

This regulation establishes dollars-and-cents ceiling prices for those items customarily distinguished for pricing purposes by the industry. Differentials of various styles of pack which follow industry distinctions have been recognized. The prices specified are gross prices and customary allowances and discounts must be deducted from them. These increased prices will be reflected at the wholesale and retail level by the percentage markups provided for in CPR's 14, 15, and 16, and will maintain for Maine sardines, normal price relationships with other competitive canned fish.

In formulating this regulation, the Director of Price Stabilization has consulted with industry representatives to the extent practicable and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended. The ceiling prices established by this regulation are higher than the prices prevailing just before the date of issuance of this regulation.

As far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
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AUTHORITY: Sections 1 to 10 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup., 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. What this regulation does. This regulation establishes specific dollars-and-cents ceiling prices for most sales of canned Maine sardines when such sales are made by the canners of those sardines. These ceiling prices supersede those established by the General Ceiling Price Regulation and by Ceiling Price Regulation 22.

SEC. 2. Where this regulation applies. The provisions of this regulation are applicable in the 48 States of the United States and in the District of Columbia.

SEC. 3. Ceiling prices for Maine sardines. Your ceiling prices for Maine sardines are as listed below. These prices are for cases of Maine sardines packed in the listed container sizes and types and styles of pack, f. o. b. car at the railroad shipping point nearest the cannery.

A case means a lot of one hundred (100) 1/4's cans or a lot of forty-eight (48) 3/4's cans. The price of a case includes the cost of the shipping container.

Container size and type	Style of pack	Ceiling price per case
Keyless standard pack:		
1/4's.....	In soybean or cottonseed oil.	\$10.50
1/4's.....	In mustard sauce.	10.50
1/4's.....	In tomato sauce.	10.50
3/4's.....	In mustard sauce.	9.00
3/4's.....	In tomato sauce.	9.00
Can pack with key:		
With keys wrapped:		
1/4's.....	In soybean or cottonseed oil.	12.00
1/4's.....	In mustard sauce.	12.00
1/4's.....	In tomato sauce.	12.00
1/4's.....	In peanut oil.	12.00
With keys in cartons:		
1/4's.....	In soybean or cottonseed oil.	12.00
1/4's.....	In mustard sauce.	12.00
1/4's.....	In tomato sauce.	12.00
1/4's.....	In peanut oil.	12.00
With keys decorated tops:		
1/4's.....	In soybean or cottonseed oil.	11.25
1/4's.....	In tomato sauce.	11.25
1/4's.....	In peanut oil.	12.00
With keys plain:		
1/4's.....	In soybean or cottonseed oil.	11.00
1/4's.....	In mustard sauce.	11.00

SEC. 4. Conditions and terms of sale. The ceiling prices set forth in section 3 of this regulation are gross prices and you must continue to apply all customary delivery terms, discounts, allowances, guarantees, and other usual and customary terms and conditions of sale; which you had in effect between Dec. 19, 1950 and Jan. 25, 1951 inclusive, except that in no instance shall the gross selling price of any item covered by this regulation exceed the ceiling price for such item as set forth in section 3.

SEC. 5. Adjustments. For container sizes, or types and styles of pack of Maine sardines not listed in section 3 of this regulation, the ceiling price shall be a price determined by the Director of Price Stabilization to be in line with the prices listed in that section 3. Such determination shall be made upon written request addressed to the Fish Branch, Office of Price Stabilization, Washington 25, D. C., showing the size and type of container listed in section 3 to which your unlisted product is most similar and your price differential between the unlisted product and most similar listed product as of June 24, 1950 or the latest date previous to June 24, 1950 on which both products were sold or offered for sale by you. You may not sell your product under this section 5 until you receive written notification of the ceiling price which has been approved for such product. Until you have received a price under this section 5, you may use the prices you filed pursuant to CPR 22, if approved, or your GCPR prices.

SEC. 6. Records. After the effective date of this regulation, if you sell or exchange Maine sardines in the course of trade or business or otherwise deal therein, you must make, preserve, and keep available for examination by the Director of Price Stabilization for a period of two years, accurate records of each sale, showing:

- (1) The date of sale;
- (2) The name and address of the buyer and of the seller;

(3) The price contracted for or received, with a recording of all allowances, discounts, and other terms and conditions of sale;

(4) The quantity, style of pack, and the container size and type.

SEC. 7. Petition for amendment. If you wish to have this regulation amended, you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation 1, Revised (16 F. R. 4974).

SEC. 8. Prohibitions. On or after the effective date of this regulation, regardless of any contract, agreement, or other obligation, you shall not sell or deliver, and no person in the course of trade or business shall buy or receive any commodity covered by this regulation at prices higher than those established by this regulation, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to any of the commodities covered by this regulation, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing the selection or style of processing or the canning, wrapping or packaging of the commodities covered in this regulation, or in any other way.

