made in exchange for any 100-gallon bulk coupon. On and after January 22, 1943 no transfer may be made in exchange for any one gallon bulk coupon which does not bear the word "gasoline" imprinted thereon and which is not issued on Form OPA R-554A.

23. Section 1394.8153 (c) (5) is revoked.

24. Section 1394.8165 is amended by substituting for the words "a Class A, B, C, T-1 or T-2 book coupon," the words "a Class A, B, C, or T coupon."

25. Section 1394.8167 (a) (1) is amended by deleting the words "in the limitation area and in the states set forth in § 1394.7904".

26. Section 1394.8167 (a) (2) is amended by deleting the words "in the limitation area and in the states set forth in § 1394.7904 (b)".

27. Section 1394.8177 (b) is amended to read as follows:

(b) No person shall transfer or assign and no person shall accept a transfer or assignment of any gasoline deposit certificate, folder, or any coupon book, inventory or other coupon (whether or not such book was issued as a ration book and whether or not such coupon was issued as a ration or as part of a ration book) or other evidence, except in accordance with the provisions of Ration Order No. 5C.

28. Section 1394.8177 (c) is amended to read as follows:

(c) No person shall have in his possession any gasoline deposit certificate, folder, or any coupon book, inventory or other coupon (whether or not such book was issued as a ration book and whether or not such coupon was issued as a ration or as part of a ration book) or other evidence, or any identifying folder, except the person, or the agent of the person, to whom such book, coupon, certificate or folder was issued or by whom it was acquired in accordance with the provisions of Ration Book No. 5C.

29. Section 1394.8177 (e) is amended by redesignating the present paragraph (e) as paragraph (g) and amending the same and adding new paragraphs (e) and (f) all as set forth below:

(e) No person shall have in his possession any serially numbered ration coupon without an appropriate folder identifying such coupon except a dealer or distributor who has lawfully acquired such coupon in exchange for a transfer of gasoline.

(f) Any person to whom serially numbered ration coupons have been issued shall maintain such coupons with the appropriate folder identifying such coupons by number, and shall present such folder for inspection whenever he surrenders any such coupon in exchange for a transfer of gasoline.

(g) The provisions of paragraphs (a), (b), (c) and (e) of this section shall not

be applicable to public officials acting in the performance of their official duties.

30. Section 1394.8178 is amended to read as follows:

§ 1394.8178 *Mutilation, destruction or counterfeiting of ration evidences or folders.* (a) No person other than a person authorized pursuant to Ration Order No. 5C shall deface, mutilate, alter, burn or otherwise destroy any folder or gasoline deposit certificate, or any coupon book, inventory or other coupon (whether or not such book was issued as a ration book and whether or not such coupon was issued as a ration or as a part of a ration book) or other evidence.

(b) No person shall counterfeit or forge any folder or gasoline deposit certificate, or any coupon book, inventory or other coupon, or any other evidence.

(c) No person shall transfer, receive a transfer of, possess, or use any forged, altered, or counterfeited folder, coupon book, gasoline deposit certificate, inventory or other coupon, or any other evidence.

(d) Any defacement, mutilation or alteration of a folder, gasoline deposit certificate, coupon book, inventory or other coupon, or any other ration evidence in violation of any provision of this section shall render such folder, gasoline deposit certificate, coupon, evidence or coupon book and the coupons therein, invalid. The detachment of any coupon from a ration book, except in accordance with the provisions of § 1394.8153, shall render such coupon invalid.

(e) The provisions of paragraphs (a), (c) and (d) of this section shall not be applicable to public officials acting in the performance of their official duties.

31. Section 1394.8206b (a) (7) is amended by deleting the parenthetical phrase "(coupons which do not bear the printed double letters "TT" on the face of each coupon)".

This amendment shall become effective December 9, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 4th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19427; Filed, December 4, 1943; 12:12 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL  
COMMODITIES

[MPR 426, Amdt. 15]

FRESH FRUITS AND VEGETABLES FOR TABLE USE,  
SALES EXCEPT AT RETAIL

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

\*Copies may be obtained from the Office of Price Administration.

18 F.R. 9546, 9568, 9727, 10571, 10673, 11589, 11691, 11756, 12098, 12951, 13743, 14012, 14154.

Maximum Price Regulation No. 426 is amended in the following respect:

1. A new paragraph is added to section 5 to read as follows:

Sales by growers or shippers of packages of mixed fresh fruits (containing no more than 16 pounds of grapes) are exempt from this regulation if shipped in lots of not more than 5 containers, each containing not over 26 pounds, net weight, to any one consignee, delivered by mail, parcel post or express, *Providing*, That not more than 15 percent by weight shall be composed of other items, including but not limited to dried fruits, nuts, glazed fruit, preserves, jellies, etc.

This amendment shall become effective December 4, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of December 1943.

JAMES F. BROWNLEE,  
Acting Administrator.

Approved: December 3, 1943.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 43-19428; Filed, December 4, 1943;  
12:12 p. m.]

PART 1448—EATING AND DRINKING  
ESTABLISHMENTS

[Restaurant MPR 1-2, Amdt. 3]

FOOD AND DRINK SOLD FOR IMMEDIATE  
CONSUMPTION IN THE BOSTON, MASS.,  
DISTRICT

For the reasons set forth in a statement of considerations issued simultaneously herewith,\* Restaurant Maximum Price Regulation No. 1-2 is hereby amended in the following respects:

1. The title "Food and Drink Sold for Immediate Consumption in the Boston, Massachusetts, District" is amended to read as follows: "Food and Drink Sold for Immediate Consumption in the Boston and Worcester, Massachusetts, Districts".

2. Section 11 is amended to read as follows:

SEC. 11. *Operation of several places.* If the seller owns or operates more than one eating or drinking place, he must do everything required by this regulation for each place separately.

3. Section 12 is amended to read as follows:

SEC. 12. *Relation to other maximum price regulations.* The provisions of this regulation shall not apply to any sale for which a maximum price is established by any other regulation, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration.

4. Section 13 is amended to read as follows:

SEC. 13. *Geographical applicability.* The provisions of this Restaurant Maximum Price Regulation No. 1-2 shall be

applicable to the Boston District, i. e., the Counties of Essex, Middlesex, Suffolk, Norfolk, Plymouth, Barnstable, Bristol, Dukes and Nantucket, and to the Worcester District, i. e. the County of Worcester.

This amendment shall become effective November 22, 1943, except section 10 shall not apply to sellers in the Worcester District until November 29, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued this 17th day of November 1943.

LAWRENCE J. BRESNAHAN,  
District Director.

[F. R. Doc. 43-19430; Filed, December 4, 1943;  
12:13 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD  
PRODUCTS

[RO 16, Amdt. 86]

MEAT, FATS, FISH AND CHEESES

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

1. A new Article XXVI is added to read as follows:

ARTICLE XXVI—HOUSEHOLD SALVAGE FATS

SEC. 26.1 *Explanation of the terms renderer and rendering establishment—*

(a) *Rendering establishment.* Any place at which a "person" processes "household salvage fats" to produce tallow, grease, tannage, fatty acids, or detergent is a "rendering establishment". (This does not include a household in which a person processes such fats for use in that household only.)

(b) *Renderer.* Any person who has a rendering establishment is a "renderer".

SEC. 26.2 *Renderers must register between December 9 and December 11, 1943, inclusive—*

(a) *General.* Every renderer must register his rendering establishment on OPA Form R-315 with the district office for the place where his establishment is located at any time from December 9, 1943, to December 11, 1943, inclusive. If he has more than one rendering establishment, he may register them together or separately. If he registers them together, he must register all on a single registration form and file that form with the district office for the place where his principal business office is located. If he registers each of them separately, he must file a separate registration form for each establishment with the district office for the place where that establishment is located. Each separately registered establishment is to be treated and operated separately for all the purposes of this order, just as if the establishments were owned by different persons.

(b) *Report of acquisitions of household salvage fats.* As part of his registration, the renderer must attach a statement showing the number of pounds of household salvage fats which he "acquired"

each month during July, August, September, and October 1943. This statement must show:

(1) The name and address of each "independent collector", if any, from whom he acquired household salvage fats, and the number of pounds acquired from each during each month;

(2) The number of pounds of household salvage fats he acquired from all other sources during each month;

(3) The total number of pounds of household salvage fats he acquired each month, and the total acquired in the four month period.

If he has more than one rendering establishment, and registers them together, he must attach a separate statement for each.