SEC. 9. Penalties. Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for damages provided for by the Defense Production Act of 1950, as amended.

SEC. 10. Definitions. When used in this regulation the term: (a) "Maine Sardines" means canned Atlantic sea herring (ordinarily *Clupea harengus*) of the sizes customarily packed and sold under the trade designation of Maine sardines.

(b) "1/4's" means drawn cans of the following measurements: 300.5x404x014.5 or 405x211x016.

(c) "3/4's" means three piece cans or drawn cans of the following measurements: 308x412x112 or 304x508x105.

(d) "Canner" means a person who preserves Maine sardines by processing and hermetically sealing them in metal containers.

(e) "You" means the person subject to this regulation.

Effective date. This regulation is effective October 22, 1951.

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

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 17, 1951.

[F. R. Doc. 51-12605; Filed, Oct. 17, 1951; 4:00 p. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 3, Amdt. 4 to Schedule A]

RR 3—HOTEL REGULATION

SCHEDULE A—DEFENSE RENTAL AREA

KENTUCKY AND ILLINOIS

Amendment 4 to Schedule A of Rent Regulation 3—Hotel Regulation. Said regulation is amended in the following respect:

New Item 127 is hereby added to Schedule A as follows:

Name of defense- rental area	State	County or counties in defense-rental area under rent regulation 3	Maximum rent date	Effective date of regulation
(127) Paducah.....	Kentucky.....	Ballard and McCracken.....	Jan 1, 1951	Oct. 17, 1951
	Illinois.....	Massac County; and in Johnson County, the township of Vienna, including the city of Vienna.	do.....	Do.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective October 17, 1951.

Issued this 15th day of October 1951.

JOHN J. MADIGAN,

Acting Director of Rent Stabilization.

[F. R. Doc. 51-12509; Filed, Oct. 71, 1951;
8:56 a. m.]

TITLE 33—NAVIGATION AND
NAVIGABLE WATERSChapter I—Coast Guard, Department
of the Treasury

Subchapter B—Military Personnel

[CGFR 51-48]

PART 49—PAYMENT OF AMOUNTS DUE
MENTALLY INCOMPETENT COAST GUARD
PERSONNEL

SUBPART 49.01—GENERAL PROVISIONS

- Sec.
49.01-1 Applicability.
49.01-5 Requests for appointment of
trustee.
49.01-10 Determination of incompetency.

SUBPART 49.05—TRUSTEE

- 49.05-1 Appointment of trustee.
49.05-5 Bonding of trustee.
49.05-10 Affidavits required.

SUBPART 49.10—REPORTS AND MONEYS

- 49.10-1 Reports required.
49.10-5 Payment of moneys due.
49.10-10 Cessation of payments.
49.10-15 Final accounting by trustee.

SUBPART 49.15—ADDITIONAL INSTRUCTIONS

- 49.15-1 Implementing instructions.

AUTHORITY: §§ 49.01-1 to 49.15-1 issued under sec. 3, 64 Stat. 249; 37 U. S. C. 353.

The purpose of the following regulations is to establish necessary requirements and procedures so that payment of moneys due mentally incompetent Coast Guard personnel may be made. Because these regulations establish the procedures and practices in connection with the payment of moneys due mentally incompetent Coast Guard personnel and since it is for the immediate benefit of these incompetent persons, it is hereby found that compliance with the notice of proposed rule making, public rule making procedure thereon, and effective date requirements of the Administrative Procedure Act is impracticable and contrary to the public interest.

Pursuant to the authority vested in the Secretary of the Treasury by section 3 of the act of June 21, 1950, 64 Stat. 249 (37 U. S. C. 351-354), the following regulations are promulgated to govern the payments of amounts due from the Federal Government to persons on the active or retired list of the Coast Guard or the Coast Guard Reserve, entitled to Federal pay either on the active or retired list of said service, when such persons, in the opinion of competent medical authority, have been declared mentally incapable of managing their own affairs.

SUBPART 49.01—GENERAL PROVISIONS

§ 49.01-1 *Applicability.* The Commandant of the Coast Guard is hereby designated and is authorized to appoint, in his discretion, the person or persons who may receive active-duty pay and allowances, amounts due for accumulated or accrued leave, or any retired or retainer pay, otherwise payable to personnel on the active or retired list of the Coast Guard and Coast Guard Reserve, entitled to Federal pay either on the active or any retired list of said service, who, in the opinion of competent medical authority, have been determined to be mentally incapable of managing their own affairs, and for whom no legal committee, guardian, or other representative has been appointed by a court of competent jurisdiction.