SEC. 26.3 *Renderers may receive allotments—*(a) *General.* A renderer is given an allotment of points to enable him to obtain household salvage fats for processing. Allotments are given for fixed periods, called allotment periods. The first allotment period is from December 13, 1943, through March 31, 1944. The second period is from April 1, 1944, through June 30, 1944. The third period is from July 1, 1944, through September 30, 1944. The fourth period is from October 1, 1944, through December 31, 1944.

(b) *Application for allotments.* A renderer's registration is treated as his application for an allotment for the first allotment period. The report, as described in section 26.4, which he submits for the last month of an allotment period will be treated as his application for the succeeding allotment period. The application may, in the discretion of the district office, be made at any time during the allotment period, but if it is made more than 10 days after the beginning of the period the allotment shall be reduced in proportion to the part of the allotment period which has elapsed at the time the application is made.

(c) *Amount of allotment.* A renderer's allotment for the first allotment period is determined by multiplying the number of pounds of household salvage fats which he acquired in July, August, September and October 1943 by 2.4. For the second allotment period, his allotment is determined by multiplying the number of pounds of household salvage fats he acquired from January 1, 1944, through March 31, 1944, by 2. For each succeeding allotment period his allotment is determined by multiplying the number of pounds of household salvage fats he acquired in the allotment period preceding the period in question by a factor to be fixed in a supplement to this order. He will receive for each allotment period a certificate for the amount of his allotment less the number of points he has remaining from prior allotments for household salvage fats.

(d) *Renderers who need additional points.* If a renderer has acquired, during any allotment period, household salvage fats for which he has given up at least 75% of his allotment of points for that period, and does not have sufficient points to acquire all the household salvage fats he can obtain for the remain-

\*Copies may be obtained from the Office of Price Administration.

\* 8 F.R. 13128, 13394.

der of that period, he may apply on OPA Form R-315 for additional points to the district office where he is registered. His application must show:

(1) The amount of his allotment for that period and the number of points he has on hand and in his household salvage fats ration bank account;

(2) The number of pounds of household salvage fats he acquired since the beginning of the allotment period;

(3) The average number of pounds of household salvage fats he has acquired daily since the beginning of the allotment period. (This figure to be determined by dividing the amount shown in (2) above by the number of days, including Sundays, from the beginning of the allotment period to the date of his application); and

(4) The number of points he needs until the end of the period. If the district office finds that he needs additional points, it will issue to him a certificate for the number of points he needs, on the basis of his average daily acquisitions of household salvage fats (less the points he has on hand and in his ration bank account) to acquire such fats through the end of the allotment period, or the number of points requested by him, whichever is less.

**Sec. 26.4 Renderers must file reports—**

(a) *General.* Every renderer must file a report of his acquisitions of household salvage fats during each month beginning December, 1943. (However, this report for December, 1943 shall cover only the period from December 13, through December 31, 1943.) This report must be filed at the district office where he is registered within 10 days after the end of the month which it covers. If he has more than one rendering establishment he must file a separate report for each, whether or not they are registered together. The report must be signed by him or by his authorized agent, and is considered filed on time if the envelope in which it is enclosed is postmarked on or before the date it is due.

(b) *Information to be given.* The report must show:

(1) The name and address of each independent collector from whom he acquired household salvage fats during the allotment period covered in the report, and the number of pounds acquired from each in each month in that period;

(2) The number of pounds of household salvage fats acquired each month during the period from all other sources; and

(3) The number of points he has on hand and in his household salvage fats ration bank account at the end of the allotment period.

**Sec. 26.5 Renderers must keep records.**

(a) Beginning December 13, 1943, every renderer must keep, at his rendering establishment, a record showing, for that establishment, his acquisitions of household salvage fats by weight, in each month of the allotment period; the name

and address of each independent collector from whom he acquired household salvage fats during each month, the number of pounds acquired from each; and the date on which he acquired such fats. If he has more than one establishment and they are registered together, the record may be kept at his principal business office, but a separate record must be kept for each of his establishments.

**Sec. 26.6 Explanation of the terms independent collector and independent collector establishment.** (a) A place other than a "retail", "wholesale", or "primary distributor establishment", where a person who deals in household salvage fats regularly keeps, for sale or "transfer", stocks of those fats, is an "independent collector establishment".

(b) Any person who has an independent collector establishment is an "independent collector".

(c) Where an independent collector does not operate from any fixed place, his independent collector operations as a whole are regarded as a single independent collector establishment.