§ 49.01-5 *Requests for appointment of trustee.* Requests for the appointment of a person or persons to receive moneys due personnel believed to be mentally incapable of managing their own affairs shall be submitted to the Commandant of the Coast Guard:

(a) By any person or persons who believe, because of relationship, they should be appointed to receive payments on behalf of the alleged incompetent;

(b) By the Commanding Officer of the alleged incompetent if the latter is on active duty;

(c) By the Commanding Officer of any Armed Forces hospital in which the mentally incompetent is undergoing treatment;

(d) By the head of any veterans' hospital, or other public or private institution in which the alleged incompetent is undergoing treatment;

(e) By any other person or organization acting for and in the best interests of the alleged mentally incompetent.

§ 49.01-10 *Determination of incompetency.* After examining the legitimacy, substance, and sufficiency of the application, the Commandant shall either (a) direct the Commanding Officer of the alleged mentally incompetent, (b) the Commanding Officer of the Coast Guard unit to which such incompetent may be conveniently referred, or (c) request the Surgeon General of the Public Health Service to convene or appoint, at the Public Health Hospital or facility, where the alleged incompetent is receiving treatment or to which his case may be conveniently referred, a board of not less than three qualified medical officers, one of whom shall be specially qualified in the treatment of mental disorders, to determine whether the alleged incompetent is capable of managing his own affairs. The record of proceedings and the findings of the board shall, after action by the Convening or Appointive Authority thereon, be forwarded to the Commandant.

SUBPART 49.05—TRUSTEE

§ 49.05-1 *Appointment of trustee.* Upon receipt of a finding by a board convened or appointed in accordance with § 49.01-10, that the alleged incompetent is mentally incapable of managing his own affairs, the Commandant may appoint a suitable person or persons, not under legal disability so to act, as trustee or trustees to receive in behalf of the incompetent all amounts due the incompetent from such sources set forth in § 49.01-1, and to use said funds in the best interests of the incompetent.

§ 49.05-5 *Bonding of trustee.* The trustee or trustees appointed to receive moneys in behalf of incompetent personnel shall furnish a bond in all cases when the amounts to be received may be expected to exceed \$1,000, and in such other cases when deemed appropriate by the Commandant. The bond so required and furnished shall have as surety a company approved by the Federal Government, and shall be in such amount as is required by the Commandant. Such bonds shall be continued in effect for the life of trusteeship and expenses in connection with the furnishing and renewal of such bonds may be paid out of sums due the incompetent.

§ 49.05-10 *Affidavits required.* The trustee or trustees appointed to receive moneys due incompetent personnel shall, prior to the payment of any such moneys, execute and file with the Commandant an affidavit or affidavits saying and deposing that any moneys henceforth received by virtue of such appointment shall be applied solely to the use and benefit of the incompetent and that no fee, commission, or charge shall be demanded, or in any manner accepted, for any service or services rendered in connection with such appointment as trustee or trustees.

SUBPART 49.10—REPORTS AND MONEYS

§ 49.10-1 *Reports required.* The trustee or trustees so appointed shall submit reports annually, or at such other times as the Commandant may designate. The report shall show a statement of the conditions of the trust account at the time

of the submission of the report, including all funds received on behalf of the incompetent; all expenditures made in behalf of the incompetent, accompanied by receipts or vouchers covering such expenditures; and a receipt indicating that the surety bond required by § 49.05-5 has been renewed. When the trustee is the spouse or adult dependent of the incompetent, receipts or vouchers need not be filed for expenditures made for living expenses. If the trustee or trustees fail to report promptly and properly at the end of any annual period or at such other times as the Commandant desires, the Commandant may, in his discretion, cause payment to such trustee or trustees to cease, and may, if deemed advisable, appoint another person or persons not under legal disability so to act, to receive future payments of moneys due the incompetent for the use and benefit of the incompetent.

§ 49.10-5 *Payment of moneys due.* Upon the appointment of a trustee or trustees to receive moneys due an incompetent, the authorized certifying officer having custody of that person's pay record shall be advised. After such notification, payments of moneys due the incompetent may be made by the appropriate officer in accordance with procedure prescribed by the Commandant. All such payments so made, however, shall be made to the designated trustee or trustees.

§ 49.10-10 *Cessation of payments.* (a) Payments of amounts due incompetent personnel shall cease to be paid to the trustee or trustees upon receipt of notification by the authorized certifying officer of the occurrence of any of the following:

- (1) Death of the incompetent;
- (2) Death or disability of the trustee or trustees appointed;
- (3) Receipt of notice that a committee, guardian, or other legal representative has been appointed for the incompetent by a court of competent jurisdiction;
- (4) Failure of the trustee or trustees to render the reports required by § 49.10-1;
- (5) That there is probable cause to believe that moneys received on behalf of the incompetent have been, or are being, improperly used;
- (6) A finding by a board of medical officers that the heretofore incompetent is mentally capable of managing his own affairs;
- (7) That the Commandant deems it to be in the best interest of the incompetent.