**Sec. 26.7 Independent collectors may register and apply for an allowable inventory—**(a) *General.* An independent collector may register on or after December 9, 1943, on OPA Form R-315, for an allowable inventory of points to acquire household salvage fats. His registration must be filed with the district office for the place where his independent collector establishment is located. His registration must show:

(1) The number of pounds of household salvage fats he has on hand; and

(2) The number of pounds of household salvage fats he acquired for sale or transfer during October 1943.

If he has more than one independent collector establishment he may register them together or separately. If he registers them together, he must register all on a single registration form and file that form with the district office for the place where his principal business office is located. If he registers each of them separately, he must file a separate registration form for each establishment with the district office for the place where that establishment is located. Each separately registered establishment is to be treated and operated separately for all the purposes of this order, just as if the establishments were owned by different persons.

(b) An independent collector who registers is given an allowable inventory of points to enable him to acquire household salvage fats for sale or transfer. This allowable inventory is his working capital and is determined by multiplying by 2 the number of pounds he has on hand on the date of his application. The district office will issue to him a certificate in this amount. An independent collector who does not register will have to operate on the basis of the stocks he has and the points he obtains from the persons to whom he sells or transfers such stocks.

**Sec. 26.8 Independent collectors must keep records.** (a) Beginning December 13, 1943, every independent collector must keep at his independent collector establishment a record, for that establishment, of his acquisitions and transfers, each month, of household salvage fats, by weight. If he has more than one establishment and they are registered together, the record may be kept at his principal business office.

**Sec. 26.9 Who may have ration bank accounts—**(a) *Renderer.* Every renderer must open a ration bank account for household salvage fats for his rendering establishment. If he has more than one rendering establishment and they are registered separately, he must open a separate account for each. If they are registered together, he may open one account for all, or a separate account for each or for any group of them, but all must have an account.

(b) *Independent collector.* Every independent collector who acquired for sale or transfer 15,000 pounds or more of household salvage fats in any month since July 1943, may open a ration bank account for household salvage fats for his independent collector establishment. If he has more than one independent collector establishment and they are registered separately he may open such accounts only for those establishments at which he acquired for sale or transfer 15,000 pounds or more of household salvage fats in any month since July 1943. If he has more than one independent collector establishment and they are registered together he may open accounts for any one or any group of them which acquired 15,000 pounds or more during any month since July 1943. No other independent collector may open an account.

**Sec. 26.10 How household salvage fats bank accounts are used—**(a) *General.* Every renderer and every independent collector who has or is required to have a bank account under section 26.9, must deposit in that account all points he receives for household salvage fats.

(b) *How household salvage fats checks are issued.* Any renderer or independent collector who issues a ration check for household salvage fats must in stating the name of his account on the check add thereto the words "Salvage Fats Account".

(c) *Use of household salvage fats checks.* Any person other than a renderer or independent collector, who has or is required to have a ration bank account under section 9.2, must deposit in that account checks which he receives which were issued as provided in paragraph (b). Any person who receives such a check and who does not have and is not required to have a ration bank account may endorse it and transfer it to his supplier for "foods covered by this order".

**Sec. 26.11 Points must be given up for household salvage fats—**(a) *General.* Beginning December 13, 1943, no person

*of household salvage fats he acquired in October 1943, less the number of pounds he has on hand on the date of his application*

may sell or transfer household salvage fats and no person may buy or acquire household salvage fats unless points are given up in the way this order requires.

(b) *How points are given up.* (1) Household salvage fats have a point value of one point for each one-half pound. No points may be given for any fraction of less than one-half pound.

(2) A person who acquires household salvage fats from a consumer or a Group I institutional user must give such person ration stamps or ration coupons (designated by the Office of Price Administration to be used for the acquisition of foods covered by this order).

(3) A person who has or who is required to have a ration bank account for household salvage fats and who acquires household salvage fats from persons other than consumers or Group I institutional users must give up points in the following way:

(i) If he acquired 100 pounds or more of household salvage fats he must issue a household salvage fats ration check for the number of points due to the person from whom he acquired the fats;

(ii) If he acquired less than 100 pounds he must make point payments for such fats in ration coupons designated for the acquisition of foods covered by this order. He may obtain ration coupons for this purpose by issuing a household salvage fats ration check to the order of his board and exchange such check at the board for ration coupons in such denominations as he needs.