(b) In the event of termination of payments under subparagraphs (2), (4), (5), or (7) in paragraph (a) of this section, the Commandant may, if deemed appropriate, appoint a successor trustee or trustees. The successor trustee or trustees, so appointed, shall comply with the provisions of the regulations and instructions in this part issued thereunder, and do all acts in the manner required of the original trustee or trustees.

§ 49.10-15 *Final accounting by trustee.* The trustee or trustees, when

payments hereunder are terminated, shall file a final account with the said Commandant. Thereupon, the trustee or trustees will be discharged and the surety released. In event of death or disability of the trustee, the final accounting will be filed by his legal representative.

SUBPART 49.15—ADDITIONAL INSTRUCTIONS

§ 49.15-1 *Implementing instructions.* The Commandant is hereby authorized to issue such instructions not in conflict with the regulations in this part as may be necessary from time to time to give full force and effect thereto.

Dated: October 11, 1951.

[SEAL] E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 51-12504; Filed, Oct. 17, 1951;
8:53 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 1—GENERAL PROVISIONS

MISCELLANEOUS AMENDMENTS

1. Sections 1.509 and 1.510 are amended to read as follows:

§ 1.509 *Disclosure to courts in proceedings in the nature of an inquest.* The solicitor, chief attorneys, and managers are authorized to make disclosures to courts of competent jurisdiction of such files, records, reports, and other documents as are necessary and proper evidence in proceedings in the nature of an inquest into the mental competency of claimants and other proceedings incident to the appointment and discharge of guardians, curators, or conservators to any court having jurisdiction of such fiduciaries in all matters of appointment, discharge, or accounting in such courts.

§ 1.510 *Disclosure to insurance companies cooperating with the Department of Justice in the defense of insurance suits against the United States.* Copies of records from the files of the Veterans' Administration will, in the event of litigation involving commercial insurance policies issued by an insurance company cooperating with the Department of Justice in defense of insurance suits against the United States, be furnished to such companies without charge, provided the claimant or his duly authorized representative has authorized the release of the information contained in such records. If the release of information is not authorized in writing by the claimant or his duly authorized representative, information contained in the files may be furnished to such company if to withhold same would tend to permit the accomplishment of a fraud or miscarriage of justice. However, before such information may be released without the consent of the claimant, the request therefor must be accompanied by an affidavit of the representative of the insurance company, setting forth that litigation is pending, the character of the suit, and the purpose for which the in-

formation desired is to be used. If such information is to be used adversely to the claimant, the affidavit must set forth facts from which it may be determined by the solicitor or chief attorney whether the furnishing of the information is necessary to prevent the perpetration of a fraud or other injustice. The averments contained in such affidavit should be considered in connection with the facts shown by the claimant's file, and, if such consideration shows the disclosure of the record is necessary and proper to prevent a fraud or other injustice, information as to the contents thereof may be furnished to the insurance company or copies of the records may be furnished to the court, Workmen's Compensation, or similar board in which the litigation is pending upon receipt of a subpoena duces tecum addressed to the Administrator of Veterans' Affairs, or the manager of the office in which the records desired are located. In the event the subpoena requires the production of the file, as distinguished from the copies of the records, no expense to the Veterans' Administration may be involved in complying therewith, and arrangements must be made with the representative of the insurance company causing the issuance of the subpoena to insure submission of the file to the court without expense to the Veterans' Administration.

2. In § 1.511, paragraphs (a), (b), and (c) are amended to read as follows:

§ 1.511 *Judicial proceedings generally.* (a) Where a suit has been threatened or instituted against the Government, other than for insurance under section 19 of the World War Veterans' Act, 1924, as amended, or section 617, National Service Life Insurance Act, as amended, or a prosecution against a claimant has been instituted or is being contemplated, the request of the claimant or his duly authorized representative for information, documents, reports, etc., shall be acted upon by the solicitor in Central office of the chief attorney in the field station who shall determine the action to be taken with respect thereto. In cases involving insurance litigation (suits for insurance filed under section 19 of the World War Veterans' Act, 1924, as amended, or section 617, National Service Life Insurance Act, as amended), the request shall be acted upon by the director of the service having jurisdiction over the subject matter in central office or field station. Where the files have been sent to the Department of Justice in connection with any such suit, the request will be referred to the Department of Justice, Veterans' Affairs Section, Washington, D. C., for attention. In all other cases where copies of documents or records are desired by or on behalf of parties to a suit, whether in a court of the United States or any other, such copies shall be furnished as provided in paragraph (d) of this section; otherwise to the court only, and on an order of the court or subpoena duces tecum addressed to the Administrator of Veterans' Affairs, or the man-