(4) An independent collector who does not have and is not required to have a ration bank account for household salvage fats and who receives a household salvage fats ration check may endorse and exchange such check at any board for ration coupons designated for the acquisition of foods covered by this order.

(c) *When points must be given up.* (1) Points for household salvage fats must be given up to a consumer or Group I institutional user at the time of the transfer of the household salvage fats.

(2) Points for household salvage fats must be given up to all other persons within 30 days after the time the transfer is made. However, if money payment for the household salvage fats is made in less than 30 days, the points must be given up not later than the time the money payment is made.

(d) *General.* Points may be transferred freely between establishments of the same type operated by the same person, which are registered together, and points of one of those establishments may be used to get household salvage fats for another of them.

SEC. 26.12 *Point-free transfers.* (1) No points need be given up for a delivery of household salvage fats to a renderer or independent collector if such fats were in transit to him on December 12, 1943.

(2) Consumers may exchange, point-free, household salvage fats for foods

covered by this order equal in point value to such household salvage fats.

(3) Point-free transfers of household salvage fats may be made under the conditions described in sections 11.5, 11.6, 11.7, 11.8, 11.9, 11.10, 11.12, and 11.16, as though household salvage fats were foods covered by this order.

SEC. 26.13 *Other sections of this order apply.* (a) For all the purposes of Articles 16 and 17, and sections 10.7, 10.8, 10.9, 15.1, 20.1, 20.2, 20.3, 20.5, and 23.1 of this order, household salvage fats are to be treated as though they were foods, covered by this order.

(b) For all purposes of sections 12.1, 12.3, 12.4, 14.1, 15.2, 18.1, and 19.1 of this order, renderers and independent collectors are to be treated as though they were wholesalers of foods covered by this order.

2. Section 24.1 is amended by adding the following definitions:

"Household salvage fats" means any fat produced by a consumer or Group I institutional user in preparing or cooking food.

"Group I institutional user" means a Group I institutional user as defined in General Ration Order 5.

This amendment shall become effective December 9, 1943.

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

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 4th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19446; Filed, December 4, 1943;  
4:56 p. m.]

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

[RMPR-148, Amdt. 14]

DRESSED CARCASSES 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.\*

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 8609, 9005, 8948; 8 F.R. 544, 2922, 3367, 4785, 7322, 7671, 7826, 8376, 8677, 9998, 10571, 10732, 11380, 13296, 15191, 15609.

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

1. Section 1364.32 (c) (38) is added to read as follows:

(38) "Hams, long-cut bone-in" include hams cut off from the hog carcass at a point not to exceed three inches beyond the end of the saucer bone (slip bone), with the shank cut off not to exceed one inch below the hock joint, with loose gut fat removed from the face and pelvic cavity, with the cushion side well rounded and no excessive flank.

2. Items 2 through 20 of Schedule I (a) of § 1364.35 are redesignated Items 3 through 21.

3. A new Item 2 of Schedule I (a) of § 1364.35 is added to read as follows:

Item	Green or frozen	
	Weight (pounds)	Price (dollars)
2. Hams—long cut, bone-in (may be sold only to be "Virginia cured").	Under 14..... 14 to 18..... Over 18.....	22.25 21.50 20.50

4. Schedule I (d) of § 1364.35 is amended to read as follows:

(d) Dried pork products

Item:	Price (dollars)
1. Virginia cured ham.....	38.50
2. Prosciutto hams.....	36.50
3. Virginia cured sides.....	26.00
4. Virginia cured bacon.....	28.75
5. Virginia cured jowls.....	20.00
6. Virginia cured shoulders.....	31.50
7. Capicall butts.....	44.75

This amendment shall become effective December 10, 1943, except that § 1364.35, Schedule I (d) shall become effective January 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19441; Filed, December 4, 1943;  
4:59 p. m.]

PART 1389—APPAREL

[MPR 330, Corr. to Amdt. 2]

RETAILERS' AND WHOLESALE PRICES FOR  
WOMEN'S, GIRLS' AND CHILDREN'S OUTER-  
WEAR GARMENTS

In Table II of paragraph (a) of Appendix C, the figure "3.09" for Category No. 26 under the column headed Cotton is corrected to read "2.00".

In Table II of paragraph (b) of Appendix C, the figure "1.87½" for Category

<sup>1</sup> 8 F.R. 2209, 11041, 1061.